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House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, our Stronghold and Provident Protector, on this May 15, designated as Peace Officers Memorial Day, we turn to You with great gratitude and heartfelt petition. Today, we pay tribute to all the men and women who serve in law enforcement across this Nation. We thank You for calling them into public service and ask You to be close to them always.

In a special way we commend to You, Lord, our Capitol Police. Each day, with courtesy and professional care, they guide and protect all who work here on Capitol Hill with all our guests and visitors. Willing to stand between us and all that could harm us, they serve with dignity and excellence.

Bless them, Lord, their families and friends. Answer their prayers and reward them for their selfless efforts on behalf of others. They are the shield You provide, and they maintain Your gift of peace on Capitol Hill.

Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Ms. SOLIS) come forward and lead the House in the Pledge of Allegiance.

Ms. SOLIS led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 6022. An act to suspend the acquisition of petroleum for the Strategic Petroleum Reserve, and for other purposes.

H.R. 6051. An act to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 16, 2008.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 5 requests for 1-minutes on each side.

NEW DIRECTION FOR AMERICAN AGRICULTURE

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARNAHAN. Madam Speaker, yesterday this House passed a bipartisan, veto-proof farm bill strengthening American agriculture.

We successfully voted to ease the strain of rising food prices and to make a substantial commitment to land conservation and to our farmers. I want to give special recognition to Chairman COLLIN PETERSON for his leadership and for his visit to Missouri to hold an agricultural forum where we have over 100,000 farms, the second most of any State in the country.

Since first being elected, I have been working with local schools and parents to implement a Healthy Kids Initiative. I'm proud that this farm bill helps schools provide healthy snacks to students, with over $1 billion for more nutritious, locally grown fresh fruits and vegetables.

And for the first time, fruit and vegetable producers, including the wine producers of Ste. Genevieve, Missouri, will benefit from more than $1.3 billion for new programs that support research, pest management, and trade promotion.

To make the transition from homegrown biofuels from the Midwest and away from dependence on fossil fuels from the Middle East, the bill creates new tax credits to promote the production of cellulosic biofuels.

Thank you, Chairman PETERSON, and all those who supported this new direction for American agriculture.

BLACK CLOTH OF SACRIFICE

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Madam Speaker, today, the badges of American peace officers are draped with the black cloth of sacrifice in honor of those killed in the line of duty protecting America's people.

Even though Congress has not yet passed legislation this year to designate today, May 15, as National Peace Officers Memorial Day, this is the day we remember America's peace officers.

Today at 1 o'clock in the afternoon in front of the Capitol, thousands of peace officers and families of the fallen will pay tribute to those who wear the badge and those who gave their life so that others could live.

Peace officers are the last strand of wire in the fence between the law and the lawless, between the people and the barbarians, between good and evil.

Almost 20,000 peace officers have been killed in the line of duty in the United States. 60,000 a year are assaulted. Nearly 1 million peace officers vigilantly, faithfully patrol our streets, neighborhoods and rural communities and cities. We owe them our heartfelt respect and gratitude.

Madam Speaker, peace officers who wear the badge are, as my dad used to say, ''A cut above the rest of us.''

Printed on recycled paper.

And that's just the way it is.

ASIAN PACIFIC ISLANDER AMERICAN HERITAGE MONTH

(Ms. SOLIS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. SOLIS. Madam Speaker, today I rise as a member of the Congressional Asian Pacific Islander American Caucus to pay tribute to the millions of Americans of Asian and Pacific heritage for their valuable contributions to our great country.

The district I represent has benefited from the economic and social contributions from the Asian and Pacific Islander Americans. That includes the Cities of Monterey Park, known as Little Taipei, Rosemead and West Covina, as well as other neighboring communities in San Gabriel Valley. In my district, there are approximately 120,000 API descendants.

For example, according to the Chamber of Commerce, Chinese Americans own at least two-thirds of Monterey Park's more than 5,000 businesses.

Many of the constituents I represent came to America in the hopes of providing for their loved ones and plan to reunite with their families.

This month comes at a tough time, especially for many of those of Asian descent, particularly those that were affected by the recent earthquake in China. My sympathies go to their families.

I look forward to continuing to work with the API community and others to bridge the gap to provide better services to all our residents and grow our economy.

COUNTY PAYMENTS: CROOK COUNTY, OREGON

(Mr. WALDEN of Oregon asked and was given permission to address the House for 1 minute.)

Mr. WALDEN of Oregon. Madam Speaker, by refusing to renew the Federal county payments program, Congress has broken the bond with rural areas all across this country. Counties such as Crook County in Oregon have been affected.

Congress' inaction means that county's road department's been whacked. It's half what it was 10 years ago. Road improvements needed for the future are being shelved. Maintenance projects are being put on hold.

Crook County Judge Scott Cooper said: ''Congress just passed a new farm bill to help get products from farm to market, but without county payments, the products won't have roads or bridges to go over.''

H.R. 3058 would help solve this. It's a bipartisan, 4-year authorization for county payments; yet the leadership of this House has held it hostage on the Union Calendar since January 15. That's 121 days that the Democratic leadership has prevented the House from voting to reauthorize the county payments program.

It's time to restore the Federal Government's century-old commitment to rural timbered communities, where Federal lands make up the bulk of the area.

I call on the Democratic leadership once again, free H.R. 3058 for a vote, and keep the roads and schools open in rural America.

HONORING THE LIFE OF BISHOP LEWIS DOLPHIN STALLWORTH, SR.

(Mr. MCNERNEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCNERNEY. Madam Speaker, I ask my colleagues to join me in honoring the life of Bishop Lewis Dolphin Stallworth, Senior, who passed away after a courageous battle with kidney disease.

Born in Welty, Oklahoma, in 1923, Bishop Stallworth found his life's calling with the church and the community.

Bishop Stallworth was a leader in the community, his influence extending far beyond the church that he founded in 1963. Bishop Stallworth volunteered as a police chaplain, hosted a weekly radio program, and frequently participated in local community functions. He also used his church as a place of learning, opening a school, originally located in the church basement, to educate young people.

He even organized a group of young men known as Stallworth's Soldiers, counseling them to get an education, stay out of trouble, and become model members of the community.

As evidence of Bishop Stallworth's enduring character and unparalleled passion, his love for his family, church and community, less than 5 weeks after his death, hundreds have already petitioned the school district to consider naming a school after him.

I ask my colleagues to join me in honoring the memory of Bishop Lewis Dolphin Stallworth, Senior.

CONGRATULATIONS GREATER LATROBE ICE CATS

(Mr. TIM MURPHY of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. TIM MURPHY of Pennsylvania. Madam Speaker, I rise today to recognize the Greater Latrobe Ice Cats who were crowned Pennsylvania Ice Hockey State Champions on Saturday, March 29.

This is the first championship won by the Ice Cats in their 28-year history and only the second time in school history that a team has won a state championship.

The Ice Cats defeated the Conestoga Pioneers at Memorial Arena in Johnstown.

Head Coach Ron Makoski, who led the team to victory, reminded the players that, win or lose, playing in a State championship would be something that each of the players would remember for the rest of their lives. I have no doubt that each of these players will remember this experience with great pride.

So congratulations to the Ice Cats, the players, the coaches and parents for capturing the Pennsylvania Cup Class AA Championship.

I know the school and community join me in best wishes to the team for their tremendous victory and distinguished season.

LIHEAP FUNDING

(Mr. ALTMIRE asked and was given permission to address the House for 1 minute.)

Mr. ALTMIRE. Madam Speaker, I rise today in support of fully funding the Low-Income Home Energy Assistance Program, known as LIHEAP. With energy prices at record levels, it is critical that Congress provides adequate LIHEAP funding to protect low-income seniors and families from the bitter cold in the winter and the extreme heat in the summer.

Because of rising energy prices and limited LIHEAP funding, 62,000 Pennsylvania households that were supposed to receive funding this year did not. Many of the families across the country who were not able to obtain LIHEAP funds will be forced to decide between paying their energy bill or purchasing other necessities like food or medicine. This is a decision that no hardworking family should have to make.

Madam Speaker, LIHEAP provides millions of low-income Americans with some relief from ever rising energy prices, but there are millions more that could use the help. I urge all of my colleagues to fully support funding for LIHEAP.

□ 1015

A SUPPLEMENTAL FOR THE TROOPS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, today the House of Representatives will debate an emergency supplemental spending bill meant to provide needed resources to our military. It should only provide money for the brave men and women fighting terrorists in Iraq and Afghanistan to protect American families at home. It is, therefore, disappointing that the supplemental bill crafted by the Democratic leadership contains billions of dollars in nonemergency spending.

While there may be components of the bill that should be debated, this is not the time and certainly not the bill to be having those debates while our

troops are desperately in need of additional funding.

Defense Secretary Robert Gates and our military leadership have told Congress that the money is vital to ensuring our troops have the resources they require to defeat terrorists overseas. Including billions of dollars in unrelated spending is a dangerous impediment. I hope my colleagues will instead support the clean supplemental bill introduced by Representative JERRY LEWIS of California.

In conclusion, God bless our troops, and we will never forget September the 11th.

NATIONAL AMERICORPS WEEK

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Madam Speaker, as a cosponsor of House Resolution 1173, I rise today to recognize National AmeriCorps Week.

Last night, the House passed this resolution overwhelmingly. Since 1994, nearly 500,000 AmeriCorps have served with thousands of nonprofits, public agencies and faith-based organizations across America.

Through AmeriCorps, these individuals dedicate their time and energy in a variety of areas to help meet the needs of local communities. In my home State of California alone, more than 7,900 people this year will participate in one of more than 7,500 AmeriCorps programs throughout the State. One such program is coordinated by the Santa Barbara County Education Office in my district. This program provides daily tutoring and reading for over 700 at-risk students, recruits volunteers for additional educational programs, and works to increase disaster preparedness in the schools in the county.

The 62.4 million hours served by AmeriCorps members have bettered the communities and touched the lives of countless Americans. This is the U.S.A. at its best. To all these incredible AmeriCorps members, I commend you and thank you for your service.

PABLO BACHELET

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Madam Speaker, I rise to congratulate my good friend, Pablo Bachelet, the Latin American correspondent in Washington for my hometown newspaper, The Miami Herald. Pablo is leaving the paper to join the Inter-American Bank for Development.

Pablo, the father of two, is a sophisticated and keen observer of the history and politics of Latin America, writing incisively about democracy, diplomacy and security issues, and exploring the rich and sometimes complicated relationships that America has with the people of this dynamic region.

Pablo has traveled extensively in Latin America, writing about everything from hurricane devastation in Grenada and the struggles against drugs and corruption to the grief caused by the disco fire in Buenos Aires and U.S. policy toward Mexico or Cuba or Colombia or Venezuela.

Throughout his career, Pablo has always displayed a masterful command of the issues to keep us, the Herald's loyal readers, informed about a region so important to our interests. Pablo's extensive experience and knowledge will serve all of us who care deeply about the economic and social progress in Latin America.

My words are not ones of farewell, but ones of welcome for a new beginning and an upward march of a great talent and a warm and thoughtful human being.

Felicidades, Pablo.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H.R. 2642, SUPPLEMENTAL APPROPRIATIONS ACT, 2008

Ms. SLAUGHTER. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 1197 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1197

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 2642) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order except those arising under clause 10 of rule XXI, a motion offered by the chairman of the Committee on Appropriations or his designee that the House concur in the Senate amendment with each of the three amendments printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for two hours equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion except that the Chair shall divide the question among each of the three House amendments.

SEC. 2. During consideration of the motion to concur pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the motion to such time as may be designated by the Speaker.

SEC. 3. The chairman of the Committee on Appropriations may insert in the daily issue of the Congressional Record dated May 15, 2008, such material as he may deem explanatory of the motion.

The SPEAKER pro tempore (Mrs. TAUSCHER). The gentlewoman from New York is recognized for 1 hour.

Ms. SLAUGHTER. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from California (Mr. DREIER). All time yielded during consideration of this rule is for debate only.

I yield myself such time as I may consume. I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 1197.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. SLAUGHTER. Madam Speaker, H. Res. 1197 provides for the consideration of the Senate amendment to H.R. 2642, the Supplemental Appropriations Act of 2008.

The rule makes in order a motion by the chairman of the Committee on Appropriations to concur in the Senate amendment with three House amendments. The rule provides 2 hours of debate on the motion controlled by the Committee on Appropriations. The rule provides for a division of the question on the adoption of the three House amendments listed in the Rules Committee report. The rule also provides that the chairman of the Committee on Appropriations may insert in the CONGRESSIONAL RECORD dated May 15, 2008, such material as he may deem explanatory of the motion.

Madam Speaker, with a deep appreciation for the importance of the legislation before us today, the Rules Committee has reported out a rule that allows for a full, thorough debate on three amendments critical to the future of our Nation. This process will give each Member ample opportunity to vote their conscience on whether to fund the war or not, place conditions on our Iraq policy or not, or choose to support veterans over millionaires.

The legislation we are about to take up was forged with the idea of consensus. It meets the spending requirements made by President Bush, including the $5.8 billion that he asked for to strengthen the levees in New Orleans. In addition, it does not include a single earmark, except those explicitly requested by Mr. Bush's administration.

On the other hand, the legislation is not a blank check because it is important to remember why we are really here today. This is the sixth year of the war in Iraq. More than 4,000 United States service men and women, 28 from my district alone, are dead. Tens of thousands have been wounded and physically disabled, and far too many suffer from post-traumatic stress disorder and a host of other mental health issues. What's more, the civilian death total is devastating. Millions, not thousands, of Iraqi men, women and children are dead. Millions more have been forced into camps or other countries that will accept them.

At a time of economic emergency, when the American family is under siege, the war continues to be waged at

a staggering cost to the American taxpayer and at the expense of our economic security.

A few weeks ago, the New York Times reported on the Bush administration's practice of paying off supposedly independent military analysts to shade the truth about what was really happening in Iraq. This administration was so concerned that Americans would find out the truth that they paid former U.S. military personnel to read from prescreened, whitewashed Pentagon talking points to hide from the American people what was happening in their name.

This may be the greatest foreign policy disaster in American history, and the American people overwhelmingly are calling for it to end. They have seen that this insurgency is far from nearing the end. They were told, ''Trust us. The Iraqi war revenues will pay for reconstruction.'' Yet the American people are feeling the pinch as their hard-earned tax dollars finance the rebuilding of a foreign nation while their country's own economy and infrastructure are falling apart. They were told, ''Trust us. We will make sure your sons and daughters have the equipment they need.'' Yet we have all seen the reports of desperate searches through junk heaps to refit ill-equipped armored vehicles. And we have all heard the tales of worried mothers scraping together the family savings to purchase adequate body armor for their children.

They were told, ''Trust us. We will ensure that our fighting men and women will be taken care of when they return home.'' Yet we all remember the disgraceful images of Walter Reed Hospital, the recent reports of appalling living conditions for troops stationed in the barracks at Fort Worth, Texas.

Under such circumstances, it would be an abdication of our duty to perpetuate a clearly unacceptable status quo. For that reason, the legislation we take up today represents a break from the past and a renewed chance of changing a stale, stagnant situation.

It does, indeed, provide immediate funding for our soldiers in Iraq and Afghanistan who are currently in the field. However, while the needs of our troops will always be at the forefront of our national priorities, funding for this war must not come in the form of a blank check. This funding only comes with conditions that will begin the process for ending this war.

The supplemental requires that troops begin redeployment from Iraq within 30 days, with a goal of completing a full withdrawal in 18 months. We do this not because we concede 1 inch to those who would do our Nation harm or because we lack the will to fight for our national security, we do this because basic respect for our military demands it. No longer will they be asked to fight an open-ended conflict whose finish line keeps moving.

And in keeping with this respect for our troops, the legislation mandates that soldiers must be properly rested and equipped to meet the administration's own standards for combat readiness before redeployment.

Furthermore, we will honor the parents who continue to serve our Nation by finally providing full funding for the military day care centers.

This legislation also keeps our promises to our veterans. Part of the cost of waging war is ensuring that our men and women in uniform have the resources that they need to resume their lives upon their return home. The bill before us dramatically expands the education benefits that veterans of the United States military will receive under the new GI Bill. Not only do our troops deserve this benefit and much more, but every dollar we spend on education today will come back to bolster our economy tomorrow. It is also an investment.

And I would add that this provision is fully paid for by asking the wealthiest, who saw their tax rates drop 19.6 percent in 2004, they have saved around $126,000 since that time, we are asking them please to give us $500 to help fund the GI Bill of Rights.

At no time ever before in the history of this country have we been burdened with massive tax cuts for the wealthy during a time of war. Obviously this has been a new idea of this administration. These actions of fiscal incompetence by the Bush administration left this country's economy struggling, and American families are paying the price. And no families are paying it more than the families of the men and women who are fighting this war. No sacrifice has been asked from any of the rest of us.

Rising levels of sustained joblessness require us to extend unemployment benefits to those workers who understandably cannot find a job. This bill does just that.

Additionally, up until this point, the American people have been unfairly asked to shoulder the full weight of the reconstruction effort in Iraq. The underlying legislation requires that U.S. reconstruction aid be matched dollar for dollar by the Iraqi Government, removing some of the pressure from families already struggling to make ends meet.

Furthermore, it prohibits the establishment of permanent bases in Iraq, blocking this administration from saddling the American people with a costly occupation long after the Army is gone.

Our fellow citizens have been sent to fight a conflict and a war far away from home, and we owe them not only our support and our deep thanks, and not only with words, but with the deeds that we commit to in this Congress. This bill is about who we are as a society and the values that we hold.

I am proud to support this rule and the underlying legislation, and I ask my colleagues to do the same.

Madam Speaker, I reserve the balance of my time.

□ 1030

Mr. DREIER. Madam Speaker, I yield myself such time as I may consume.

I would like to begin by expressing my great appreciation to my very dear friend, the distinguished and very able Chair of the Committee on Rules, my friend from Rochester (Ms. SLAUGHTER).

And with all due respect to my distinguished committee Chair, I am compelled, not surprisingly, to rise in the strongest possible opposition to this rule.

Over the last 1½ years, my colleagues Messrs. DIAZ-BALART, HASTINGS, and SESSIONS have stood right here at this lectern and opposed many, many deeply flawed rules. We began this Congress very inauspiciously as the leadership jammed through the opening week agenda before even bothering to set up the Rules Committee, allowing Ms. SLAUGHTER to become Chair of that committee. From the very outset, there has been no pretense of concern for due process, not an inkling of respect for the rules of this House.

While we started at a low point, we have sunk lower and lower with each subsequent rule. One by one the Democratic leadership has trampled the rules and traditions of this body in an effort to shut down debate, cut both Republicans and Democrats out of the process, and jam through poorly constructed bills that rarely, rarely, if ever, become public law. I frequently marvel at each new low and assume that we have reached the rock bottom. As we have considered new forms of restrictive rules crafted under an ever-more restrictive process, I have often thought, ''This one takes the cake. The Democratic leadership couldn't possibly stoop any lower than this.'' Until the next comes, shutting down due process to an even greater degree.

So this time I'm not going to say that this rule is the absolute bottom of the barrel. I don't doubt that with a little more time and effort, based on the track record we've seen, the Democratic leadership will find a way to trample the rules and traditions of this House even more thoroughly. I will say that this is clearly the worst example that we've seen in the last 17 months since they have been in charge.

But before I get into the details of this egregious rule, Madam Speaker, I think it's important to discuss why it even matters what kind of a process is used to craft legislation and hold votes. I know the inner workings of the Rules Committee are thought to be so arcane that even some of our colleagues consider them to be a little too ''inside baseball.'' In fact, the distinguished Chair just spent all of her time talking about the bill itself. She didn't talk about the fact that they're trampling on the rights of Republicans and Democrats. Start talking about rules and procedure and regular order, and most Americans' eyes, and even some of our colleagues', start to glaze over.

So to illustrate why process matters, I will use another set of rules that are

more widely understood as an example. Even before the advent of the television show Law & Order, most of us were familiar with the basics of our criminal justice system. We're all familiar with our basic rights enshrined in the Constitution. We cannot be held without a charge. We're protected from self-incrimination and unlawful searches and seizures. We must be read our Miranda rights when placed under arrest. These basic rights are fundamental, fundamental, Madam Speaker, to American democracy. We know that there can be no justice without a fair process, and we know that the protection of the rights of the individual is more important than the outcome of any one particular case.

The Bill of Rights and the laws that have been enacted to uphold it aren't just a cryptic system of rules and regulations. They guarantee, Madam Speaker, they guarantee our civil rights and they guard against tyranny. Without a fair process, power is abused and rights are abridged. Process matters, Madam Speaker. Process matters because process is democracy.

The rules of the House were established for the very same reason. They ensure that the American people, through their elected representatives, have a say in the crafting of laws that govern them. The rules guard against abuses of power, and they ensure that the legislative process is transparent and fair. Thwarting due process is not just arcane political maneuvering around obscure, complicated rules that no one should care about. It subverts the principles of representative democracy. Let me say again, Madam Speaker, the rule that we are considering at this moment very clearly subverts the principles of representative democracy.

The Democratic leadership's casual disregard for these rules and principles has faced growing criticism in the media. Last week the Politico accused them of ''breaking promises,'' promises for an open legislative process that followed regular order and the rules of the House. Not surprisingly, the paper cited today's underlying bill, the supplemental appropriations, as Exhibit A in the Democrats' assault on an open and inclusive process, which was promised at the beginning of this Congress. That's not my saying that; that's an independent newspaper that made that statement.

Even before the new lows of the supplemental, another publication, Investors Business Daily, reported recently on the leadership's ''widening power grab,'' accusing them of ''anti-democratic'' behavior, running a ''dictatorship,'' and ''showing little or no concern for holding actual votes or building consensus on issues.'' Now, Madam Speaker, those are pretty harsh charges coming from a newspaper that is clearly a very independent publication. And they go on to say that this is all being done in an effort to ''manipulate Congress.'' Madam Speaker, ''dictatorship'' and ''anti-democratic,'' those are pretty harsh words, but they are clearly warranted.

The process used to craft the underlying supplemental appropriations bill has been atrocious. Committee work was completely abandoned. Without a single hearing, without a markup, without so much as consulting Mr. LEWIS and the committee members, this bill was concocted behind closed doors. Zero input, zero deliberation, zero consultation. The Senate, of course, won't stand for that kind of treatment and intends to hold a markup later today before proceeding with its floor debate. But the Democratic leaders in this House apparently deem this to be a lesser body, with no right to due process.

The Democratic leadership intended to bring this bill up last week. They had to pull it from the schedule because fiscally conservative Members within their own caucus were outraged at the contents. A week later, Madam Speaker, a backroom deal has now been struck, bringing the remaining Democratic Members on board. How? Bringing Members on board by imposing a tax on small businesses in this country, which is exactly what this is. You see, Democrats love to stir up class warfare by justifying the small business tax as just a tax on the rich. Unless, of course, we are talking about millionaire farmers, and then they like to give them massive government payouts, which is what they did just yesterday in the farm bill.

To add to their inconsistency, they actually waived their own PAYGO rule to fund the farm bill subsidies, and today they refuse to waive the same PAYGO rule and use it as an excuse to levy massive tax increases on small businessmen and women in this country. Only in Washington would such logic be employed.

We became aware of the rough outline of this tax increase, along with every other provision of this bill, only through press reports. Some have reported a $183 billion price tag on this bill. Others have said it would be costing at least $250 billion. Various outlets reported on various provisions. But we didn't get a chance to see for ourselves what was in this massive bill until 3 p.m. yesterday. In fact, the distinguished former Chair of the Committee on Appropriations, the now ranking member, my good friend, Mr. LEWIS, came before us. Within the hour before that 3 p.m. meeting, he had just gotten the copy of the measure.

Most egregious of all, we're not actually considering a bill here today. We will be voting on three amendments to a Senate amendment to an old House bill that has already passed but was never enacted. Did you catch that? If it sounds gimmicky and underhanded, that's because that's exactly what it is. In fact, this morning I heard our colleague Mr. MCDERMOTT on National Public Radio, where he said the crafting of this is tantamount to JOHN KERRY's very famous line in which he said ''I voted for it before I voted against it.'' The Democratic leadership knows that a vote on their full package would never pass; so they plotted a way around an actual vote on final passage.

For anyone who missed that, let me repeat. The House of Representatives will not be permitted a vote on the full underlying proposal. When Investors Business Daily calls this a dictatorship, they seem to have a point.

So what exactly is in this $183–250 billion bill that comes to us without any due process and will pass without a vote? Who can say for sure? But I know that at least $62 billion in new entitlements are included; $11 billion in unemployment insurance, and our friend Mr. WELLER will be talking about this in a few minutes; and at least $51 billion in benefits for veterans. Clearly, these are very, very important issues that need to be addressed.

I don't doubt that the Democratic majority will try to claim that Republicans don't care about our veterans or those facing economic hardship. We hear that time and time again. To the contrary, these are such critically important issues for us that we passionately believe that we must address them in a serious and deliberative way. It is simply not good enough to slap together a proposal without a single moment of testimony or debate, throw some money at our problems, and call it a day.

The very critical issues addressed in this bill, from funding for Iraq and Afghanistan to international food assistance to the tremendously important domestic programs, all of these deserve a substantive, deliberative process. We should have an opportunity to examine which of these are truly emergencies and which should be included in the regular appropriations process. And all of them should have the benefit of an open debate to ensure that we are addressing our priorities effectively.

This rule allows for none of this, Madam Speaker. It thwarts the rules and traditions that were put in place to guard against abuses of power, and it blocks consideration of even a single amendment, including the very thoughtful and responsible alternative proposed by the man sitting to my right here, the distinguished ranking member of the committee, Mr. LEWIS. He's offered a clean supplemental appropriations bill which simply provides our troops the funding they need without bogging it down with all kinds of unrelated items or adding new policy that prevents them from carrying out their mission.

Our hope is to get this critical funding to our troops before Memorial Day, which is fast approaching. That's not an arbitrary deadline and it's not a gimmick. Our military commanders have told us that they desperately need this funding now, and we want to be able to go home for Memorial Day and tell our veterans and our military families that we passed a clean bill that funds our troops and their mission. We

want to tell them we crafted a bill without regard to politics, without regard to providing political cover or fodder for political ads. We simply gave the troops the funding they desperately need. Now, Madam Speaker, that's exactly what the distinguished ranking member, Mr. LEWIS, should be able to provide, and I'm going to seek an opportunity for him to do just that.

But, unfortunately, the Democratic majority can't advance their flawed policies without shutting down the process. So they prefer closed rules to open debate. They prefer backroom deals to the transparent committee process. They prefer hollow, ill-gotten victories that die after the House vote to substantive, bipartisan legislation that is enacted into law. That's exactly what we need to do, Madam Speaker.

So I urge a ''no'' vote on the rule, and I am going to urge a ''no'' vote on the previous question.

Madam Speaker, I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 4 minutes to the gentleman from Massachusetts, a member of the Rules Committee (Mr. MCGOVERN).

Mr. MCGOVERN. Madam Speaker, 5 years ago in a well-orchestrated public relations stunt that featured landing on an aircraft carrier, President Bush proclaimed, ''In the battle of Iraq, the United States and our allies have prevailed.''

Just 2 weeks ago, on the fifth anniversary of ''Mission Accomplished,'' the White House could only express exasperation that anyone would even make a fuss that 5 years have gone by and we're still in Iraq, deeper than ever.

Well, here's why people are making such a fuss, Madam Speaker: Over 4,000 American service men and women killed in Iraq; over 30,000 of our troops wounded or maimed; a continuing U.S. occupation of Iraq; and a mission that is never ending, never defined, and completely open-ended.

Ironically, the USS *Abraham Lincoln*, the aircraft carrier where President Bush declared victory in Iraq, was just deployed last week for another tour of duty in the Persian Gulf.

Today this House will have a choice to make, whether to continue this war well into next year. Today we will choose whether to support the George Bush strategy of keeping the war going until he can safely get out of town.

□ 1045

Once again, U.S. forces are engaged in some of the most intense combat since the height of the insurgency. Once again, they are battling Iraqi militias, not al Qaeda, in the markets, homes and alleyways of Baghdad. April 2008 was the deadliest month for Iraqi civilians since last August.

The U.N. now reports that 4.7 million Iraqis have been forced by violence to leave their homes. Roughly 2 million of them are refugees in neighboring countries. And another 2.7 million are internally displaced.

What is worse, we don't even have the decency to pay for this war, which has created a mountain of debt that American taxpayers will be paying off for years to come. This generation's mistake is becoming the next generation's burden.

Currently the war costs $2.4 billion each and every week. Reports estimate that the costs of this war, even if we could bring it to an end over the next 2 years, will exceed $3 trillion when we take into account rebuilding our broken military and addressing the needs of our military veterans.

Billions for the care of the severely wounded.

Billions for the care of veterans traumatized by war.

Billions to staunch the flow of suicides by young men and women who have served in Iraq.

And billions more to rebuild and reequip our Armed Forces.

Why can't the Iraqi Government, which is currently running a huge surplus, do more to rebuild their country?

Madam Speaker, I am holding office hours across my congressional district in Massachusetts. These are mainly small towns and communities. Every weekend I meet a steady stream of constituents who come in and who want to talk about the war. People are so disappointed, so frustrated and so angry that this war is still going on. And it is not just Massachusetts. It is Illinois, Louisiana, Mississippi and every other State in the Union.

Now I know, Madam Speaker, that there will be opportunities today to support strong conditions on the war and the redeployment of our troops. We will have the opportunity to vote in support of greatly expanded educational benefits for our military veterans and for a generous response to the emergency global food crisis.

And I thank Chairman OBEY for those initiatives.

But Madam Speaker, I cannot vote for one more dime for this war. Enough is enough. Before he leaves town, George Bush should bring our troops home.

Mr. DREIER. Madam Speaker, I notice my colleague doesn't spend any time at all talking about the rule which is being considered at this time and shutting down democracy which we all aspire to in Iraq and other places in the world.

With that, I would like to yield 4 minutes to the author of the very important measure that will be made in order if we are able to defeat the previous question, a clean supplemental, my good friend from Redlands, the ranking member of the Appropriations Committee, Mr. LEWIS.

Mr. LEWIS of California. Madam Speaker, I very much appreciate my colleague yielding me this time.

Perhaps the most important counsel I have ever received came from my dear friend and mentor, Dr. Adeline Gunther. ''Gram,'' as we called her, was the founder and guiding light of the University Religious Conference located near the UCLA campus. Gram said to me, ''Always remember, Jerry, what you are not willing to do in order to win.''

Think about that. What you are not willing to do in order to win.

Those running the Democratic leadership of the House need desperately to learn that lesson. So enamored with their power after 12 years out of the majority, the Democrat majority is now moving rapidly in the direction of reinventing the authoritarian system that was a part of their control for the previous 40 years.

The outrageous movement of the Iraq supplemental to the House floor, without consideration by the Committee on Appropriations and under a closed rule, is the case in point.

The supplemental began as a $108 billion request for funding requirements for the troops for the remainder of 2008. This must-pass emergency legislation has now grown to somewhere near $250 billion. A whole array of legislative provisions has been added that could have been and should have been addressed by way of regular order during the appropriations process.

Unfortunately, the supplemental will bypass the Appropriations Committee altogether, and through use of parliamentary trickery, avoid the inconvenient input of Democrat and Republican Members who have real expertise in the subject areas involved.

Regular order is designed to ensure that people's voices and interests are heard on serious public policy questions as they move through the legislative process. To have the Democrat leadership cut off the people's right to be heard by such a crass parliamentary set of maneuvers results in great harm to the Appropriations Committee and seriously undermines the credibility of the world's most admired legislative body.

Only three or four Members, at most, have provided serious input throughout this misguided process. All Members, Democrats and Republicans alike, should be enraged by this arrogant demonstration of dictatorial control. I know from private conversations with many of my friends on the other side of the aisle that there is a great deal of frustration among Democrats with Chairman OBEY and Speaker PELOSI for their excessive and abusive control of this process.

Madam Speaker, let me assure you that my colleagues and I will continue to exercise every tool available to us to protect the established traditions of the House and the fundamentals of our democratic system. It is clear that Speaker PELOSI is willing to do anything, including stifling the voices of nearly every Member of the House, to win.

I urge all of my colleagues to remember the words of my mentor, Dr.

Adeline Gunther, who said, ''Always remember what you are not willing to do in order to win.''

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the Rules chairwoman for yielding to me.

Fourteen million dollars in an hour, 24/7, over 5 years, $10 billion per month, 4,000 dead Americans, tens of thousands of wounded warriors, untold sacrifice of military families, innocent civilians in Iraq killed by the hundreds of thousands, and one of the worst humanitarian crises in the world. That is the cost of this war.

And do you know, the President says that he has sacrificed, too. Yes. He has sacrificed. He has given up golf.

And the President has determined to veto the bill when it gets to him because it includes really a patriot tax on people who make over $1 million. They are going to help to pay for things like an expanded GI Bill for our veterans that come back, a GI Bill that will cost about 5 months in Iraq over 10 years, and yet the President has said that he wants to——

Mr. DREIER. Will the gentlewoman yield for a question?

Ms. SCHAKOWSKY. Yes.

Mr. DREIER. I would just like to remind my colleague that 82 percent of the people who fall in the category about what she has just mentioned are small business men and women. And I think we need to realize this is a small business tax.

I thank my friend for yielding.

Ms. SCHAKOWSKY. I take back my time.

We are talking about people who are making over $1 million to pay a small sacrifice for this war where our military families are paying a huge sacrifice.

The question really is, though, what are we doing there? What is the mission of our young men and women? Who is the enemy? Who is our ally? What does victory even look like?

I am not going to vote for another penny for this tragic war except to bring our troops home or to resolve the humanitarian crisis our government has helped create. I am not voting to give more to the real winners of this war, the Halliburtons and the Blackwaters. And I am disappointed about my amendment to stop funding Blackwater. This company raises the question, is it the policy of the United States to let companies like that get away with murder? We should cut that contract and bring our troops home.

Mr. DREIER. Madam Speaker, at this time I am very happy to yield 3 minutes to the distinguished ranking member of the Committee on the Budget, my friend from Janesville, Wisconsin (Mr. RYAN).

Mr. RYAN of Wisconsin. I thank the gentleman for yielding.

Madam Speaker, I come to the floor today in strong opposition to this emergency supplemental spending bill that not only would bust the budget with billions in nonemergency spending, but it would also raise taxes on small business. I can't think of a worse time to implement a tax increase, with a weak economy that is struggling to create and grow jobs.

Republicans will not support this bill. The President will veto this bill. Yet the Democratic leadership brings it to the floor and continues to play politics with funding for our troops.

The President's request, submitted 15 months ago, was for $108 billion. The Democrats, once again, can't help themselves. And they have added an additional $6.6 billion of this. And to add insult to injury to the American taxpayer and our troops in harm's way, this amount actually reduces the President's request by $3.5 billion.

I guess that's what you get when a bill is written unilaterally and in secret.

If the majority brought us a clean supplemental with just funding for the troops, it would undoubtedly have been passed with a big bipartisan vote and sent to the President before Memorial Day so there is no disruption in funding. That should be what we're doing, and not playing politics with funding for our troops.

That is what a majority would do if they were serious about passing a bill and not playing politics.

But that is not what the Democrat majority has done here. Instead, 15 months after the President asked for the troop funding, the majority has brought a bloated bill to the floor that will cost the American taxpayer $250 billion over the next decade.

This is a bill they wrote in secret, without allowing committee markups, while only allowing Members 18 hours to review a bill that would provide an amount equivalent to 26 percent of the spending in last year's regular appropriation bills, and without allowing the full House to work its will in an open and Democratic process.

It violates the budget passed by the majority by adding $6.6 billion to the amounts assumed for the war supplemental for the House-passed budget resolution. And the Democratic leadership has decided to lard this bill up with $66 billion in mandatory spending.

While they raise taxes to pay for the GI benefits, this bill adds billions in funding that has nothing to do with the war and is not fully offset.

So they say they are meeting the PAYGO rules. But they don't meet it for all the other spending in this bill. Mandatory spending does not belong in war emergency supplementals. The mandatory provisions in question deserve serious debate as stand-alone bills.

Why are they hiding this in a war supplemental? They should be proud of these provisions and let them withstand the full light of day through the regular committee process. And if increasing spending by over $66 billion wasn't enough, they are proposing to raise taxes on Americans as well, to tax and spend rather than paying for this increase with reductions in other spending.

The last thing we ought to be doing today is raise taxes. They will say this is a tax on millionaires. But this tax is going to hit small businesses. These are the job creators in America. This is the worst thing we can do as this economy is struggling.

Yesterday the House waived the PAYGO rule to give farm subsidies to millionaires.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DREIER. I am happy to yield my friend an additional 30 seconds.

Mr. RYAN of Wisconsin. Yesterday, the House waived the PAYGO rules to give farm subsidies to millionaires.

Today, the House wants to enforce PAYGO to raise taxes on small businesses. I fear for this institution. The majority is taking us down a slippery slope. And I don't think they are going to be able to put this genie back in the bottle. The committees have been ignored. The budget has been ignored. The rules have been ignored. What is next?

I urge my colleagues to vote ''no'' on this bill.

Ms. SLAUGHTER. I am pleased to yield 2 minutes to the gentlewoman from California (Ms. SOLIS).

Ms. SOLIS. Thank you, Madam Chair.

Today I rise in strong support of the rule and of the domestic priorities the House will consider today as a part of H.R. 2642

I strongly support provisions to expand and improve the GI benefits for veterans education. Our veterans who have served our country in combat and who are looking to begin to complete their college education deserve GI benefits.

I also strongly support provisions which provide vital support for workers by extending unemployment benefits for an additional 13 weeks. In the district that I represent in California, east Los Angeles and the San Gabriel Valley, unemployment rates are above 8 percent.

This legislation will help to keep food on the table for our families and our workers affected by the declining economy. This legislation also appropriately includes a moratorium on seven misguided Medicaid regulations. More than 170,000 people in my district alone in California rely on Medi-Cal for their health care. And although Healthy Families serves more than 19,000 children in my district, another 18,000 children remain uninsured.

If the regulations go into effect in Los Angeles County, we will also devastate our Los Angeles Unified School District and our public hospitals who serve many working class people.

I am pleased that today we are prioritizing education for our veterans, the health of low-income Medicaid

beneficiaries, and of course our families and working families. I strongly urge all of my colleagues to support the rule and provisions which address pressing domestic needs.

I strongly disagree that small business owners and wealthy millionaires are going to be heavily impacted by this resolution. That is the Republican playbook, trying to tell you that somehow we are going to harm those people that are requiring and calling out for our assistance. This bill addresses their issues.

□ 1100

Mr. DREIER. Madam Speaker, let me say in the name of saying they are taxing the rich, the facts show it. Eighty-two percent of the people who fall in that category are small businessmen and women. That's just the facts.

With that, I am happy to yield 3 minutes to my good friend from Morris, Illinois (Mr. WELLER), the ranking member of the Income Security and Family Support Subcommittee of Ways and Means.

Mr. WELLER of Illinois. Madam Speaker, I rise to oppose this rule. I also rise to oppose the way that the House majority, the Democratic majority, is managing this legislation, bringing forward a fiscal year irresponsible supplemental bill.

I would note, as I recall, on January 29, the Speaker of the House made a statement on the bipartisan economic stimulus package that was about to pass, and Speaker PELOSI said, ''Let's hope for the Senate to take their lead from us and be disciplined, focused, fiscally responsible, and act in a timely, temporary, and targeted way on behalf of meeting the needs of the American people.''

I agree with the Speaker that we should act in a way that is timely, temporary and targeted.

Unfortunately, that's not what the House is being offered today. In addition to a large tax increase, the bill before us today includes an untargeted and overly expensive extension of unemployment benefits.

Consistent with the Speaker's call for targeting help to those who need it most, I introduced legislation and offered an amendment in the Ways and Means Committee to focus extended unemployment benefits on people and States with relatively high or fast-rising unemployment rates.

Combined with regular unemployment benefits available in all States under my amendment, a total of 39 weeks of benefits would be available to unemployed workers whose jobs are hardest to find. On Main Street U.S.A. that helps those who need the help most. Yet this targeted approach was rejected by our Democratic colleagues, the majority on the committee.

Why target benefits? Why target benefits to only relatively high unemployment States? For the same reason, the Democratic legislation proposes longer benefits in high unemployment States because workers there have a harder time finding new jobs and thus are in need of extended benefits.

Targeting is especially important today since today's national unemployment rate is a low 5.0 percent with a third of all States having unemployment rates below 4 percent. That national unemployment rate is well below the lowest prior level when such a program was created in the past. I have a note in 2002 it was 5.7 percent, and, again, today's unemployment rate is 5 percent.

This targeted approach that I offered is also more fiscally responsible. The untargeted Democratic approach costs at least twice as much as a targeted approach and, as the Congressional Budget Office has reported, the Democrat legislation will require State tax increases to pay those additional costs.

The bill before the House would require State tax increases, State tax hikes, totaling $1 billion over just next 5 years.

If this program is extended, as all such temporary programs have been, the tax increases required will only grow. The Speaker was right, we need to act in a way that is fiscally responsible and targeted.

Unfortunately, this legislation before us today achieves neither of these goals and adds to budget deficits and requires payroll tax increases. We can and should do better than this.

CONGRESS HAS NEVER EXTENDED UNEMPLOYMENT BENEFITS AT TODAY'S LOW UNEMPLOYMENT RATE

Democratic leaders want to extend unemployment benefits nationwide, with the Federal Government picking up all of the $16 billion tab.

Since the 1950s, Congress has created 7 special or ''temporary'' extended benefits programs, which can double the length of total unemployment benefits from the 26 weeks to 52 weeks—or longer—per laid off worker. The logic of these programs is to provide additional weeks of benefits when jobs are relatively hard to find.

Today's national unemployment rate is a relatively low 5.0 percent. Congress has never created a temporary extended benefits program at such a low unemployment rate. The next lowest unemployment rate when such a program was created in U.S. history was when the last such program was created in March 2002. The unemployment rate then was 5.7 percent—significantly higher than today's 5.0 percent unemployment rate.

TODAY'S U.S. UNEMPLOYMENT RATE IS SIGNIFICANTLY LOWER THAN AVERAGE RATE AT START OF PRIOR EXTENDED BENEFIT PROGRAMS

It is also useful to compare today's relatively low 5.0 percent unemployment rate with average rates when prior special Federal programs started. When such programs started, average unemployment rates were far higher than the Nation's unemployment rate today.

Today's unemployment rate (5.0 percent) is more than 2 percentage points below the average unemployment rate in the month when Congress chose to start such special programs (7.3 percent).

TODAY'S UNEMPLOYMENT RATE IS BELOW THE AVERAGE FOR ALL OF THE 1980S AND 1990S

The current unemployment rate is so low it is actually below the average of entire recent decades.

If you look at the 1980s and 1990s—two decades that saw record job creation in the U.S.— and average all the months, you find those decades actually had higher average unemployment rates than today's 5.0 percent rate.

If such a program should exist today—when the Nation's unemployment rate is quite low by historical standards—when should it not? Creating such a program now is in effect an argument for permanently extending unemployment benefits, which would require at least $12 billion more per year in Federal spending and payroll taxes, in addition to State payroll tax hikes.

TODAY'S 5.0 PERCENT UNEMPLOYMENT RATE DOES NOT REFLECT AN ''EMERGENCY''

The Democratic leadership is suggesting that a special ''emergency'' nationwide extended unemployment benefit program is needed because today's job market is so weak.

Actually, only 20 percent of all months in the past four decades had unemployment rates below today's level. So if today's job market constitutes an ''emergency,'' then the U.S. economy has almost always been in a similar or even worse emergency situation throughout the past four decades. That's a hard case for even the biggest economic pessimist to make.

TODAY'S UNEMPLOYMENT RATE IS BELOW THE AVERAGE THROUGHOUT THE CLINTON ADMINISTRATION

Democratic Members are always trying to take credit for the strong economy of the 1990s, even though it was the Republican Congress and its policies of tax relief, spending restraint, and welfare reform that actually promoted record economic growth and budget surpluses.

But let's accept the Democratic rhetoric for a minute that the Clinton era economy was just about the best ever.

What was the average unemployment rate during the 8 years of the Clinton Administration? 5.2 percent—which is above today's 5.0 percent rate. Did a special extended benefits program operate throughout the Clinton Administrations? No. Did a special extended benefits program operate during all the months when the unemployment rate was 5.0 percent or higher? No again.

CURRENT EMPLOYMENT CONDITIONS ARE BETTER THAN IN 1996—WHICH PRESIDENT CLINTON CALLED THE ''HEALTHIEST'' ECONOMY ''IN THREE DECADES''

It's worth considering another reason why Democratic leaders are so determined to argue that today's economy is so bad: Politics.

Compare today with 1996: 20 million more employees; a lower unemployment rate; a lower long-term unemployment rate; and fewer average weeks of unemployment. All better today than the 1996 levels.

But what did President Clinton, then running for a second term, think about the U.S. economy in 1996? In his State of the Union Address that year he said: ''Our economy is the healthiest it has been in three decades.'' (January 23, 1996) So when a Democrat is in the White House running for reelection, the economy is healthy and strong. And of course no one calls for a special extended benefits program.

But with a Republican in the White House, and despite better economic statistics today,

Democrats portray the current economy as another Depression. Here's how Senator CHUCK SCHUMER put it: ''The bottom line is that this administration is the owner of the worst jobs record since Herbert Hoover.'' (Press Release, March 7, 2008)

THE DEMOCRATIC ''EMERGENCY'' EXTENDED BENEFITS PROGRAM IS POORLY TARGETED

Despite today's relatively low unemployment rate, there are reasonable, arguments for extending unemployment benefits in areas where jobs are scarce. That's the approach Republicans proposed in the Ways and Means Committee, but which Democratic Members rejected. This approach would expand a current program that targets Federal funds for extended unemployment benefits on States with high unemployment rates. Temporarily expanding that program would provide more help to workers where jobs are scarce and the added help is needed most.

Early on, Speaker PELOSI seemed to agree with the need for such a ''targeted'' approach. In her January 29, 2008 statement on the bipartisan economic stimulus check package, the Speaker said: ''Let's hope for the Senate to take their lead from us and be disciplined, focused, fiscally responsible, and act in a timely, temporary, and targeted way on behalf of meeting the needs of the American people.''

Unfortunately, the proposed Democratic program does not follow this ''targeted'' approach. Nearly all of its benefits—more than $12 billion of the $14 billion in total benefit spending (not counting administrative costs) in the coming year—would be paid regardless of local unemployment rates. That's poorly targeted, and not fiscally responsible.

UNDER THE UNTARGETED DEMOCRATIC PROGRAM, FEDERAL BENEFITS WOULD BE PAID IN MANY STATES WITH VERY LOW UNEMPLOYMENT RATES

One key reason why the Democratic program is poorly targeted is because extended unemployment benefits would be paid in all states, regardless of the availability of jobs there.

In March 2008, a full 15 States had unemployment rates under 4 percent. Another 17 States had unemployment rates between 4.0 and 4.9 percent. That makes 32 States—two thirds of all States—with current unemployment rates under 5 percent. Those are very low unemployment rates by any measure. Another 13 States have unemployment rates between 5.0 and 5.9 percent.

That leaves just 6 States with unemployment rates of 6 percent or higher, which is the Democratic Members' own definition of ''high unemployment.'' Under their own criteria, 45 States today are ''low unemployment'' and only 6 are ''high unemployment'' (includes D.C.). But all States would receive Federal funds to pay extended benefits to workers.

CURRENT LONG-TERM UNEMPLOYMENT RATE IS BELOW THE AVERAGE SINCE 1980

Democratic Members have suggested that record numbers of workers today have been out of work for long periods. Actually, the current share of all workers who are long-term unemployed—defined as those who have been out of work for more than 6 months—is below average.

The average long-term unemployment rate for all months since January 1980—covering nearly three full decades, and including two of the longest expansions in U.S. history—was 1.0 percent. So in the average month in the past generation, 1 percent of the labor force had been out of work for more than 6 months.

How does that compare with today? The long-term unemployment rate in April 2008 was 0.9 percent—below the average for the past generation. That means fewer current workers are long-term unemployed than in the typical month in the past 28 plus years.

That's hardly the case Democratic Members have been making for what an ''emergency'' situation this is. In fact, current conditions are better than average when it comes to assessing how many American workers are unemployed for long periods.

LONG-TERM UNEMPLOYMENT TODAY IS BELOW LEVEL IN 1994 WHEN DEMOCRATIC LEADERS ENDED THE EXTENDED BENEFITS PROGRAM THEY CREATED

Some Democratic Members seem to think whether you support creating a special extended benefits program—and under what terms—determines whether you support workers or not. One even said it was ''unconscionable'' to try and target extended benefits to only those in high unemployment States, as Republicans have proposed and even the AFL–CIO apparently supports.

Yet when Democrats last held a majority in Congress in 1994 they created a special Federal extended benefits program. The Democratic Majority in Congress back then allowed that program to expire in April 1994. But back then a significantly GREATER share of unemployed workers were long-term unemployed than today—21 percent then versus less than 18 percent today.

Was it ''unconscionable'' to ''turn off' that prior special program in April 1994? Weren't they ''leaving workers out in the cold'' or ''shutting them out'' or whatever metaphor Democratic Members use now against those who support a more targeted approach today, when conditions are objectively better in terms of long-term unemployment?

THE UNTARGETED DEMOCRATIC EXTENDED BENEFITS PROGRAM WOULD DRAIN FEDERAL UNEMPLOYMENT ACCOUNTS

Some Democratic Members claim there are ''plenty'' of Federal funds to pay for these benefits. Are they right?

To answer that, you have to ask ''what are the chances this special program will last only 12 months as advertised?'' A key fact is since 1970 none of the 5 special programs created by Congress ended as originally proposed; every one was extended. So chances are high that program created now wouldn't stop after just 12 months, either.

In fact, the average total duration of such programs is about 30 months. The untargeted Democratic program would cost about $1 billion per month. So if its length is ''average,'' the total cost will reach $30 billion. That's almost the balance in the Federal unemployment trust funds today.

But remember this program would start at a record low unemployment rate. Also, such programs tend to operate until the unemployment rate falls to the level where it started, or less. So let's assume the program starts now and runs as long as one following the 2001 recession that started and stopped only when the unemployment rate fell below 5.0 percent. That program would operate for 47 months—from now until April 2012—cost $47 billion or more and fully drain the Federal unemployment trust funds, which currently hold just $35 billion.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. Amendment 3 concerns unemployment compensation. It's estimated that in the first 6 months of this year, 1.3 million Americans will exhaust their benefits. The number of long-term unemployed Americans is almost twice as high now as it was in the last recession.

This is targeted at the long-term unemployed wherever they live. The Republican approach, Mr. WELLER's approach, the President's opposition, it's not targeted. It misses tens of thousands of people who are unemployed for more than the 26 weeks. I come from Michigan with a high unemployment level. I want all the unemployed long-term to be covered wherever they live.

I think it's time that the minority and the President get out of the offices they reside in and get into the shoes of typical American families.

I read a letter that came from a person in Roseville whose husband had lost his job as a machinist:

''With the job market as bleak as it is today, the fear that unemployment benefits may run out is something no family should have to face. My husband has been actively seeking work since his layoff, but there's simply nothing to be had right now. I've never seen him look so sad and upset in all our nearly 30 years of marriage. The President and Congress must be made to understand that what is happening to the workers of this country, and most especially, to the people of Michigan is not something they've chosen for themselves.''

Opposition to extension of unemployment compensation is unconscionable. I urge support for amendment 3.

Mr. DREIER. Madam Speaker, may I inquire of the Chair how much time is remaining on each side.

The SPEAKER pro tempore. The gentleman from California has 7 minutes remaining. The gentlewoman from New York has 11½ minutes remaining.

Mr. DREIER. In light of the fact there is much more time remaining on the other side, may I ask the distinguished Chair if she might proceed and yield some of her time.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, I rise enthusiastically to support this very important rule.

I congratulate the very strategic design of the Appropriations Committee. This is tough, and I thank the Rules Committee for listening to us as we presented our amendments.

But I rise today to say that war is ugly. But we applaud and appreciate the young men and women on the front lines. We forever honor them. Just a few minutes ago I was in a room listening to returning war veterans from Iraq, and they gave us these words, horrible stories, such as calling the

Iraqis hajis or sand niggers, telling us about the impact on their families, how many families were destroyed, how many have attempted to commit suicide.

I offered an amendment that many focused on the idea that everything we have asked the soldiers to do under the 2002 resolution has been done, and, therefore, it should expire. The President has no more authority to continue this war.

Then I wanted to debunk the actions of what happened to the Vietnam vets and call for a national day of celebration, a national day of honor for all the returning war heroes that will come home. This is what we should be doing today as we vote against the funding of this war in Iraq. It is important to stand for these soldiers.

But I am glad that we have extended GI benefits for veterans' education. Some of them were telling us that they are now being denied these benefits because of a general discharge, because of their opposition to the war. Yes, it is valuable because we move on to help Americans in this bill as well, extending unemployment compensation, getting rid of these cuts in Medicaid and making sure that we don't damage specialty hospitals that are in our rural and inner city areas who are helping us.

I am grateful to what the Appropriations Committee did on world and food hunger. It is a disaster, and they moved it up higher than what the President asked for. We had a briefing on world hunger and it was appalling what is going on around the world. I am grad that we have monies for refugee assistance and the Merida funding.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SLAUGHTER. Madam Speaker, I yield the gentlewoman an additional 30 seconds.

Ms. JACKSON-LEE of Texas. The Merida initiative is funding for this horrible drug war between Mexico and its own citizens that's spilling over into the United States. I am appreciative of these dollars, but, my friends, we have got to stop the utilization of drugs here in the United States.

It looks like it's McDonald's where they send these various drugs. When I say that, I am not talking about McDonald's, but I am suggesting that the pinpoints of where these drugs are dropped off in the United States, it is tragic. As we send more money and more money to Mexico, we have got to begin to devise a new policy for drug opposition here in the United States.

Vote against the funding for the war. The underlying other amendments are very good.

Madam Speaker, I rise today in support of H. Res. 1197, Rule providing for the consideration of the Senate amendment to H.R. 2642—Supplemental Appropriations Act, 2008. While I offer my support for amendments No. 2 and No. 3, I must oppose amendment No. 1. While amendments 2 and 3 contain provisions beneficial to the American people, designed to improve our economy and protect our young men and women, amendment 1 continues a disastrous policy of providing unrestricted funding to continue the Bush administration's war in Iraq.

I oppose amendment No. 1 because I stand with the American taxpayers who have paid over $600 billion to finance the misadventure in Iraq. I stand with the 4076 fallen heroes who stand even taller in death because they gave the last full measure of devotion to their country. Last May, I was proud to vote for H.R. 1591, a supplemental spending bill that would have provided funds for our troops in Iraq and Afghanistan, which included a timetable for the redeployment of U.S. troops. Though this bill passed the House by a clear majority, the President opted to veto this legislation.

Madam Speaker, I must oppose amendment No. 1. This amendment provides a total of $162.9 billion for the Department of Defense for FY 2008 and FY 2009, funds that are handed over without any strings. The amendment does not withhold funding for the Iraq war, a war that so many of my colleagues in Congress oppose, and which only 32 percent of Americans now support. The amendment does not require that war funds can only be used for the responsible redeployment of American troop's home from Iraq.

Madam Speaker, I voted against the 2002 Iraq War Resolution. I am proud of that vote. I have consistently voted against the administration's practice of submitting a request for war funding through an emergency supplemental rather than the regular appropriations process which would subject the funding request to more rigorous scrutiny and require it to be balanced against other pressing national priorities. I cannot support legislation that provides the President with the resources to prolong his ill-advised war effort unrestrained.

I rise today in strong support of amendment No. 2. This amendment lays out a responsible U.S. policy toward Iraq, requiring that troops begin redeployment from Iraq within 30 days, with a goal of completing the withdrawal of combat troops by December 2009. As a Member of both the Out of Iraq and the Progressive Caucuses, I am proud to vote for legislation that, like other measures passed by this Congress, begins the process of withdrawing U.S. men and women from Iraq.

In addition, Madam Speaker this legislation specifically requires that any agreement between the United States and the government of Iraq committing future U.S. forces must be specifically authorized by Congress. The governments of Iraq and the United States announced their intention to forge a "strategic framework agreement," a long-term, bilateral pact, to be completed by July 31, 2008. This negotiated agreement is to be based on the "Declaration of Principles for a Long-Term Relationship of Cooperation and Friendship Between the Republic of Iraq and the United States of America," signed November 26, 2007, by Iraqi Prime Minister Nuri al-Maliki and President Bush.

Under the Declaration of Principles, the parties will negotiate a security agreement, under which the United States will support the Iraqi government and security forces in providing security and stability and fighting al-Qaeda and other terrorist groups. The Declaration of Principles envisions an agreement setting forth a wide-ranging set of commitments, which will cover issues including politics, economics, and security. In hearings before the Committee on Foreign Affairs, administration officials have indicated that the President intends to negotiate this agreement as an executive agreement, not subject to Congressional approval. It is essential that any agreement which commits future U.S. troops to the defense of Iraq is outside the purview of existing authorizations, and such an agreement must be submitted to the Congress for approval. This legislation also prohibits the establishment of permanent bases in Iraq.

Madam Speaker, amendment No. 2 requires that the Iraqi government step up and pay its share of Iraqi reconstruction efforts. I am concerned that the United States has paid and continues to pay a disproportionate amount for Iraq reconstruction, especially when the Iraqi government reportedly has a $25–30 billion budget surplus this year. To date the United States has appropriated more than $45 billion for Iraq reconstruction. American funded reconstruction programs have included: the training and equipping of Iraqi security forces.

Iraq is a resource-rich nation. Though still facing problems including a lack of technology, damage from previous mismanagement, the effects of looting, and water intrusion, Iraqi oil production is currently at around 2 million barrels per day. The price of oil has skyrocketed to over $100 a barrel and Iraqi oil exports are generating an estimated $56.4 billion this year alone, according to the GAO, yet it is U.S. taxpayers who continue to foot the bill for Iraqi reconstruction. The government of Iraq is stashing its money in global banks, including a reported $30 billion in the U.S., instead of investing this money in the development of crucial Iraqi infrastructure. This legislation requires the Iraqi government to take responsibility for the future of its own nation.

There are a number of other key provisions in this amendment. It requires the President to reach an agreement with Iraq to subsidize fuel costs for U.S. Armed Forces operating in Iraq so that our military pays what Iraqis pay. It requires that troop's meet the Pentagon's definition of "combat ready" before they are deployed to Iraq; Prohibits troops from being deployed longer than Pentagon guidelines recommend; and requires that troops spend adequate time at home between deployments. This legislation makes substantial strides toward cleaning up contracting in Iraq, expanding current law to make all contractors working in war zones subject to prosecution for offenses that would otherwise be in violation of U.S. law; extending the statute of limitations for fraud cases during wartime; and amending the Federal criminal code to prohibit profiteering and fraud involving contractors overseas. In addition, it prohibits interrogation techniques not authorized in the Army Field Manual, a provision necessary in eliminating torture.

AMENDMENT NO. 3

Madam Speaker, the third amendment to H.R. 2642 provides over $21.2 billion for much needed domestic programs and foreign aid. By extending unemployment benefits, expanding veterans' education benefits, and placing a moratorium on the Bush administration's seven Medicaid regulations; this amendment gets us closer to where the Economic Stimulus package should have taken us.

This amendment will provide increased funds for food aid, military hospitals, and the reconstruction of the Louisiana levees.

INTERNATIONAL FOOD AID

As many of you know, we are facing an international food crisis. According to the International Monetary Fund, IMF, global food prices have increased an average of 43 percent. In fact since March 2007, wheat has increased by 146 percent, soybean has increased by 71 percent, corn by 41 percent, and rice prices have increased by 29 percent, according to the U.S. Department of Agriculture.

Many factors have played into this crisis. In China, India, and other emerging markets experiencing rapid economic growth, consumers are increasing their demand for food, oil, and energy supplies. Rising energy costs have directly raised the cost of agricultural production. Adverse weather-related events have lowered crop yields, particularly affecting wheat harvests. Depreciation of the U.S. dollar accounts for part of the increase in U.S. food prices, while increased production of biofuel has raised the price of corn.

Sadly, approximately 1 billion people—or one sixth of the world's population—subsist on less than $1 per day. Of this population, 162 million survive on less than $0.50 per day. Overall, increased food prices particularly affect developing countries, and the poorest people within those countries, where populations spend a larger proportional share of income on basic food commodities.

That is why I, along with other Hunger Caucus members hosted a forum on the food crisis and what it is doing to our children. We met with leaders of the international aid community to come up with pragmatic solutions to the global hunger crisis, both in the short-term and the long-term.

In my district I submitted an appropriations request for the Houston Food Bank to expand their collection and distribution of food to the good people of Houston. We each have to do our part, not only in our district by supporting much needed programs and organizations, but across this great Nation and the rest of the world.

This amendment would give $9.9 billion, $496 million above the President's request for the State Department, USAID and International Food Assistance. It is simply unacceptable in this day and age that children are going hungry. We have millions of dollars to bailout Bear Stearns, let's find that same money to help our families and our children.

EXPANDED GI BENEFITS FOR VETERANS EDUCATION

As champion for veterans, I am especially pleased to see the expansion of education benefits to veterans under the GI bill.

EXTENDED UNEMPLOYMENT COMPENSATION

The number of Americans looking for work has grown by 800,000 over the last year, and the number of American jobs has declined by 260,000 since the beginning of 2008. This supplemental would extend unemployment benefits for workers who have exhausted their benefits by up to 13 weeks in every state as well as an additional 13 weeks in states with high unemployment.

PROTECTING THE MEDICAID SAFETY NET ACT OF 2008 (H.R. 5613)

The Bush administration sought to cut services and payments to American families by adding seven different Medicaid regulations to the stimulus. This amendment places a much needed moratorium on those regulations giving back to our seniors, families, and those with disabilities as well as cut payments to safety net providers.

REFUGEE ASSISTANCE

$675 million, $454 million above the President's request, to address the refugee crisis in Iraq and elsewhere.

MERIDA

This amendment would give $461.5 million, $88.5 million below the President's request for the initiative to provide counter narcotics and law enforcement assistance in Mexico, $400 million, and Central America, $61.5 million.

MILITARY CONSTRUCTION

The $4.6 billion for military construction, $2.2 billion over the President's request, including $939 million for BRAC, over $210 million for the military child care centers that the President announced in the State of the Union but never funded, and $992 million for military hospitals to prevent the types of problems that faced Walter Reed.

BUREAU OF PRISONS

This $178 million urgently needed to meet rising incarceration costs and growing inmate population. The administration would have paid for these costs with cuts to state and local law enforcement funding.

CLEANING UP CONTRACTING (H.R. 3928 AND H.R. 5712)

Increases accountability and transparency in Federal contracting by requiring companies that receive more than 80 percent of their revenue from the Federal Government to disclose the names and salaries of their top officers, and requires Federal contractors to report violations of Federal criminal law and overpayments on contracts over $5 million.

Mr. DREIER. Madam Speaker, I understand that my good friend from Cleveland was unable to get time from his side of the aisle.

And so at this time I am happy to yield 1 minute to the gentleman from Cleveland, the Democratic Presidential candidate, Mr. KUCINICH.

Mr. KUCINICH. Madam Speaker, I regretfully oppose this rule, not because I lack appreciation for the work of my colleagues in trying to craft a bill that would get consensus, but because we are right back to where we were in January of 2007. We made a commitment that we would take control of this Congress and would end the war. Now, with this bill, we are saying we will set a goal of 18 months from now. So what happens 18 months from now? We have to end this war by stopping the funding.

In this bill we are telling the Iraqis they are going to have to pay for the reconstruction. We are telling the Iraqis they are going to have to give a discount price for oil, so they are going to subsidize the war against their own country.

We are losing a lot in this war, not only hundreds of billions of dollars, not only the lives of our troops, not only the injuries, but we are also losing our sense of humanity and compassion. There have been over 1 million innocent Iraqis killed as a result of this war.

Vote against this rule.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

(Mr. INSLEE asked and was given permission to revise and extend his remarks.)

Mr. INSLEE. Madam Speaker, I support this rule, in part, because it allows Congress to finally rein in an out-of-control policy by the administration in Iraq.

For too long our Congress has stood by while an administration has pursued a course in Iraq fraught with peril, with no plan for its conclusion, with no plan for resolution, with no meaningful plan for international involvement, to end this problem in Iraq. While Congress has not reined in this administration, the American people have been raising a hue and cry for relief from this negligent lack of plan in Iraq.

I came across, a few weeks ago, some work that some citizens had done to provide an exit strategy from Iraq. This is a plan called A Responsible Plan to End the War in Iraq. It was organized by a group of citizens, a woman from Carnation, Washington, named Darcy Burner. It is endorsed by considerable military thinking, endorsed by Major General Paul Eaton, U.S. Army, retired, former Security Transition Commanding General in Iraq; Dr. Lawrence Korb, a former Assistant Secretary of Defense in the Reagan administration; Brigadier General John Johns, specialist in counterinsurgency and nation-building; Captain Larry Seaquist, U.S. Navy, retired, former commander of the USS *Iowa* and Acting Deputy Assistant Secretary of Defense for Policy Planning.

Here is a plan that has considerable parallels to the amendment we will be allowed to offer to finally having some responsible plan to end the war in Iraq. A meaningful timetable, a statement about permanent bases, meaningful requirements for not overburdening our military. It's time, simply, for Congress to act. This rule allows us to do so. We should pass it.

Mr. DREIER. Madam Speaker, may I inquire again how much time is remaining on each side.

The SPEAKER pro tempore. The gentleman from California has 6 minutes remaining. The gentlewoman from New York has 7 minutes remaining.

Mr. DREIER. Madam Speaker, with that, I am happy to yield 1 minute to the very distinguished gentlewoman from Brooksville, Florida (Ms. GINNY BROWN-WAITE).

□ 1115

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise in opposition to the rule. I am the lead Republican on the post-9/11 Veterans Education Assistance Act. Congress needs to increase benefits for those fighting in our military to cover the true cost of a college education, and that is what that bill does.

Despite my obvious support for this provision in the supplemental, I am

saddened because I cannot vote for its passage as part of amendment 3 today. I cannot because the Democrats have chosen to include an egregious tax on small businesses in amendment 3. While claiming this tax is for American's veterans, in reality the majority of it is paying for their penchant to send foreign aid money to governments, many of whom do not support the United States of America.

However, when the fortunes of this Nation's veterans are at stake, the majority always seems to play games. There is no need for this tax, and certainly it is not welcomed at a time when our economy is struggling. But unfortunately, the tax-and-spend folks are here at it again, and this is part of the largest tax increase in history.

Ms. SLAUGHTER. Madam Speaker, may I inquire if my colleague has any more requests for time.

Mr. DREIER. Yes, we have a couple of speakers and then I am going to close.

Ms. SLAUGHTER. I reserve the balance of my time.

Mr. DREIER. Let me yield to my very good friend from Wichita, who is a member of the Appropriations Committee and who has worked long and hard here, for 1 minute.

(Mr. TIAHRT asked and was given permission to revise and extend his remarks.)

Mr. TIAHRT. I thank the gentleman from California.

Madam Speaker, Washington is broken and it needs to be changed. This rule is poorly devised and the underlying bill is poorly conceived. This bill did not go through the committee process, it is unprecedented and it violates the intent of the rules of the House.

Why is this important, Madam Speaker? Well, the American people would not allow the Democrat leadership to cancel the next election. The American people would not allow one person to determine who our next President is going to be; but on a smaller scale, that is exactly what has happened on this bill.

The Speaker of the House has determined what is in this bill, not the appropriate committee. An election was cancelled. There was no vote. The representatives of the people did not have a voice in this process. We did not have any committee hearings. This is not the democratic process. Washington is broken and it needs to be changed.

The rule accepts this violation of our own House rules, that's why I ask my colleagues to vote ''no'' on this rule because Washington is broken and it needs to be changed. We have to change the process here because Washington is broken and it needs to be changed.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 5 minutes to the gentleman from Wisconsin (Mr. OBEY), the chairman of the Appropriations Committee.

Mr. OBEY. Madam Speaker, I hope the House will forgive my laryngitis today.

Madam Speaker, I have just heard complaints from the minority side of the aisle about the process by which this proposal is being brought to us. This criticism about process comes from the same crowd that brought a $40 billion proposal to the floor 2 days after 9/11 without ever running that proposal through either the appropriations subcommittee or the Appropriations Committee. That criticism comes from the same crowd——

Mr. DREIER. Will the gentleman yield?

Mr. OBEY. No. I didn't interrupt you. You always ask someone to yield in order to interrupt their train of thought. I would appreciate if you would stop doing that with me.

Mr. DREIER. That is not my goal, Madam Speaker.

The SPEAKER pro tempore. The gentleman from Wisconsin controls the time.

Mr. OBEY. Madam Speaker, ahead of time, I will not yield to anyone until I have completed my statement.

This criticism on process comes from the same crowd that stood by and allowed 30 pages of unread material to be surreptitiously and anonymously slipped into a conference report on the defense bill after the conference report had completed action, language which insulated the drug industry from liability in cases where their products injured the health of customers.

This comes from the same crowd that several years ago blocked the ability of this House to vote on a single matter that had anything at all to do with the most significant domestic appropriation bill, the Labor-Health-Education bill. They simply wrapped it into other items and refused to allow the House to work its will on any piece of that proposal which had more than 500 programs which were insulated from House review.

This comes from the same crowd that brought three supplemental appropriation bills to the floor without running those bills through the Appropriations Committee or subcommittee.

Now they say that they want one vote on the package all put together. Well, let me tell you, what we are trying to do is to avoid Members having to look at everything in one package. What we are trying to do is to give them a straight up-or-down vote, a clean shot on the issue of whether you want to provide funding for the war or not. It is a procedurally neutral approach. If you want funding for the war, you vote ''yes'' and if you don't want it, you vote ''no.'' That way you can't hide on that issue. It stands out there alone, and people see where you stand.

We are also having a separate vote on whether or not we should impose conditions on the administration in exchange for the use of that money, straight up-or-down vote, clean shot at it, can't hide behind any other issue.

And thirdly, we are taking the administration's other requests and two priorities of our own and putting them together in a third amendment, again separate, not tied into a big package, out there so that Members can choose up or down whether they want to do that or not. I make no apology for that.

Now we are being lectured about the fact that this is a bloated bill. Out of all of the appropriated items in this bill, all but $2 billion are requested by the administration. Congress has the temerity to be asking to spend 1 percent of the appropriated amount in this bill. The rest the President takes ownership of.

Secondly, we are being told, Oh, it's terrible because we've taken a military bill and ''larded'' it up was the term that the gentleman from Janesville used, that we larded it up with unemployment compensation and with the expanded GI Bill. Well, I suppose additional unemployment compensation benefits may look like lard to a Member who makes $165,000 a year; but to people who have exhausted their unemployment benefits and have been out of work for 6 months, it doesn't look like lard to them; it looks like basic bread, and I think we should be ashamed of the fact that we haven't provided this sooner.

It also may look like lard to the gentleman from Janesville for us to say that we want to provide expanded education benefits to the GIs who fought this war. But I would remind every Member of this House, this is the first war in my knowledge where we have never had any sense of shared sacrifice. The only people in this society who are being asked to sacrifice are the veterans and the military families. They have been sent to Iraq and Afghanistan again and again and again, and we have the quaint idea that we ought to be able to take 6 percent of the cost of that war to date, 6 percent, and devote it to expanding education benefits for people who have sacrificed by wearing the uniform of the United States.

The SPEAKER pro tempore. The gentleman's time has expired.

Ms. SLAUGHTER. I yield the gentleman from Wisconsin 2 additional minutes.

Mr. OBEY. We pay for that by providing what the majority leader refers to as a patriots' premium, a one-half of 1 percent increase in taxes for the most fortunate people in this society who make more than a million bucks a year.

If you think that is even a close question, whether we ought to put the GIs before those fortunate folks, then it is no wonder you lost the seat in Mississippi 2 days ago.

Mr. DREIER. Madam Speaker, let me yield myself 30 seconds.

Let me begin by apologizing to my friend from Wausau. The notion of engaging in debate on the House floor is something I feel strongly about, and I am always happy to yield to people when they make requests for me to yield. I was simply asking my friend to

yield because of the fact that the $40 billion post-9/11 supplemental about which my friend complained and referred to as ''this crowd'' came to this floor under unanimous consent, a bipartisan agreement.

And the three supplemental appropriations, Madam Speaker, about which my friend referred, never, never, denied a motion to recommit to the minority. And I ensured as chairman of the Rules Committee at that time the right of the minority would, in fact, be maintained.

Madam Speaker, I am very happy to yield 1 minute to my friend from Auburn, Washington, the former sheriff, DAVID REICHERT.

Mr. REICHERT. Madam Speaker, I rise today in opposition to this rule. Yesterday the Culberson-Reichert-Shays Iraqi reconstruction amendment was offered and subsequently ruled out of order before the Rules Committee.

The intent of this amendment was to allow for the recent gains in Iraq to continue and at the same time reduce the burden on American taxpayers. Since April 2003, United States taxpayers have spent more than $46 billion in reconstruction in Iraq.

This amendment would have allowed us to begin to reduce American taxpayer dollars going to Iraq for reconstruction. This amendment would have directed that U.S. taxpayer dollars going to Iraq, to come to Iraq in the form of a loan. It would have enabled the Iraqis to still have a steady flow of reconstruction funding should they be unable to draw down their own funds.

Now is the time, especially with skyrocketing oil prices, for the Iraqis to stand up and take responsibility for their own reconstruction. In order for the Iraqi Government to stand up their economy, they must take the responsibility, they must bear the costs for reconstruction of their own country, not the American taxpayer. I oppose this rule.

Ms. SLAUGHTER. I continue to reserve the balance of my time.

Mr. DREIER. I inquire, is the distinguished Chair of the Rules Committee the final speaker for the majority?

Ms. SLAUGHTER. I am.

Mr. DREIER. Madam Speaker, let me yield myself the balance of my time.

Let me say at the outset, and again the last thing I want to do is offend my friend from Wausau by asking him to yield at any point, but I would be happy to yield to him if he wants to respond to what I am about to say. And that is, the fact of the matter is we have in this Congress the single highest number of closed rules in the 219-year history of the Republic. Never before has this, has the United States Congress had such a period of closed rules. I will tell you, it is absolutely outrageous. Why, because we were promised something that was much, much different than that.

On a supplemental appropriations bill, my good friend, the chairman of the committee said, ''The majority leadership decide to obliterate the legislative process. They discarded a bipartisan committee product, and they threw in unrelated, partisan political items that characterized a full partisan agenda. They have taken abusive power to a new level.''

Madam Speaker, let me say that when we did that, we provided the minority a right to have a bite at the apple, a motion to recommit. They had an opportunity to offer a proposal. I will tell you it is just plain wrong to see what has been taking place here.

I am going to urge my colleagues to oppose the previous question so I can amend the rule to simply give Republicans one simple bite at the apple, something we always guaranteed the now-majority.

Mr. LEWIS, the ranking member on the Committee on Appropriations, introduced a bill on Tuesday, H.R. 6062, a clean supplemental, to provide troop funding without strings and extraneous spending. If the previous question is defeated, I will amend the rule to make in order an alternative motion to concur by Mr. LEWIS which would simply state that the House concurs in the Senate amendment with an amendment consisting of the text of H.R. 6062. This way the House has the opportunity to send the Senate a clean supplemental to get our troops the money that they desperately need without the hocus-pocus, three-in-one vote political gamesmanship that we have before us at this moment.

□ 1130

It's simply the right thing for us to do to send that clean supplemental.

Madam Speaker, at this point I would like to ask unanimous consent to have the text of the extraneous material and the amendment included in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DREIER. Madam Speaker, it's just one simple bite at the apple, something we always guaranteed the Democrats when we were in charge. It's one amendment. We're just trying to help the Democratic majority become the majority that they promised that they would be. It's not too late. Let them do it, Madam Speaker.

Vote ''no'' on the previous question.

Ms. SLAUGHTER. Madam Speaker, how much time do I have remaining?

The SPEAKER pro tempore. The gentlewoman has 1½ minutes.

Ms. SLAUGHTER. Madam Speaker, let me say to my colleagues, voting for this rule gives the President not only what he has asked for the funding of the troops, but allows the people in the House who oppose that to have an opportunity to vote ''no.''

We also note, in response to Mr. REICHERT, that it does have an orderly withdrawal of troops beginning in December 2009, ending in 18 months.

This is a well-crafted piece of legislation of which I am extremely proud. I urge everyone to vote for the bill and rule and the underlying bill.

The material previously referred to by Mr. DREIER is as follows:

AMENDMENT TO H. RES. 1197 OFFERED BY MR. DREIER OF CALIFORNIA

Strike section 2, re-designate section 3 as section 2, and add at the end the following:

SEC. 3. Prior to consideration of the motion specified in section 1, and without intervention of any point of order, it shall be in order for Representative LEWIS of California or his designee to offer the motion specified in section 4. Such motion shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 4. The motion referred to in section 4 is a motion to concur in the Senate amendment to H.R. 2642 with an amendment striking the matter proposed to be inserted by the Senate amendment and inserting in lieu thereof the text of H.R. 6026 as introduced on May 13. 2008.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution ..... [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information form Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Ms. SLAUGHTER. I yield back the balance of my time, and I am pleased to move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 1197, if ordered; and the motion to suspend the rules on H.R. 5614, H.R. 406, and H.R. 5872.

The vote was taken by electronic device, and there were—yeas 224, nays 195, not voting 14, as follows:

[Roll No. 323]

YEAS—224

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carney
Carson
Castor
Cazayoux
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Langevin
Larsen (WA)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—195

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—14

Bono Mack
Carnahan
Crenshaw
DeGette
Gerlach
Gilchrest
Gillibrand
Hulshof
Larson (CT)
Lewis (KY)
Mack
Myrick
Rush
Wynn

□ 1157

Ms. EDDIE BERNICE JOHNSON of Texas changed her vote from ''nay'' to ''yea.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DREIER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 200, not voting 12, as follows:

[Roll No. 324]

YEAS—221

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Cazayoux
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Langevin
Larsen (WA)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)

Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Yarmuth

NAYS—200

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Cooper
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doggett
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hill
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mitchell
Moran (KS)
Murphy, Tim
Musgrave
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stark
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Bono Mack
Crenshaw
DeGette
Gerlach
Gillibrand
Hulshof
Larson (CT)
Lewis (KY)
Mack
Myrick
Rush
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 1205

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ORIGINAL SAINT-GAUDENS DOUBLE EAGLE ULTRA-HIGH RELIEF PALLADIUM BULLION COIN ACT

The SPEAKER pro tempore (Mr. BLUMENAUER). The unfinished business is the question on suspending the rules and passing the bill, H.R. 5614, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. GUTIERREZ) that the House suspend the rules and pass the bill, H.R. 5614, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 325]

YEAS—415

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—18

Boehner
Bono Mack
Cole (OK)
Crenshaw
DeGette
Dingell
Edwards
Gerlach
Gillibrand
Hulshof
Kirk
Larson (CT)
Lewis (KY)
Loebsack
Mack
Myrick
Rush
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes remaining in the vote.

□ 1213

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to authorize the production in palladium of Saint-Gaudens Double Eagle coins as ultra-high relief numismatic coins and bullion investment coins in order to provide affordable opportunities for investments in precious metals, and for other purposes.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. KIRK. Mr. Speaker, on rollcall No. 325, I was unavoidably detained. Had I been present, I would have voted "yea."

ALICE PAUL WOMEN'S SUFFRAGE CONGRESSIONAL GOLD MEDAL ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 406, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BACA) that the House suspend the rules and pass the bill, H.R. 406, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 1, not voting 20, as follows:

[Roll No. 326]

YEAS—412

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Woolsey
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—1

Paul

NOT VOTING—20

Boehner
Bono Mack
Crenshaw
Cummings
DeGette
Dingell
Gerlach
Gillibrand
Gohmert
Hastings (WA)
Hulshof
Kaptur
Larson (CT)
Lewis (KY)
Loebsack
Mack
Marchant
Myrick
Rush
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in the vote.

□ 1220

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: ''A bill to award a congressional gold medal in recognition of Alice Paul's role in the women's suffrage movement and in advancing equal rights for women''.

A motion to reconsider was laid on the table.

NATIONAL POLICE OFFICERS MEMORIAL DAY

The SPEAKER pro tempore. Without objection the gentleman from Texas (Mr. POE) is recognized for 1 minute.

There was no objection.

Mr. POE. Mr. Speaker, today is National Police Officers Memorial Day, May 15. Last year, 181 peace officers in the United States were killed in the line of duty. Over 18,000 have been killed in the line of duty serving this country. At this very hour on the west front of the Capitol, thousands of police officers and families of those who have been killed in the line of duty are assembling to pay tribute to these wonderful men and women who represent the United States.

Just 10 years ago, two Capitol Police officers, John Gibson and Jacob Chestnut, were killed in the line of duty defending this Capitol and literally gave their lives for Members of Congress.

MOMENT OF SILENCE

I would ask that the House observe a moment of silence in honor of these peace officers and their wonderful families.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

BOY SCOUTS OF AMERICA CENTENNIAL COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 5872, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. GUTIERREZ) that the House suspend the rules and pass the bill, H.R. 5872, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. SLAUGHTER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 403, nays 8, not voting 22, as follows:

[Roll No. 327]

YEAS—403

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Bonner
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (PA)
Brady (TX)
Broun (GA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Cazayoux
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cubin
Cuellar
Culberson
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foster
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Giffords
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hunter
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Lampson
Langevin
Larsen (WA)
Latham
LaTourette
Latta
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McMorris Rodgers
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Richardson
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Scalise
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Speier
Spratt
Stearns
Stupak
Sullivan
Sutton
Tancredo
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Tsongas
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield (KY)
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wittman (VA)
Wolf
Wu
Yarmuth
Young (AK)
Young (FL)

NAYS—8

Baldwin
Frank (MA)
Gutierrez
Kucinich
Lee
McDermott
Stark
Woolsey

NOT VOTING—22

Boehner
Bono Mack
Braley (IA)
Crenshaw
Cummings
DeGette
Dingell
Gerlach
Gillibrand
Hastings (WA)
Hulshof
Larson (CT)
Lewis (KY)
Loebsack
Mack
Marshall
Myrick
Reichert
Rush
Shuster
Walsh (NY)
Wynn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in the vote.

□ 1229

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I regret that I could not be present today, Thursday, May 15, 2008, to vote on rollcall votes nos. 323 through 327 due to a funeral. Had I been present, I would have voted:

"Yea" on rollcall No. 323 on agreeing to the motion ordering the previous question on H. Res. 1197, the rule providing for consideration of the Senate amendment to H.R. 2642, the Supplemental Appropriations Act, 2008;

"Yea" on rollcall No. 324 on agreeing to H. Res. 1197, the rule providing for consideration of the Senate amendment to H.R. 2642, the Supplemental Appropriations Act, 2008;

"Yea" on rollcall No. 325 on agreeing to the motion to suspend the rules and pass H.R. 5614, the Original Saint-Gaudens Double Eagle Ultra-High Relief Bullion Coin Act;

"Yea" on rollcall No. 326 on agreeing to the motion to suspend the rules and pass H.R. 406, Alice Paul Women's Suffrage Congressional Gold Medal Act;

"Yea" on rollcall No. 327 on agreeing to the motion to suspend the rules and pass H.R. 5872, the Boy Scouts of America Centennial Commemorative Coin Act.

SUPPLEMENTAL APPROPRIATIONS ACT, 2008

Mr. OBEY. Mr. Speaker, pursuant to House Resolution 1197, I call from the Speaker's table the bill (H.R. 2642) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. TIERNEY). The Clerk will designate the Senate amendment.

The text of the Senate amendment is as follows:

Senate amendment:

H.R. 2642

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation,

and for construction and operation of facilities in support of the functions of the Commander in Chief, $3,928,149,000, to remain available until September 30, 2012: Provided, That of this amount, not to exceed $317,149,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $2,168,315,000, to remain available until September 30, 2012: Provided, That of this amount, not to exceed $115,258,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $1,048,518,000, to remain available until September 30, 2012: Provided, That of this amount, not to exceed $64,958,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $1,758,755,000, to remain available until September 30, 2012: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That of the amount appropriated, not to exceed $154,728,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $478,836,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $228,995,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $138,424,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $59,150,000, to remain available until September 30, 2012.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

(INCLUDING RESCISSION OF FUNDS)

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, $27,559,000, to remain available until September 30, 2012: Provided, That of the funds appropriated for ''Military Construction, Air Force Reserve'' under Public Law 109–114, $3,100,000 are hereby rescinded.

NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, $201,400,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $419,400,000, to remain available until September 30, 2012.

FAMILY HOUSING OPERATION AND MAINTENANCE, ARMY

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $742,920,000.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $288,329,000, to remain available until September 30, 2012.

FAMILY HOUSING OPERATION AND MAINTENANCE, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $371,404,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, $362,747,000, to remain available until September 30, 2012.

FAMILY HOUSING OPERATION AND MAINTENANCE, AIR FORCE

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, $688,335,000.

FAMILY HOUSING OPERATION AND MAINTENANCE, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, $48,848,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, $500,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military family housing and supporting facilities.

CHEMICAL DEMILITARIZATION CONSTRUCTION, DEFENSE-WIDE

For expenses of construction, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, as currently authorized by law, $104,176,000, to remain available until September 30, 2012, which shall be only for the Assembled Chemical Weapons Alternatives program.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 1990

For deposit into the Department of Defense Base Closure Account 1990, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $320,689,000, to remain available until expended.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $8,174,315,000, to remain available until expended: Provided, That funds made available under this heading for the construction of facilities are subject to the notification and reprogramming requirements applicable to military construction projects under section 2853 of title 10, United States Code, and section 0703 of the Department of Defense Financial Management Regulation of December 1996, including the requirement to obtain the approval of the congressional defense committees prior to executing certain reprogramming actions.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized

therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than $25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Sea if that country has not increased its defense spending by at least 3 percent in calendar year 2005, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Sea, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense is to inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $750,000.

SEC. 114. Not more than 20 percent of the funds made available in this title which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

(INCLUDING TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

SEC. 118. (a) The Secretary of Defense, in consultation with the Secretary of State, shall submit to the Committees on Appropriations of both Houses of Congress, by February 15 of each year, an annual report on actions taken by the Department of Defense and the Department of State during the previous fiscal year to encourage host countries to assume a greater share of the common defense burden of such countries and the United States.

(b) The report under subsection (a) shall include a description of—

(1) attempts to secure cash and in-kind contributions from host countries for military construction projects;

(2) attempts to achieve economic incentives offered by host countries to encourage private investment for the benefit of the United States Armed Forces;

(3) attempts to recover funds due to be paid to the United States by host countries for assets deeded or otherwise imparted to host countries upon the cessation of United States operations at military installations;

(4) the amount spent by host countries on defense, in dollars and in terms of the percent of gross domestic product (GDP) of the host country; and

(5) for host countries that are members of the North Atlantic Treaty Organization (NATO), the amount contributed to NATO by host countries, in dollars and in terms of the percent of the total NATO budget.

(c) In this section, the term ''host country'' means other member countries of NATO, Japan, South Korea, and United States allies bordering the Arabian Sea.

(INCLUDING TRANSFER OF FUNDS)

SEC. 119. In addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (10 U.S.C. 2687 note) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to be merged with, and to be available for the same purposes and the same time period as that account.

(INCLUDING TRANSFER OF FUNDS)

SEC. 120. Subject to 30 days prior notification to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in ''Family Housing'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in ''Military Construction'' accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

SEC. 121. (a) Not later than 60 days before issuing any solicitation for a contract with the private sector for military family housing the Secretary of the military department concerned shall submit to the Committees on Appropriations of both Houses of Congress the notice described in subsection (b).

(b)(1) A notice referred to in subsection (a) is a notice of any guarantee (including the making of mortgage or rental payments) proposed to be made by the Secretary to the private party under the contract involved in the event of—

(A) the closure or realignment of the installation for which housing is provided under the contract;

(B) a reduction in force of units stationed at such installation; or

(C) the extended deployment overseas of units stationed at such installation.

(2) Each notice under this subsection shall specify the nature of the guarantee involved and assess the extent and likelihood, if any, of the liability of the Federal Government with respect to the guarantee.

(INCLUDING TRANSFER OF FUNDS)

SEC. 122. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the accounts established by sections 2906(a)(1) and 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 123. Notwithstanding this or any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than $35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal

year: Provided further, That nothing in this section precludes the Secretary of a military department, after notifying the congressional defense committees and waiting 21 days, from using funds derived under section 2601, chapter 403, chapter 603, or chapter 903 of title 10, United States Code, for the maintenance or repair of general and flag officer quarters at the military service academy under the jurisdiction of that Secretary: Provided further, That each Secretary of a military department shall provide an annual report by February 15 to the congressional defense committees on the amount of funds that were derived under section 2601, chapter 403, chapter 603, or chapter 903 of title 10, United States Code, in the previous year and were obligated for the construction, improvement, repair, or maintenance of any military facility or infrastructure.

SEC. 124. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 125. None of the funds made available in this title, or in any Act making appropriations for military construction which remain available for obligation, may be obligated or expended to carry out a military construction, land acquisition, or family housing project at or for a military installation approved for closure, or at a military installation for the purposes of supporting a function that has been approved for realignment to another installation, in 2005 under the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note), unless such a project at a military installation approved for realignment will support a continuing mission or function at that installation or a new mission or function that is planned for that installation, or unless the Secretary of Defense certifies that the cost to the United States of carrying out such project would be less than the cost to the United States of cancelling such project, or if the project is at an active component base that shall be established as an enclave or in the case of projects having multi-agency use, that another Government agency has indicated it will assume ownership of the completed project. The Secretary of Defense may not transfer funds made available as a result of this limitation from any military construction project, land acquisition, or family housing project to another account or use such funds for another purpose or project without the prior approval of the Committees on Appropriations of both Houses of Congress. This section shall not apply to military construction projects, land acquisition, or family housing projects for which the project is vital to the national security or the protection of health, safety, or environmental quality: Provided, That the Secretary of Defense shall notify the congressional defense committees within seven days of a decision to carry out such a military construction project.

SEC. 126. Funds made available by this title for the construction of facilities identified in the State table of the report accompanying this Act as ''Grow the Force'' projects are subject to the notification and reprogramming requirements applicable to military construction projects under section 2853 of title 10, United States Code, and section 0703 of the Department of Defense Financial Management Regulation of December 1996, including the requirement to obtain the approval of the congressional defense committees prior to executing certain reprogramming actions.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS PROGRAMS

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by law (38 U.S.C. 107, chapters 11, 13, 18, 51, 53, 55, and 61); pension benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 540 et seq.) and for other benefits as authorized by law (38 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53, 55, and 61; 43 Stat. 122, 123; 45 Stat. 735; 76 Stat. 1198), $41,236,322,000, to remain available until expended: Provided, That not to exceed $28,583,000 of the amount appropriated under this heading shall be reimbursed to ''General operating expenses'' and ''Medical administration'' for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the ''Compensation and pensions'' appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to ''Medical care collections fund'' to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by law (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53, 55, and 61), $3,300,289,000, to remain available until expended: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under section 3104(a) of title 38, United States Code, other than under subsection (a)(1), (2), (5), and (11) of that section, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by title 38, United States Code, chapter 19; 70 Stat. 887; 72 Stat. 487, $41,250,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM ACCOUNT

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That during fiscal year 2008, within the resources available, not to exceed $500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $154,562,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, $71,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed $3,287,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $311,000, which may be transferred to and merged with the appropriation for ''General operating expenses''.

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For administrative expenses to carry out the direct loan program authorized by subchapter V of chapter 37 of title 38, United States Code, $628,000.

GUARANTEED TRANSITIONAL HOUSING LOANS FOR HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by subchapter VI of chapter 37 of title 38, United States Code, not to exceed $750,000 of the amounts appropriated by this Act for ''General operating expenses'' and ''Medical services'' may be expended.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, and aid to State homes as authorized by section 1741 of title 38, United States Code; $28,979,220,000, plus reimbursements: Provided, That of the funds made available under this heading, not to exceed $1,350,000,000 shall remain available until September 30, 2009: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for treatment for veterans who are service-connected disabled, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That for the Department of Defense/Department of Veterans Affairs Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, a minimum of $15,000,000, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

MEDICAL ADMINISTRATION

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.): $3,642,000,000, plus reimbursements, of which $250,000,000 shall remain available until September 30, 2009.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and

domiciliary facilities and other necessary facilities for the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering and architectural activities not charged to project costs; for repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services, $4,092,000,000, plus reimbursements, of which $350,000,000 shall remain available until September 30, 2009: Provided, That not less than $350,000,000 for non-recurring maintenance provided under this heading shall be allocated in a manner not subject to the Veterans Equitable Resource Allocation.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, $500,000,000, plus reimbursements, to remain available until September 30, 2009.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; and hire of passenger motor vehicles, $217,709,000, of which not to exceed $25,000,000 shall remain available until September 30, 2009.

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms or allowances therefor; not to exceed $25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, and the Department of Defense for the cost of overseas employee mail, $1,612,031,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That the Veterans Benefits Administration shall be funded at not less than $1,329,044,000: Provided further, That of the funds made available under this heading, not to exceed $75,000,000 shall be available for obligation until September 30, 2009: Provided further, That from the funds made available under this heading, the Veterans Benefits Administration may purchase up to two passenger motor vehicles for use in operations of that Administration in Manila, Philippines.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978, $88,700,000, of which $3,630,000 shall remain available until September 30, 2009.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, and 8122 of title 38, United States Code, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, $727,400,000, to remain available until expended, of which $2,000,000 shall be to make reimbursements as provided in section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612) for claims paid for contract disputes: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, such as portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund and CARES funds, including needs assessments which may or may not lead to capital investments, none of the funds appropriated under this heading shall be used for any project which has not been approved by the Congress in the budgetary process: Provided further, That funds provided in this appropriation for fiscal year 2008, for each approved project (except those for CARES activities referenced above) shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2008; and (2) by the awarding of a construction contract by September 30, 2009: Provided further, That the Secretary of Veterans Affairs shall promptly report in writing to the Committees on Appropriations of both Houses of Congress any approved major construction project in which obligations are not incurred within the time limitations established above.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, $751,398,000, to remain available until expended, along with unobligated balances of previous ''Construction, minor projects'' appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify or alter existing hospital, nursing home and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131–8137 of title 38, United States Code, $250,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF STATE VETERANS CEMETERIES

For grants to aid States in establishing, expanding, or improving State veterans cemeteries as authorized by section 2408 of title 38, United States Code, $100,000,000, to remain available until expended.

INFORMATION TECHNOLOGY SYSTEMS

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; including pay and associated cost for operations and maintenance associated staff; for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, $1,898,000,000, to remain available until September 30, 2009: Provided, That none of these funds may be obligated until the Department of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget; (2) complies with the Department of Veterans Affairs enterprise architecture; (3) conforms with an established enterprise life cycle methodology; and (4) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government: Provided further, That within 60 days of enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a reprogramming base letter which provides, by project, the costs included in this appropriation.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2008, in this Act or any other Act, for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' may be transferred as necessary to any other of the mentioned appropriations: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for fiscal year 2008, in this Act or any other Act, under the ''Medical services'', ''Medical Administration'', and ''Medical facilities'' accounts may be transferred between the accounts to the extent necessary to implement the restructuring of the Veterans Health Administration accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code, hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefor, as authorized by sections 5901–5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for ''Construction, major projects'', and ''Construction, minor projects'') shall be available for the purchase of any site for the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled under the laws bestowing such benefits to veterans, and persons receiving such treatment

under sections 7901–7904 of title 5, United States Code or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of cost is made to the ''Medical services'' account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for ''Compensation and pensions'', ''Readjustment benefits'', and ''Veterans insurance and indemnities'' shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2007.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable from ''Compensation and pensions''.

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2008, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund (38 U.S.C. 1920), the Veterans' Special Life Insurance Fund (38 U.S.C. 1923), and the United States Government Life Insurance Fund (38 U.S.C. 1955), reimburse the ''General operating expenses'' account for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in an insurance program in fiscal year 2008 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2008 which is properly allocable to the provision of each insurance program and to the provision of any total disability income insurance included in such insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management and the Office of Employment Discrimination Complaint Adjudication for all services provided at rates which will recover actual costs but not exceed $32,067,000 for the Office of Resolution Management and $3,148,000 for the Office of Employment and Discrimination Complaint Adjudication: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to ''General operating expenses'' for use by the office that provided the service.

SEC. 211. No appropriations in this title shall be available to enter into any new lease of real property if the estimated annual rental is more than $300,000 unless the Secretary submits a report which the Committees on Appropriations of both Houses of Congress approve within 30 days following the date on which the report is received.

SEC. 212. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 213. Notwithstanding any other provision of law, at the discretion of the Secretary of Veterans Affairs, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the ''Construction, major projects'' and ''Construction, minor projects'' accounts and be used for construction (including site acquisition and disposition), alterations and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in ''Construction, major projects'' and ''Construction, minor projects''.

SEC. 214. Amounts made available under ''Medical services'' are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 215. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to ''Medical services'', to remain available until expended for the purposes of this account.

SEC. 216. Notwithstanding any other provision of law, the Secretary of Veterans Affairs shall allow veterans eligible under existing Department of Veterans Affairs medical care requirements and who reside in Alaska to obtain medical care services from medical facilities supported by the Indian Health Service or tribal organizations. The Secretary shall: (1) limit the application of this provision to rural Alaskan veterans in areas where an existing Department of Veterans Affairs facility or Veterans Affairs-contracted service is unavailable; (2) require participating veterans and facilities to comply with all appropriate rules and regulations, as established by the Secretary; (3) require this provision to be consistent with Capital Asset Realignment for Enhanced Services activities; and (4) result in no additional cost to the Department of Veterans Affairs or the Indian Health Service.

(INCLUDING TRANSFER OF FUNDS)

SEC. 217. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the ''Construction, major projects'' and ''Construction, minor projects'' accounts, to remain available until expended for the purposes of these accounts.

SEC. 218. None of the funds made available in this Act may be used to implement any policy prohibiting the Directors of the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

SEC. 219. The Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report on the financial status of the Veterans Health Administration.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Amounts made available under the ''Medical services'', ''Medical Administration'', ''Medical facilities'', ''General operating expenses'', and ''National Cemetery Administration'' accounts for fiscal year 2008, may be transferred to or from the ''Information technology systems'' account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. For purposes of perfecting the funding sources of the Department of Veterans Affairs' new ''Information technology systems'' account, funds made available for fiscal year 2008, in this or any other Act, may be transferred from the ''General operating expenses'', ''National Cemetery Administration'', and ''Office of Inspector General'' accounts to the ''Medical services'' account: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Amounts made available for the ''Information technology systems'' account may be transferred between projects: Provided, That no project may be increased or decreased by more than $1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed.

SEC. 223. None of the funds available to the Department of Veterans Affairs, in this Act, or any other Act, may be used to replace the current system by which the Veterans Integrated Services Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 224. Of the amounts made available for fiscal year 2008, in this Act or any other Act, under the ''Medical Facilities'' account for non-recurring maintenance, not more than 20 percent of the funds made available shall be obligated during the last two months of the fiscal year.

SEC. 225. PROHIBITION ON DISPOSAL OF DEPARTMENT OF VETERANS AFFAIRS LANDS AND IMPROVEMENTS AT WEST LOS ANGELES MEDICAL CENTER, CALIFORNIA. (a) IN GENERAL.—The Secretary of Veterans Affairs may not declare as excess to the needs of the Department of Veterans Affairs, or otherwise take any action to exchange, trade, auction, transfer, or otherwise dispose of, or reduce the acreage of, Federal land and improvements at the Department of Veterans Affairs West Los Angeles Medical Center, California, encompassing approximately 388 acres on the north and south sides of Wilshire Boulevard and west of the 405 Freeway.

(b) SPECIAL PROVISION REGARDING LEASE WITH REPRESENTATIVE OF THE HOMELESS.—Notwithstanding any provision of this Act, section 7 of the Homeless Veterans Comprehensive Services Act of 1992 (Public Law 102–590) shall remain in effect.

(c) CONFORMING AMENDMENT.—Section 8162(c)(1) of title 38, United States Code, is amended—

(1) by inserting ''or section 225(a) of the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008'' after ''section 421(b)(2) of the Veterans' Benefits and Services Act of 1988 (Public Law 100–322; 102 Stat. 553)''; and

(2) by striking ''that section'' and inserting ''such sections''.

(d) EFFECTIVE DATE.—This section, including the amendment made by this section, shall apply with respect to fiscal year 2008 and each fiscal year thereafter.

SEC. 226. The Department shall continue research into Gulf War Illness at levels not less than those made available in fiscal year 2007, within available funds contained in this Act.

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

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

SEC. 228. (a) AUTHORITY FOR TRANSFER OF FUNDS TO SECRETARY OF HEALTH AND HUMAN SERVICES TO TRAIN PSYCHOLOGISTS.—Upon a determination by the Secretary of Veterans Affairs that such action is in the national interest, the Secretary of Veterans Affairs may transfer not more than $5,000,000 to the Secretary of Health and Human Services for the Graduate Psychology Education Program to support increased training of psychologists skilled in the treatment of post-traumatic stress disorder, traumatic brain injury, and related disorders.

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

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

SEC. 229. (a) REPORTS ON RECONSTRUCTION OF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER IN NEW ORLEANS, LOUISIANA.—(1) Not later than October 1 and April 1 each year, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations a report on the current status of the reconstruction of the Department of Veterans Affairs Medical Center in New Orleans, Louisiana. Each report shall include the following:

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

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

(i) a description of each such delay;

(ii) an explanation for each such delay; and

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

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

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

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

SEC. 230. (a) ADDITIONAL AMOUNT FOR MEDICAL SERVICES.—The amount appropriated or otherwise made available by this title under the heading ''MEDICAL SERVICES'' is hereby increased by $125,000,000.

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

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

SEC. 231. (a) REPORT ON ACCESS TO MEDICAL SERVICES PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS TO VETERANS IN REMOTE RURAL AREAS.—Not later than six months after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report setting forth the following:

(1) A description of the following:

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

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

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

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

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

(2) An assessment of the potential for increasing local access to medical services for veterans in remote rural areas of contiguous and non-contiguous States through strategic partnerships with other government and local private health care providers.

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

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

(2) the Subcommittees referred to in section 407.

SEC. 232. None of the funds appropriated or otherwise made available by this Act may be used during fiscal year 2008 to round down dollar amounts to the next lower whole dollar for payments of the following:

(1) Disability compensation under section 1114 of 38, United States Code.

(2) Additional compensation for dependents under section 1115(1) of such title.

(3) Clothing allowance under section 1162 of such title.

(4) Dependency and indemnity compensation to surviving spouse under subsections (a) through (d) of section 1311 of such title.

(5) Dependency and indemnity compensation to children under sections 1313(a) and 1314 of such title.

SEC. 233. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with—

(1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, and Independent Agencies Appropriations Act, 2006 (Public Law 109–115; 119 Stat. 2506); or

(2) section 8110(a)(5) of title 38, United States Code.

SEC. 234. LIEUTENANT COLONEL CLEMENT C. VAN WAGONER DEPARTMENT OF VETERANS AFFAIRS CLINIC. (a) DESIGNATION.—The Department of Veterans Affairs clinic located in Alpena, Michigan, shall be known and designated as the ''Lieutenant Colonel Clement C. Van Wagoner Department of Veterans Affairs Clinic''.

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

SEC. 235. The Secretary of Veterans Affairs may carry out a major medical facility lease in fiscal year 2008 in an amount not to exceed $12,000,000 to implement the recommendations outlined in the August, 2007 Study of South Texas Veterans' Inpatient and Specialty Outpatient Health Care Needs.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement only) and hire of passenger motor vehicles; not to exceed $7,500 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, $45,600,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, $11,000,000, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251–7298 of title 38, United States Code, $24,217,000: Provided, That $1,120,000 shall be available for the purpose of providing financial assistance as described, and in accordance with the process and reporting procedures set forth, under this heading in Public Law 102–229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers' and Airmen's Home National Cemetery, including the purchase of two passenger motor vehicles for replacement only, and not to exceed $1,000 for official reception and representation expenses, $31,865,000, to remain available until expended. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the Lease of Department of Defense Real Property for Defense Agencies account.

Funds appropriated under this Act may be provided to Arlington County, Virginia, for the relocation of the federally-owned watermain at Arlington National Cemetery making additional land available for ground burials.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia and the Armed Forces Retirement Home—Gulfport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, $55,724,000.

GENERAL FUND PAYMENT, ARMED FORCES RETIREMENT HOME

For payment to the ''Armed Forces Retirement Home'', $5,900,000, to remain available until expended.

ADMINISTRATIVE PROVISION

SEC. 301. None of the funds in this title under the heading ''American Battle Monuments Commission'' shall be available for the Capital Security Costs Sharing program.

TITLE IV

GENERAL PROVISIONS

SEC. 401. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 402. Such sums as may be necessary for fiscal year 2008 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 403. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 404. No part of any funds appropriated in this Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television or film presentation designed to support or defeat legislation pending before Congress, except in presentation to Congress itself.

SEC. 405. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of ''E-Commerce'' technologies and procedures in the conduct of their business practices and public service activities.

SEC. 406. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 407. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

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

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

SEC. 409. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than $5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default or the assessment is the subject of a non-frivolous administrative or judicial appeal.

SEC. 410. (a) In this section:

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

(2) The term ''deed'' means the quitclaim deed—

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

(B) dated May 24, 1999.

(3) The term ''non-Federal land'' means—

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

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

(4) The term ''Secretary'' means the Secretary of the Interior.

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

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

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

(B) any other reversionary interest of the United States.

To authorize the use of the property to include use as a veteran's facility in addition to use for recreational purposes.

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

SEC. 411. For an additional amount $100,000,000, with $50,000,000 each to the Cities of Denver, Colorado, and St. Paul, Minnesota, shall be available to the Department of Homeland Security for State and local law enforcement entities for security and related costs, including overtime, associated with the Democratic National Convention and Republican National Convention in 2008. The Department of Homeland Security shall provide for an audit of all amounts made available under this section, including expenditures by State and local law enforcement entities. Amounts provided by this section are designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress).

SEC. 412. None of the funds appropriated or otherwise made available by this Act may be used for any action that is related to or promotes the expansion of the boundaries or size of the Pinon Canyon Maneuver Site, Colorado.

This Act may be cited as the ''Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008''.

MOTION OFFERED BY MR. OBEY

Mr. OBEY. Mr. Speaker, I offer the motion at the desk.

The SPEAKER pro tempore. The Clerk will designate the motion.

The text of the motion is as follows:

Motion offered by Mr. OBEY:

Mr. OBEY moves that the House concur in the Senate amendment with three House amendments.

The text of House amendment No. 1 to the Senate amendment is as follows:

Page 60 of the Senate engrossed amendment, strike lines 1 through 3 and insert the following:

TITLE IX—DEFENSE MATTERS

CHAPTER 1—SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $11,807,655,000.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $866,753,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $1,820,571,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $1,286,153,000.

RESERVE PERSONNEL, ARMY

For an additional amount for ''Reserve Personnel, Army'', $304,200,000.

RESERVE PERSONNEL, NAVY

For an additional amount for ''Reserve Personnel, Navy'', $72,800,000.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for ''Reserve Personnel, Marine Corps'', $16,720,000.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for ''Reserve Personnel, Air Force'', $5,000,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $1,369,747,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for ''National Guard Personnel, Air Force'', $4,000,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $16,343,512,000.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Navy'', $2,952,864,000: *Provided*, That up to $112,607,000 shall be transferred to the Coast Guard ''Operating Expenses'' account.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $159,900,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $5,922,520,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $3,387,562,000, of which—

(1) not to exceed $25,000,000 may be used for the Combatant Commander Initiative Fund, to be used in support of Operation Iraqi Freedom and Operation Enduring Freedom; and

(2) not to exceed $800,000,000, to remain available until expended, may be used for payments to reimburse key cooperating nations, for logistical, military, and other support provided to United States military operations, notwithstanding any other provision of law: *Provided*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Iraq and Afghanistan: *Provided further*, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary

of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph:

Provided further, That of the amount available under this heading for the Defense Contract Management Agency, $52,000,000 shall remain available until September 30, 2009.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $164,839,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $109,876,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $70,256,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $165,994,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $685,644,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $287,369,000.

IRAQ FREEDOM FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Iraq Freedom Fund'', $50,000,000, to remain available for transfer until September 30, 2009, notwithstanding any other provision of law, only for the redevelopment of the Iraqi industrial sector by identifying, and providing assistance to, factories and other industrial facilities that are best situated to resume operations quickly and reemploy the Iraqi workforce: *Provided*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

AFGHANISTAN SECURITY FORCES FUND

For an additional amount for ''Afghanistan Security Forces Fund'', $1,400,000,000, to remain available until September 30, 2009.

IRAQ SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Iraq Security Forces Fund'', $1,500,000,000, to remain available until September 30, 2009: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command—Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That none of the assistance provided under this heading in the form of funds may be utilized for the provision of salaries, wages, or bonuses to personnel of the Iraqi Security Forces: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: *Provided further*, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $954,111,000, to remain available for obligation until September 30, 2010.

MISSILE PROCUREMENT, ARMY

For an additional amount for ''Missile Procurement, Army'', $561,656,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $5,393,471,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $344,900,000, to remain available for obligation until September 30, 2010.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $15,967,340,000, to remain available for obligation until September 30, 2010.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for ''Aircraft Procurement, Navy'', $3,411,254,000, to remain available for obligation until September 30, 2010.

WEAPONS PROCUREMENT, NAVY

For an additional amount for ''Weapons Procurement, Navy'', $317,456,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for ''Procurement of Ammunition, Navy and Marine Corps'', $304,945,000, to remain available for obligation until September 30, 2010.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $1,260,135,000, to remain available for obligation until September 30, 2010.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $2,153,390,000, to remain available for obligation until September 30, 2010.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $7,028,563,000, to remain available for obligation until September 30, 2010.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for ''Missile Procurement, Air Force'', $66,943,000, to remain available for obligation until September 30, 2010.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for ''Procurement of Ammunition, Air Force'', $205,455,000, to remain available for obligation until September 30, 2010.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $1,903,167,000, to remain available for obligation until September 30, 2010.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $408,209,000, to remain available for obligation until September 30, 2010.

NATIONAL GUARD AND RESERVE EQUIPMENT

For an additional amount for ''National Guard and Reserve Equipment'', $750,000,000, to remain available for obligation until September 30, 2010: *Provided*, That the Chiefs of the National Guard and Reserve components shall, prior to the expenditure of funds, and not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees an equipment modernization priority assessment with a detailed plan for the expenditure of funds for their respective National Guard and Reserve components.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for ''Research, Development, Test and Evaluation, Army'', $162,958,000, to remain available until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $366,110,000, to remain available until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $278,427,000, to remain available until September 30, 2009.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $816,598,000, to remain available until September 30, 2009.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For an additional amount for ''Defense Working Capital Funds'', $1,837,450,000, to remain available for obligation until expended.

NATIONAL DEFENSE SEALIFT FUND

For an additional amount for ''National Defense Sealift Fund'', $5,110,000, to remain available for obligation until expended.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,363,864,000, of which

$907,064,000 shall be for operation and maintenance; of which $91,900,000 is for procurement to remain available until September 30, 2010; of which $364,900,000 shall be for research, development, test and evaluation, to remain available until September 30, 2009: *Provided,* That in addition to amounts otherwise contained in this paragraph, $75,000,000 is hereby appropriated to the ''Defense Health Program'' for operation and maintenance for psychological health and traumatic brain injury, to remain available until September 30, 2009.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $65,317,000, to remain available until September 30, 2009.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for ''Office of the Inspector General'', $6,394,000, of which $2,000,000 shall be for research, development, test and evaluation, to remain available until September 30, 2009.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 9101. Appropriations provided in this chapter are available for obligation until September 30, 2008, unless otherwise provided in this chapter.

SEC. 9102. Notwithstanding any other provision of law, funds made available in this chapter are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2008.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9103. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer between appropriations up to $2,500,000,000 of the funds made available to the Department of Defense in this chapter: *Provided,* That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further,* That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of Public Law 110–116, except for the fourth proviso.

SEC. 9104. (a) From funds made available for operation and maintenance in this chapter to the Department of Defense, not to exceed $1,026,841,000 may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program, for the purpose of enabling military commanders in Iraq, Afghanistan, and the Philippines to respond to urgent humanitarian relief and reconstruction requirements within their areas of responsibility by carrying out programs that will immediately assist the Iraqi, Afghan, and Filipino people.

(b) Not later than 15 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes of the programs under subsection (a).

(INCLUDING TRANSFER OF FUNDS)

SEC. 9105. During fiscal year 2008, the Secretary of Defense may transfer not to exceed $6,500,000 of the amounts in or credited to the Defense Cooperation Account, pursuant to 10 U.S.C. 2608, to such appropriations or funds of the Department of Defense as the Secretary shall determine for use consistent with the purposes for which such funds were contributed and accepted: *Provided,* That such amounts shall be available for the same time period as the appropriation to which transferred: *Provided further,* That the Secretary shall report to the Congress all transfers made pursuant to this authority.

SEC. 9106. Of the amount appropriated by this chapter under the heading ''Drug Interdiction and Counter-Drug Activities, Defense,'' not to exceed $20,000,000 may be used for the provision of support for counter-drug activities of the Governments of Afghanistan, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, and Turkmenistan, as specified in section 1033 of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, as amended by Public Laws 106–398, 108–136, 109–364, and 110–181): *Provided,* That such support shall be in addition to support provided under any other provision of the law.

SEC. 9107. Amounts provided in this chapter for operations in Iraq and Afghanistan may be used by the Department of Defense for the purchase of up to 20 heavy and light armored vehicles for force protection purposes, notwithstanding price or other limitations specified elsewhere in the Department of Defense Appropriations Act, 2008 (Public Law 110–116), or any other provision of law: *Provided,* That notwithstanding any other provision of law, funds provided in Public Law 110–116 and Public Law 110–161 under the heading ''Other Procurement, Navy'' may be used for the purchase of 21 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle: *Provided further,* That the Secretary of Defense shall submit a report in writing no later than 30 days after the end of each fiscal quarter notifying the congressional defense committees of any purchase described in this section, including cost, purposes, and quantities of vehicles purchased.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9108. Section 8122(c) of Public Law 110–116 is amended by adding at the end the following:

''(4) Upon a determination that all or part of the funds transferred under paragraph (1) are not necessary to accomplish the purposes specified in subsection (b), such amounts may be transferred back to the 'Mine Resistant Ambush Protected Vehicle Fund'.''.

SEC. 9109. Notwithstanding any other provision of law, not to exceed $150,000,000 of funds made available in this chapter may be obligated to conduct or support a program to build the capacity of a foreign country's national military forces in order for that country to conduct counterterrorist operations or participate in or support military and stability operations in which the U.S. Armed Forces are a participant: *Provided,* That funds available pursuant to the authority in this section shall be subject to the same restrictions, limitations, and reporting requirements as funds available pursuant to section 1206 of Public Law 109–163 as amended.

CHAPTER 2—BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for ''Military Personnel, Army'', $839,000,000.

MILITARY PERSONNEL, NAVY

For an additional amount for ''Military Personnel, Navy'', $75,000,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for ''Military Personnel, Marine Corps'', $55,000,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for ''Military Personnel, Air Force'', $75,000,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for ''National Guard Personnel, Army'', $150,000,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for ''Operation and Maintenance, Army'', $37,300,000,000.

OPERATION AND MAINTENANCE NAVY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Operation and Maintenance, Navy'', $3,500,000,000: *Provided,* That up to $112,000,000 shall be transferred to the Coast Guard ''Operating Expenses'' account.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for ''Operation and Maintenance, Marine Corps'', $2,900,000,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for ''Operation and Maintenance, Air Force'', $5,000,000,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for ''Operation and Maintenance, Defense-Wide'', $2,648,569,000, of which not to exceed $200,000,000, to remain available until expended, may be used for payments to reimburse key cooperating nations, for logistical, military, and other support provided to United States military operations, notwithstanding any other provision of law: *Provided,* That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a nonreimbursable basis to coalition forces supporting United States military operations in Iraq and Afghanistan: *Provided further,* That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further,* That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for ''Operation and Maintenance, Army Reserve'', $79,291,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for ''Operation and Maintenance, Navy Reserve'', $42,490,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for ''Operation and Maintenance, Marine Corps Reserve'', $47,076,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for ''Operation and Maintenance, Air Force Reserve'', $12,376,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Army National Guard'', $333,540,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for ''Operation and Maintenance, Air National Guard'', $52,667,000.

AFGHANISTAN SECURITY FORCES FUND

For an additional amount for ''Afghanistan Security Forces Fund'', $2,000,000,000, to remain available until September 30, 2009.

IRAQ SECURITY FORCES FUND

(INCLUDING TRANSFER OF FUNDS)

For ''Iraq Security Forces Fund'', $1,000,000,000, to remain available until September 30, 2009: *Provided,* That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Multi-National Security Transition Command-Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further,* That none of the assistance provided under this heading in the form of funds may be utilized for the provision of salaries, wages, or bonuses to personnel of the Iraqi Security Forces: *Provided further,* That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further,* That the Secretary of Defense may transfer such funds to appropriations for military personnel; operation and maintenance; Overseas Humanitarian, Disaster, and Civic Aid; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purposes provided herein: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That upon a determination that all or part of the funds so transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further,* That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, and used for such purposes: *Provided further,* That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the transfer of any contribution delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further,* That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation account, notify the congressional defense committees in writing of the details of any such transfer: *Provided further,* That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for ''Aircraft Procurement, Army'', $84,000,000 to remain available for obligation until September 30, 2011.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for ''Procurement of Weapons and Tracked Combat Vehicles, Army'', $822,674,000, to remain available for obligation until September 30, 2011.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for ''Procurement of Ammunition, Army'', $46,500,000, to remain available for obligation until September 30, 2011.

OTHER PROCUREMENT, ARMY

For an additional amount for ''Other Procurement, Army'', $1,009,050,000, to remain available for obligation until September 30, 2011.

OTHER PROCUREMENT, NAVY

For an additional amount for ''Other Procurement, Navy'', $27,948,000, to remain available for obligation until September 30, 2011.

PROCUREMENT, MARINE CORPS

For an additional amount for ''Procurement, Marine Corps'', $565,425,000, to remain available for obligation until September 30, 2011.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for ''Aircraft Procurement, Air Force'', $201,842,000, to remain available for obligation until September 30, 2011.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for ''Other Procurement, Air Force'', $1,500,644,000, to remain available for obligation until September 30, 2011.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for ''Procurement, Defense-Wide'', $177,237,000, to remain available for obligation until September 30, 2011.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for ''Research, Development, Test and Evaluation, Navy'', $113,228,000, to remain available until September 30, 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for ''Research, Development, Test and Evaluation, Air Force'', $72,041,000, to remain available until September 30, 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for ''Research, Development, Test and Evaluation, Defense-Wide'', $202,559,000, to remain available until September 30, 2010.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for ''Defense Health Program'', $1,100,000,000 for operation and maintenance.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Drug Interdiction and Counter-Drug Activities, Defense'', $188,000,000.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Joint Improvised Explosive Device Defeat Fund'', $2,000,000,000 to remain available until September 30, 2011: *Provided,* That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment, supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further,* That within 60 days of the enactment of this Act, a plan for the intended management and use of the amounts provided under this heading shall be submitted to the congressional defense committees: *Provided further,* That the Secretary of Defense shall submit a report not later than 60 days after the end of each fiscal quarter to the congressional defense committees providing assessments of the evolving threats, individual service requirements to counter the threats, the current strategy for predeployment training of members of the Armed Forces on improvised explosive devices, and details on the execution of the Fund: *Provided further,* That the Secretary of Defense may transfer funds provided herein to appropriations for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further,* That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further,* That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

GENERAL PROVISIONS, THIS CHAPTER

SEC. 9201. Appropriations provided in this chapter are not available for obligation until October 1, 2008.

SEC. 9202. Appropriations provided in this chapter are available for obligation until September 30, 2009, unless otherwise provided in this chapter.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9203. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer between appropriations up to $4,000,000,000 of the funds made available to the Department of Defense in this chapter: *Provided,* That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further,* That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of Public Law 110–116, except for the fourth proviso.

SEC. 9204. (a) Not later than December 5, 2008 and every 90 days thereafter through the end of fiscal year 2009, the Secretary of Defense, in consultation with the Secretary of State, shall set forth in a report to Congress a comprehensive set of performance indicators and measures for progress toward military and political stability in Iraq.

(b) The report shall include performance standards and goals for security, economic, and security force training objectives in Iraq together with a notional timetable for achieving these goals.

(c) In specific, the report requires, at a minimum, the following:

(1) With respect to stability and security in Iraq, the following:

(A) Key measures of political stability, including the important political milestones that must be achieved over the next several years.

(B) The primary indicators of a stable security environment in Iraq, such as number of engagements per day, numbers of trained Iraqi forces, trends relating to numbers and types of ethnic and religious-based hostile encounters, and progress made in the transition of responsibility for the security of Iraqi provinces to the Iraqi Security Forces under the Provincial Iraqi Control (PIC) process.

(C) An assessment of the estimated strength of the insurgency in Iraq and the extent to which it is composed of non-Iraqi fighters.

(D) A description of all militias operating in Iraq, including the number, size, equipment strength, military effectiveness, sources of support, legal status, and efforts to disarm or reintegrate each militia.

(E) Key indicators of economic activity that should be considered the most important for determining the prospects of stability in Iraq, including—

(i) unemployment levels;

(ii) electricity, water, and oil production rates; and

(iii) hunger and poverty levels.

(F) The most recent annual budget for the Government of Iraq, including a description of amounts budgeted for support of Iraqi security and police forces and an assessment of how planned funding will impact the training, equipping and overall readiness of those forces.

(G) The criteria the Administration will use to determine when it is safe to begin withdrawing United States forces from Iraq.

(2) With respect to the training and performance of security forces in Iraq, the following:

(A) The training provided Iraqi military and other Ministry of Defense forces and the equipment used by such forces.

(B) Key criteria for assessing the capabilities and readiness of the Iraqi military and other Ministry of Defense forces, goals for achieving certain capability and readiness levels (as well as for recruiting, training, and equipping these forces), and the milestones and notional timetable for achieving these goals.

(C) The operational readiness status of the Iraqi military forces, including the type, number, size, and organizational structure of Iraqi battalions that are—

(i) capable of conducting counterinsurgency operations independently without any support from Coalition Forces;

(ii) capable of conducting counterinsurgency operations with the support of United States or coalition forces; or

(iii) not ready to conduct counterinsurgency operations.

(D) The amount and type of support provided by Coalition Forces to the Iraqi Security Forces at each level of operational readiness.

(E) The number of Iraqi battalions in the Iraqi Army currently conducting operations and the type of operations being conducted.

(F) The rates of absenteeism in the Iraqi military forces and the extent to which insurgents have infiltrated such forces.

(G) The training provided Iraqi police and other Ministry of Interior forces and the equipment used by such forces.

(H) The level and effectiveness of the Iraqi Security Forces under the Ministry of Defense in provinces where the United States has formally transferred responsibility for the security of the province to the Iraqi Security Forces under the Provincial Iraqi Control (PIC) process.

(I) Key criteria for assessing the capabilities and readiness of the Iraqi police and other Ministry of Interior forces, goals for achieving certain capability and readiness levels (as well as for recruiting, training, and equipping), and the milestones and notional timetable for achieving these goals, including—

(i) the number of police recruits that have received classroom training and the duration of such instruction;

(ii) the number of veteran police officers who have received classroom instruction and the duration of such instruction;

(iii) the number of police candidates screened by the Iraqi Police Screening Service, the number of candidates derived from other entry procedures, and the success rates of those groups of candidates;

(iv) the number of Iraqi police forces who have received field training by international police trainers and the duration of such instruction;

(v) attrition rates and measures of absenteeism and infiltration by insurgents; and

(vi) the level and effectiveness of the Iraqi Police and other Ministry of Interior Forces in provinces where the United States has formally transferred responsibility for the security of the province to the Iraqi Security Forces under the Provincial Iraqi Control (PIC) process.

(J) The estimated total number of Iraqi battalions needed for the Iraqi security forces to perform duties now being undertaken by coalition forces, including defending the borders of Iraq and providing adequate levels of law and order throughout Iraq.

(K) The effectiveness of the Iraqi military and police officer cadres and the chain of command.

(L) The number of United States and coalition advisors needed to support the Iraqi security forces and associated ministries.

(M) An assessment, in a classified annex if necessary, of United States military requirements, including planned force rotations, through the end of calendar year 2009.

SEC. 9205. (a) REPORT BY SECRETARY OF DEFENSE.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that contains individual transition readiness assessments by unit of Iraq and Afghan security forces. The Secretary of Defense shall submit to the congressional defense committees updates of the report required by this subsection every 90 days after the date of the submission of the report until October 1, 2009. The report and updates of the report required by this subsection shall be submitted in classified form.

(b) REPORT BY OMB.—(1) The Director of the Office of Management and Budget, in consultation with the Secretary of Defense; the Commander, Multi-National Security Transition Command—Iraq; and the Commander, Combined Security Transition Command—Afghanistan, shall submit to the congressional defense committees not later than 120 days after the date of the enactment of this Act and every 90 days thereafter a report on the proposed use of all funds under each of the headings ''Iraq Security Forces Fund'' and ''Afghanistan Security Forces Fund'' on a project-by-project basis, for which the obligation of funds is anticipated during the three-month period from such date, including estimates by the commanders referred to in this paragraph of the costs required to complete each such project.

(2) The report required by this subsection shall include the following:

(A) The use of all funds on a project-by-project basis for which funds appropriated under the headings referred to in paragraph (1) were obligated prior to the submission of the report, including estimates by the commanders referred to in paragraph (1) of the costs to complete each project.

(B) The use of all funds on a project-by-project basis for which funds were appropriated under the headings referred to in paragraph (1) in prior appropriations Acts, or for which funds were made available by transfer, reprogramming, or allocation from other headings in prior appropriations Acts, including estimates by the commanders referred to in paragraph (1) of the costs to complete each project.

(C) An estimated total cost to train and equip the Iraq and Afghan security forces, disaggregated by major program and sub-elements by force, arrayed by fiscal year.

(c) NOTIFICATION.—The Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfers of funds between sub-activity groups in excess of $15,000,000 using funds appropriated by this Act under the headings ''Iraq Security Forces Fund'' and ''Afghanistan Security Forces Fund''.

SEC. 9206. Funds available to the Department of Defense for operation and maintenance provided in this chapter may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9207. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance, ''Afghanistan Security Forces Fund'' or ''Iraq Security Forces Fund'' provided in this chapter, and executed in direct support of the Global War on Terrorism only in Iraq and Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9208. (a) Notwithstanding any other provision of law, and in addition to amounts otherwise made available by this Act, there is appropriated $1,700,000,000 for the ''Mine Resistant Ambush Protected Vehicle Fund'', to remain available until September 30, 2009.

(b) The funds provided by subsection (a) shall be available to the Secretary of Defense to continue technological research and development and upgrades, to procure Mine Resistant Ambush Protected vehicles and associated support equipment, and to sustain, transport, and field Mine Resistant Ambush Protected vehicles.

(c)(1) The Secretary of Defense shall transfer funds provided by subsection (a) to appropriations for operation and maintenance; procurement; and research, development, test and evaluation to accomplish the purposes specified in subsection (b). Such transferred funds shall be merged with and be available for the same purposes and for the same time period as the appropriation to which they are transferred.

(2) The transfer authority provided by this subsection shall be in addition to any other transfer authority available to the Department of Defense.

(3) The Secretary of Defense shall, not less than 15 days prior to making any transfer under this subsection, notify the congressional defense committees in writing of the details of the transfer.

SEC. 9209. For the purposes of this Act, the term ''congressional defense committees'' means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

CHAPTER 3—GENERAL PROVISIONS, THIS TITLE

SEC. 9301. Each amount in this title is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

SEC. 9302. Funds appropriated by this title, or made available by the transfer of funds in this title, for intelligence activities are

deemed to be specifically authorized by the Congress for purposes of section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 9303. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105–277; 112 Stat. 2681–822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109–148).

SEC. 9304. (a) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, the Secretary of State, and the Secretary of Homeland Security, in coordination with the Chairman of the Joint Chiefs of Staff and the Director of National Intelligence, shall jointly submit to Congress a report setting forth the global strategy of the United States to combat and defeat al Qaeda and its affiliates.

(b) ELEMENTS OF STRATEGY.—The strategy set forth in the report required under subsection (a) shall include the following elements:

(1) An analysis of the global threat posed by al Qaeda and its affiliates, including an assessment of the relative threat posed in particular regions or countries.

(2) Recommendations regarding the distribution and deployment of United States military, intelligence, diplomatic, and other assets to meet the relative regional and country-specific threats described in paragraph (1).

(3) Recommendations to ensure that the global deployment of United States military personnel and equipment best meet the threat identified and described in paragraph (1) and:

(A) does not undermine the military readiness or homeland security of the United States;

(B) ensures adequate time between military deployments for rest and training; and

(C) does not require further extensions of military deployments to the extent practicable.

(c) CLASSIFIED ANNEX.—The report required by subsection (a) shall be submitted in unclassified form, but shall include a classified annex.

SEC. 9305. None of the funds provided in this title may be used to finance programs or activities denied by Congress in fiscal years 2007 or 2008 appropriations to the Department of Defense or to initiate a procurement or research, development, test and evaluation new start program without prior written notification to the congressional defense committees.

SEC. 9306. Section 1002(c)(2) of the National Defense Authorization Act, Fiscal Year 2008 (Public Law 110–181) is amended by striking ''$362,159,000'' and inserting ''$435,259,000''.

SEC. 9307. None of the funds appropriated or otherwise made available by this title may be obligated or expended to provide award fees to any defense contractor contrary to the provisions of section 814 of the National Defense Authorization Act, Fiscal Year 2007 (Public Law 109–364).

(RESCISSIONS)

SEC. 9308. (a) Of the funds made available for ''Defense Health Program'' in Public Law 110–28, $75,000,000 is rescinded.

(b) Of the funds made available for ''Joint Improvised Explosive Device Defeat Fund'' in Division L of the Consolidated Appropriations Act, 2008 (Public Law 110–161), $71,531,000 is rescinded.

SEC. 9309. Of the funds appropriated in the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) which remain available for obligation under the ''Iraq Freedom Fund'', $150,000,000 is only for the Joint Rapid Acquisition Cell, and $10,000,000 is only for the transportation of fallen service members.

SEC. 9310. Funds available in this title which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than $250,000: *Provided*, That upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than $500,000.

The text of House amendment No. 2 to the Senate amendment is as follows:

Page 60 of the Senate engrossed amendment, after line 3, insert the following:

TITLE X—POLICY REGARDING OPERATIONS IN IRAQ

SENSE OF CONGRESS REGARDING UNITED STATES MILITARY PERSONNEL

SEC. 10001. It is the sense of the Congress that the performance of United States military personnel should be commended, their courage and sacrifice have been exceptional, and when they come home, their service should be recognized appropriately.

UNITS DEPLOYED FOR COMBAT TO BE FULLY MISSION CAPABLE

SEC. 10002. (a) The Congress finds that it is the policy of the Department of Defense that units should not be deployed for combat unless they are rated ''fully mission capable''.

(b) None of the funds made available in this or any other Act may be used to deploy any unit of the Armed Forces to Iraq unless the President has certified in writing to the Committees on Appropriations and the Committees on Armed Services of the House of Representatives and the Senate at least 15 days in advance of the deployment that the unit is fully mission capable in advance of entry into Iraq.

(c) For purposes of subsection (b), the term ''fully mission capable'' means capable of performing assigned mission essential tasks to the prescribed standards under the conditions expected in the theater of operation, consistent with the guidelines set forth in the DoD Directive 7730.65, Subject: Department of Defense Readiness Reporting System; the Interim Force Allocation Guidance to the Global Force Management Board, dated February 6, 2008; and Army Regulation 220–1, Subject: Unit Status Reporting, dated December 19, 2006.

(d) The President, by certifying in writing to the Committees on Appropriations and the Committees on Armed Services of the House of Representatives and the Senate that the deployment to Iraq of a unit that is not assessed mission capable is required for reasons of national security and by submitting along with the certification a report in classified and unclassified form detailing the particular reason or reasons why the unit's deployment is necessary despite the unit commander's assessment that the unit is not mission capable, may waive the limitations prescribed in subsection (b) on a unit-by-unit basis.

TIME LIMIT ON COMBAT DEPLOYMENTS

SEC. 10003. (a) The Congress finds that it is the policy of the Department of Defense that Army, Army Reserve, and National Guard units should not be deployed for combat beyond 365 days and that Marine Corps and Marine Corps Reserve units should not be deployed for combat beyond 210 days.

(b) None of the funds made available in this or any other Act may be obligated or expended to initiate the development of, continue the development of, or execute any order that has the effect of extending the deployment for Operation Iraqi Freedom of—

(1) any unit of the Army, Army Reserve, or Army National Guard beyond 365 days; or

(2) any unit of the Marine Corps or Marine Corps Reserve beyond 210 days.

(c) The limitation prescribed in subsection (b) shall not be construed to require force levels in Iraq to be decreased below the total United States force levels in Iraq as of January 9, 2007.

(d) The President may waive the limitations prescribed in subsection (b) on a unit-by-unit basis if the President certifies in writing to the Committees on Appropriations and the Committees on Armed Services of the House of Representatives and the Senate that the extension of a unit's deployment in Iraq beyond the period applicable to the unit under such subsection is required for reasons of national security. The certification shall include a report, in classified and unclassified form, detailing the particular reason or reasons why the unit's extended deployment is necessary.

DWELL TIME BETWEEN COMBAT DEPLOYMENTS

SEC. 10004. (a) The Congress finds that it is the policy of the Department of Defense that an Army, Army Reserve, or National Guard unit should not be redeployed for combat if the unit has been deployed within the previous 365 consecutive days and that a Marine Corps or Marine Corps Reserve unit should not be redeployed for combat if the unit has been deployed within the previous 210 days.

(b) None of the funds made available in this or any other Act may be obligated or expended to initiate the development of, continue the development of, or execute any order that has the effect of deploying for Operation Iraqi Freedom of—

(1) any unit of the Army, Army Reserve, or Army National Guard if such unit has been deployed within the previous 365 consecutive days; or

(2) any unit of the Marine Corps or Marine Corps Reserve if such unit has been deployed within the previous 210 consecutive days.

(c) The limitation prescribed in subsection (b) shall not be construed to require force levels in Iraq to be decreased below the total United States force levels in Iraq as of January 9, 2007.

(d) The President may waive the limitations prescribed in subsection (b) on a unit-by-unit basis if the President certifies in writing to the Committees on Appropriations and the Committees on Armed Services of the House of Representatives and the Senate that the redeployment of a unit to Iraq in advance of the expiration of the period applicable to the unit under such subsection is required for reasons of national security. The certification shall include a report, in classified and unclassified form, detailing the particular reason or reasons why the unit's early redeployment is necessary.

LIMITATION ON INTERROGATION TECHNIQUES

SEC. 10005. (a) No individual in the custody or under the effective control of an element of the intelligence community or instrumentality thereof, regardless of nationality or

physical location, shall be subject to any treatment or technique of interrogation not authorized by the United States Army Field Manual on Human Intelligence Collector Operations.

(b) In this section, the term ''instrumentality'', with respect to an element of the intelligence community, means a contractor or subcontractor at any tier of the element of the intelligence community.

REGISTRATION WITH THE INTERNATIONAL COMMITTEE OF THE RED CROSS

SEC. 10006. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to detain any individual who is in the custody or under the effective control of an element of the intelligence community or an instrumentality thereof unless the International Committee of the Red Cross is provided notification of the detention of and access to such person in a timely manner and consistent with the practices of the Armed Forces of the United States.

(b) For purposes of this section, the term ''instrumentality'', with respect to an element of the intelligence community, means a contractor or subcontractor at any tier of the element of the intelligence community.

(c) Nothing in this section shall be construed to create or otherwise imply the authority to detain, or to limit or otherwise affect any other rights or obligations which may arise under the Geneva Conventions or other laws, or to state all of the situations under which notification to and access for the International Committee of the Red Cross is required or allowed.

PROHIBITION OF PERMANENT BASES IN IRAQ

SEC. 10007. None of the funds appropriated or otherwise made available in this or any other Act may be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

LIMITATION ON DEFENSE AGREEMENTS WITH THE GOVERNMENT OF IRAQ

SEC. 10008. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to negotiate, enter into, or implement any agreement with the Government of Iraq that includes security assurances for mutual defense, unless the agreement—

(1) is in the form of a treaty requiring the advice and consent of the Senate (or is intended to take that form in the case of an agreement under negotiation); or

(2) is specifically authorized by a law enacted after the date of enactment of this Act.

(b) For purposes of this section, an agreement shall be considered to include security assurances for mutual defense if it includes provisions addressing any of the following:

(1) A binding commitment to deploy United States Armed Forces in defense of Iraq, or of any government or faction in Iraq, against any foreign or domestic threat.

(2) The number of United States Armed Forces personnel to be deployed to, or stationed in, Iraq.

(3) The mission of United States Armed Forces deployed to Iraq.

(4) The duration of the presence of United States Armed Forces in Iraq.

PROHIBITION ON AGREEMENTS SUBJECTING ARMED FORCES TO IRAQI CRIMINAL JURISDICTION

SEC. 10009. None of the funds appropriated or otherwise made available in this or any other Act may be used to negotiate, enter into, or implement an agreement with the Government of Iraq that would subject members of the Armed Forces of the United States to the jurisdiction of Iraq criminal courts or punishment under Iraq law.

REQUIREMENT FOR MATCHING FUNDS FROM GOVERNMENT OF IRAQ

SEC. 10010. (a) Notwithstanding any other provision of law, funds appropriated or otherwise made available in this or any other Act for assistance for Iraq, including training, capacity building, and construction and repair of infrastructure, shall be available only to the extent that the Government of Iraq matches such assistance on a dollar-for-dollar basis.

(b) subsection (a) shall not apply to—

(1) grants and cooperative agreements for programs to promote democracy and human rights;

(2) the Community Action Program and other direct assistance to non-governmental organizations;

(3) humanitarian demining;

(4) assistance for refugees, internally displaced persons, and civilian victims of military operations;

(5) intelligence or intelligence-related activities; or

(6) projects with an estimated cost of less than $750,000 undertaken through the Commander's Emergency Response Program.

(c) The Secretary of State and the Secretary of Defense shall certify to the Committees on Appropriations of the House of Representatives and Senate, prior to the initial obligation by their respective Departments of funds covered by the limitation in subsection (a), that the Government of Iraq has committed to obligate matching funds on a dollar-for-dollar basis. The Secretary of State shall submit a report to the Committees on Appropriations not later than September 30, 2009 detailing the amounts of funds obligated and expended by the Government of Iraq to meet the requirements of this section.

(d) Not later than 45 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing the amounts provided by the Government of Iraq since June 30, 2004, to assist Iraqi refugees in Syria, Jordan, and elsewhere, and the amount of such assistance the Government of Iraq plans to provide in fiscal year 2008. The Secretary shall work expeditiously with the Government of Iraq to establish an account within its annual budget sufficient to, at a minimum, match United States contributions on a dollar-for-dollar basis to organizations and programs for the purpose of assisting Iraqi refugees.

(e) As part of the report required by section 609 of division L of the Consolidated Appropriations Act, 2008 (Public Law 110–161), the Secretary of Defense shall submit to Congress a report on the most recent annual budget for the Government of Iraq, including—

(1) a description of amounts budgeted for support of Iraqi security and police forces and an assessment of how planned funding will impact the training, equipping and overall readiness of those forces;

(2) an assessment of the capacity of the Government of Iraq to implement the budget as planned, including reports on year-to-year spend rates, if available; and

(3) a description of any budget surplus or deficit, if applicable.

PARTIAL REIMBURSEMENT FROM IRAQ FOR FUEL COSTS

SEC. 10011. (a) None of the funds made available in this Act under the heading ''Operation and Maintenance, Defense-Wide'' for the Office of the Secretary of Defense or Washington Headquarters Services may be obligated or expended until the agreement described in subsection (b)(1) is complete and the report required by subsection (b)(2) has been transmitted to Congress, except that the limitation in this subsection may be waived if the President determines and certifies to the Committees on Appropriations of the House of Representatives and Senate that such waiver is in the national security interests of the United States.

(b) Not later than 90 days after enactment of this Act, the President shall—

(1) complete an agreement with the Government of Iraq to subsidize fuel costs for United States Armed Forces operating in Iraq so the price of fuel per gallon to those forces is equal to the discounted price per gallon at which the Government of Iraq is providing fuel for domestic Iraqi consumption; and

(2) transmit a report to the Committees on Appropriations on the details and terms of that agreement.

(c) Amounts received from the Government of Iraq under an agreement described in subsection (b)(1) shall be credited to the appropriations or funds that incurred obligations for the fuel costs being subsidized, as determined by the Secretary of Defense.

TIMETABLE FOR REDEPLOYMENT OF UNITED STATES FORCES FROM IRAQ

SEC. 10012. (a) Notwithstanding any other provision of law, funds appropriated or otherwise made available in this Act may be used to plan and execute a safe and orderly redeployment of United States Armed Forces from Iraq.

(b) Within 30 days after enactment of this Act, the President shall commence an immediate and orderly redeployment of United States Armed Forces from Iraq, with a goal of completing such redeployment within 18 months. The President shall endeavor to begin such redeployment with units of the Armed Forces that have been deployed in excess of 365 days, except to the extent those units are needed to provide for the safe withdrawal of other units of the Armed Forces or to protect United States and Coalition personnel and infrastructure.

(c) After completion of the redeployment required by subsection (b), members of the United States Armed Forces may be deployed to, or maintained in, Iraq only to the extent necessary to carry out the following missions:

(1) Protecting the diplomatic facilities, Armed Forces, and citizens of the United States in Iraq.

(2) Conducting limited training of, equipping, and providing logistical and intelligence support to, Iraqi security forces.

(3) Engaging in targeted counterterrorism operations against al-Qaeda, groups affiliated with al-Qaeda, and other terrorist organizations in Iraq.

(d) Not later than July 1, 2008, and every 90 days thereafter, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the following:

(1) The current plan for and the status of the reduction of United States Armed Forces in Iraq and the transition of the Armed Forces in Iraq to a limited presence whose missions do not exceed the missions specified in subsection (c), including the associated force reductions and adjustments and expectations with respect to timelines and the force levels anticipated to perform those missions.

(2) A comprehensive current description of efforts to prepare for the reduction and transition of United States Armed Forces in Iraq in accordance with this section and to limit

any destabilizing consequences of such reduction and transition, including a description of efforts to work with the United Nations and countries in the region toward that objective.

(e) Not later than 45 days after enactment of this Act, the Secretary of State shall provide to the Committees on Appropriations of the House of Representatives and Senate a strategy for civilian-led post-conflict stabilization and reconstruction assistance for Iraq. The strategy (which may be provided in classified form if necessary) shall include—

(1) the plans and timetable for transfer of all responsibility for United States post-conflict stabilization and reconstruction assistance from the Department of Defense to the Department of State and the United States Agency for International Development; and

(2) the staff, security and resource requirements for United States diplomatic efforts and assistance programs in Iraq.

TITLE XI—REFORMS RELATED TO WAR PROFITEERING AND CONTRACTORS

CHAPTER 1—ADJUSTMENT OF WARTIME STATUTE OF LIMITATIONS

ADJUSTMENT OF WARTIME STATUTE OF LIMITATIONS

SEC. 11101. Section 3287 of title 18, United States Code, is amended—

(1) by inserting ''or Congress has enacted a specific authorization for the use of the Armed Forces, as described in section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)),'' after ''is at war'';

(2) by inserting ''or directly connected with or related to the authorized use of the Armed Forces'' after ''prosecution of the war'';

(3) by striking ''three years'' and inserting ''5 years'';

(4) by striking ''proclaimed by the President'' and inserting ''proclaimed by a Presidential proclamation, with notice to Congress,''; and

(5) by adding at the end the following: ''For purposes of applying such definitions in this section, the term 'war' includes a specific authorization for the use of the Armed Forces, as described in section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)).''.

CHAPTER 2—WAR PROFITEERING AND FRAUD

WAR PROFITEERING AND FRAUD

SEC. 11201. (a) PROHIBITION ON WAR PROFITEERING.—

(1) IN GENERAL.—Chapter 47 of title 18, United States Code, is amended by adding at the end the following:

''§ 1041. War profiteering and fraud

''(a) PROHIBITION.—Whoever, in any matter involving a contract with, or the provision of goods or services to, the United States or a provisional authority, in connection with a mission of the United States Government overseas, knowingly—

''(1)(A) executes or attempts to execute a scheme or artifice to defraud the United States or that authority; or

''(B) materially overvalues any good or service with the intent to defraud the United States or that authority;

shall be fined not more than $1,000,000 or imprisoned not more than 20 years, or both; or

''(2) in connection with the contract or the provision of those goods or services—

''(A) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

''(B) makes any materially false, fictitious, or fraudulent statements or representations; or

''(C) makes or uses any materially false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry;

shall be fined not more than $1,000,000 or imprisoned not more than 10 years, or both.

''(b) EXTRATERRITORIAL JURISDICTION.—There is extraterritorial Federal jurisdiction over an offense under this section.

''(c) VENUE.—A prosecution for an offense under this section may be brought—

''(1) as authorized by chapter 211 of this title;

''(2) in any district where any act in furtherance of the offense took place; or

''(3) in any district where any party to the contract or provider of goods or services is located.''.

(2) TABLE OF SECTIONS.—The table of sections for chapter 47 of such title is amended by adding at the end the following:

''1041. War profiteering and fraud.''.

(b) CRIMINAL FORFEITURE.—Section 982(a)(2)(B) of title 18, United States Code, is amended by striking ''or 1030'' and inserting ''1030, or 1041''.

(c) MONEY LAUNDERING.—Section 1956(c)(7)(D) of title 18, United States Code, is amended by inserting ''section 1041 (relating to war profiteering and fraud),'' after ''liquidating agent of financial institution),''.

(d) RICO.—Section 1961(1) of title 18, United States Code, is amended by inserting ''section 1041 (relating to war profiteering and fraud),'' after ''in connection with access devices),''.

CHAPTER 3—MILITARY EXTRATERRITORIAL JURISDICTION

SHORT TITLE

SEC. 11301. This chapter may be cited as the ''MEJA Expansion and Enforcement Act of 2008''.

LEGAL STATUS OF CONTRACT PERSONNEL

SEC. 11302. (a) CLARIFICATION OF MILITARY EXTRATERRITORIAL JURISDICTION ACT.—

(1) INCLUSION OF FEDERAL EMPLOYEES AND CONTRACTORS.—Section 3261(a) of title 18, United States Code, is amended—

(A) in paragraph (1), by striking ''or'' at the end;

(B) in paragraph (2), by striking the comma at the end and inserting a semicolon; and

(C) by inserting after paragraph (2) the following new paragraphs:

''(3) while employed by any Department or agency of the United States other than the Armed Forces in a foreign country in which the Armed Forces are conducting a qualifying military operation; or

''(4) while employed as a security officer or security contractor by any Department or agency of the United States other than the Armed Forces,''.

(2) DEFINITIONS.—Section 3267 of title 18, United States Code, is amended—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following new subparagraph:

''(A) employed by or performing services under a contract with or grant from the Department of Defense (including a nonappropriated fund instrumentality of the Department) as—

''(i) a civilian employee (including an employee from any other Executive agency on temporary assignment to the Department of Defense);

''(ii) a contractor (including a subcontractor at any tier); or

''(iii) an employee of a contractor (including a subcontractor at any tier);''; and

(B) by adding at the end the following new paragraphs:

''(5) The term 'employed by any Department or agency of the United States other than the Armed Forces' means—

''(A) employed by or performing services under a contract with or grant from any Department or agency of the United States, or any provisional authority funded in whole or substantial part or created by the United States Government, other than the Department of Defense as—

''(i) a civilian employee;

''(ii) a contractor (including a subcontractor at any tier); or

''(iii) an employee of a contractor (including a subcontractor at any tier);

''(B) present or residing outside the United States in connection with such employment; and

''(C) not a national of or ordinarily a resident in the host nation.

''(6) The term 'employed as a security officer or security contractor by any Department or agency of the United States other than the Armed Forces' means—

''(A) employed by or performing services under a contract with or grant from any Department or agency of the United States, or any provisional authority funded in whole or substantial part or created by the United States Government, other than the Department of Defense as—

''(i) a civilian employee;

''(ii) a contractor (including a subcontractor at any tier); or

''(iii) an employee of a contractor (including a subcontractor at any tier);

''(B) authorized in the course of such employment—

''(i) to provide physical protection to or security for persons, places, buildings, facilities, supplies, or means of transportation;

''(ii) to carry or possess a firearm or dangerous weapon, as defined by section 930(g)(2) of this chapter;

''(iii) to use force against another; or

''(iv) to supervise individuals performing the activities described in clause (i), (ii) or (iii);

''(C) present or residing outside the United States in connection with such employment; and

''(D) not a national of or ordinarily resident in the host nation.

''(7) The term 'qualifying military operation' means—

''(A) a military operation covered by a declaration of war or an authorization of the use of military force by Congress;

''(B) a contingency operation (as defined in section 101 of title 10); or

''(C) any other military operation outside of the United States, including a humanitarian assistance or peace keeping operation, provided such operation is conducted pursuant to an order from or approved by the Secretary of Defense.''.

(b) DEPARTMENT OF JUSTICE INSPECTOR GENERAL REPORT.—

(1) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Department of Justice, in consultation with the Inspectors General of the Department of Defense, the Department of State, the United States Agency for International Development, the Department of Agriculture, the Department of Energy, and other appropriate Federal departments and agencies, shall submit to Congress a report in accordance with this subsection.

(2) CONTENT OF REPORT.—The report under paragraph (1) shall include, for the period beginning on October 1, 2001, and ending on the date of the report—

(A) unless the description pertains to nonpublic information that relates to an ongoing investigation or criminal or civil proceeding under seal, a description of any alleged violations of section 3261 of title 18, United States Code, reported to the Inspector Generals identified in paragraph (1) or the Department of Justice, including—

(i) the date of the complaint and the type of offense alleged;

(ii) whether any investigation was opened or declined based on the complaint;

(iii) whether the investigation was closed, and if so, when it was closed;

(iv) whether a criminal or civil case was filed as a result of the investigation, and if so, when it was filed; and

(v) any charges or complaints filed in those cases; and

(B) unless the description pertains to nonpublic information that relates to an ongoing investigation or criminal or civil proceeding under seal, and with appropriate safeguards for the protection of national security information, a description of any shooting or escalation of force incidents in Iraq or Afghanistan involving alleged misconduct by persons employed as a security officer or security contractor by any Department or agency of the United States, and any official action taken against such persons.

(3) FORM OF REPORT.—The report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex as appropriate.

INVESTIGATIVE UNITS FOR CONTRACTOR OVERSIGHT

SEC. 11303. (a) ESTABLISHMENT OF INVESTIGATIVE UNITS FOR CONTRACTOR OVERSIGHT.—

(1) IN GENERAL.—The Attorney General, in consultation with the Secretary of Defense, the Secretary of State, the Secretary of Homeland Security, and the heads of any other Federal departments or agencies responsible for employing private security contractors or contractors (or subcontractors at any tier) in a foreign country where the Armed Forces are conducting a qualifying military operation—

(A) shall assign adequate personnel and resources through the creation of Investigative Units for Contractor Oversight to investigate allegations of criminal violations under paragraphs (3) and (4) of section 3261(a) of title 18, United States Code (as amended by section 11302(a) of this chapter); and

(B) may authorize the overseas deployment of law enforcement agents and other Department of Justice personnel for that purpose.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall limit any existing authority of the Attorney General or any Federal law enforcement agency to investigate violations of Federal law or deploy personnel overseas.

(b) REFERRAL FOR PROSECUTION.—Upon conclusion of an investigation of an alleged violation of sections 3261(a)(3) and 3261(a)(4) of title 18, United States Code, an Investigative Unit for Contractor Oversight may refer the matter to the Attorney General for further action, as appropriate in the discretion of the Attorney General.

(c) RESPONSIBILITIES OF THE ATTORNEY GENERAL.—

(1) INVESTIGATION.—The Attorney General shall have the principal authority for the enforcement of sections 3261(a)(3) and 3261(a)(4) of title 18, United States Code, and shall have the authority to initiate, conduct, and supervise investigations of any alleged violations of such sections 3261(a)(3) and 3261(a)(4).

(2) ASSISTANCE ON REQUEST OF THE ATTORNEY GENERAL.—Notwithstanding any statute, rule, or regulation to the contrary, the Attorney General may request assistance from the Secretary of Defense, the Secretary of State, or the head of any other Executive agency to enforce this chapter. This requested assistance may include the assignment of additional personnel and resources to an Investigative Unit for Contractor Oversight established by the Attorney General under subsection (a).

(3) ANNUAL REPORT.—Not later than one year after the date of enactment of this Act, and annually thereafter, the Attorney General, in consultation with the Secretary of Defense and the Secretary of State, shall submit to Congress a report containing—

(A) the number of violations of sections 3261(a)(3) and 3261(a)(4) of title 18, United States Code, received, investigated, and referred for prosecution by Federal law enforcement authorities during the previous year;

(B) the number and location of Investigative Units for Contractor Oversight deployed to investigate violations of such sections 3261(a)(3) and 3261(a)(4) during the previous year; and

(C) any recommended changes to Federal law that the Attorney General considers necessary to enforce this chapter and the amendments made by this chapter and chapter 212 of title 18, United States Code.

REMOVAL PROCEDURES FOR NON-DEPARTMENT OF DEFENSE EMPLOYEES AND CONTRACTORS

SEC. 11304. (a) ATTORNEY GENERAL REGULATIONS.—Section 3266 of title 18, United States Code, is amended by adding at the end the following:

''(d) The Attorney General, after consultation with the Secretary of Defense, the Secretary of State, and the Director of National Intelligence, may prescribe regulations governing the investigation, apprehension, detention, delivery, and removal of persons described in sections 3261(a)(3) and 3261(a)(4) and describing the notice due, if any, foreign nationals potentially subject to the criminal jurisdiction of the United States under those sections.''.

(b) CLARIFYING AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Chapter 212 of title 18, United States Code, is amended—

(A) in section 3261(a)—

(i) by inserting ''against the United States'' after ''offense'' the first time it appears; and

(ii) by inserting ''within the United States or'' after ''had been engaged in'';

(B) in section 3262—

(i) in subsection (a), by striking ''section 3261(a)'' the first place it appears and inserting ''section 3261(a)(1) or 3261(a)(2)'';

(ii) by redesignating subsection (b) as subsection (c); and

(iii) by inserting after subsection (a) the following new subsection (b):

''(b) The Attorney General may designate and authorize any person serving in a law enforcement position in the Department of Justice, the Department of Defense, the Department State, or any other Executive agency to arrest, in accordance with applicable international agreements, outside the United States any person described in section 3261(a) if there is probable cause to believe that such person violated section 3261(a).'';

(C) in section 3263(a), by striking ''section 3261(a)'' the first place it appears and inserting ''section 3261(a)(1) or 3261(a)(2)'';

(D) in section 3264(a), by inserting ''described in section 3261(a)(1) or 3261(a)(2)'' before ''arrested'';

(E) section 3265(a)(1) by inserting ''described in section 3261(a)(1) or 3261(a)(2)'' before ''arrested''; and

(F) in section 3266(a), by striking ''under this chapter'' and inserting ''described in section 3261(a)(1) or 3261(a)(2)''.

(2) ADDITIONAL AMENDMENT.—Section 7(9) of title 18, United States Code, is amended by striking ''section 3261(a)'' and inserting ''section 3261(a)(1) or 3261(a)(2)''.

RULES OF CONSTRUCTION

SEC. 11305. (a) IN GENERAL.—Nothing in this chapter or the amendments made by this chapter shall apply to authorized and otherwise lawful intelligence activities carried out by or at the direction of the United States.

(b) DEFENSES.—Nothing in this section shall be construed to limit or extinguish any defense or protection otherwise available to any person or entity from suit, civil or criminal liability, or damages, or to provide immunity from prosecution for any criminal offense by the proper authorities.

(c) EXISTING EXTRATERRITORIAL JURISDICTION.—Nothing in this chapter or the amendments made by this chapter shall be construed to limit or affect the extraterritorial jurisdiction related to any Federal statute not amended by this chapter.

DEFINITION

SEC. 11306. For purposes of this chapter and the amendments made by this chapter, the term ''Executive agency'' has the meaning given in section 105 of title 5, United States Code.

EFFECTIVE DATE

SEC. 11307. (a) IMMEDIATE EFFECTIVENESS.—The provisions of this chapter shall enter into effect immediately upon the enactment of this Act.

(b) IMPLEMENTATION.—The Attorney General and the head of any other Federal department or agency to which this chapter applies shall have 90 days after the date of the enactment of this Act to ensure compliance with the provisions of this chapter.

The text of House amendment No. 3 to the Senate amendment is as follows:

Page 1 of the Senate engrossed amendment, strike line 1 and all that follows through the end of line 21 on page 59, and insert the following:

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

TITLE I—MILITARY CONSTRUCTION, VETERANS AFFAIRS, INTERNATIONAL AFFAIRS, AND OTHER SECURITY-RELATED MATTERS

CHAPTER 1—AGRICULTURE

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

For an additional amount for ''Public Law 480 Title II Grants'', $850,000,000, to remain available until expended.

For an additional amount for ''Public Law 480 Title II Grants'', $395,000,000, to become available on October 1, 2008, and to remain available until expended.

CHAPTER 2—COMMERCE, JUSTICE, AND SCIENCE

DEPARTMENT OF JUSTICE

OFFICE OF INSPECTOR GENERAL

For an additional amount for ''Office of Inspector General'', $4,000,000, to remain available until September 30, 2009.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

For an additional amount for ''Salaries and Expenses, General Legal Activities'', $1,648,000, to remain available until September 30, 2009.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for ''Salaries and Expenses, United States Attorneys'', $5,000,000, to remain available until September 30, 2009.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $18,621,000, to remain available until September 30, 2009.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $92,169,000, to remain available until September 30, 2009.

For an additional amount for ''Salaries and Expenses'', $82,600,000, to become available on October 1, 2008, and to remain available until September 30, 2009.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $12,166,000, to remain available until September 30, 2009.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $4,000,000, to remain available until September 30, 2009.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $9,100,000, to remain available until September 30, 2009.

CHAPTER 3—MILITARY CONSTRUCTION AND VETERANS AFFAIRS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For an additional amount for ''Military Construction, Army'', $1,432,700,000, to remain available until September 30, 2009: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed $73,400,000 shall be available for study, planning, design, and architect and engineer services: *Provided further*, That of the funds made available under this heading, $72,000,000 shall not be obligated or expended until after that date on which the Secretary of Defense submits a detailed spending plan, including a 1391 form for each facilities replacement project, to the Committees on Appropriations of the House of Representatives and Senate: *Provided further*, That of the funds provided under this heading, $533,700,000 shall not be obligated or expended until the Secretary of Defense certifies that none of the funds are to be used for the purpose of providing facilities for the permanent basing of United States military personnel in Iraq.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Military Construction, Navy and Marine Corps'', $423,357,000, to remain available until September 30, 2009: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed $15,843,000 shall be available for study, planning, design, and architect and engineer services.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for ''Military Construction, Air Force'', $409,627,000, to remain available until September 30, 2009: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided under this heading, not to exceed $36,427,000 shall be available for study, planning, design, and architect and engineer services: *Provided further*, That of the funds provided under this heading, $58,300,000 shall not be obligated or expended until the Secretary of Defense certifies that none of the funds are to be used for the purpose of providing facilities for the permanent basing of United States military personnel in Iraq.

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for ''Military Construction, Defense-Wide'', $1,009,600,000, to remain available until September 30, 2009: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law: *Provided further*, That of the funds provided, $982,000,000 shall be for medical treatment facilities construction (including planning and design) and shall remain available until September 30, 2012.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for ''Family Housing Construction, Navy and Marine Corps,'' $11,766,000, to remain available until September 30, 2009: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906A(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), $1,354,634,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects not otherwise authorized by law.

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

For an additional amount for ''General Operating Expenses'', $100,000,000, to remain available until September 30, 2009.

INFORMATION TECHNOLOGY SYSTEMS

For an additional amount for ''Information Technology Systems'', $20,000,000, to remain available until September 30, 2009.

GENERAL PROVISION, THIS CHAPTER

SEC. 1301. None of the funds appropriated in this or any other Act may be used to terminate, reorganize, or relocate the Armed Forces Institute of Pathology until the President has established, as required by section 722 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 199; 10 U.S.C. 176 note), a Joint Pathology Center.

CHAPTER 4—DEPARTMENT OF STATE AND FOREIGN OPERATIONS

SUBCHAPTER A—SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for ''Diplomatic and Consular Programs'', $1,606,808,000, to remain available until September 30, 2009, of which $210,508,000 for worldwide security protection is available until expended: *Provided*, That not more than $1,295,000,000 of the funds appropriated under this heading shall be available for diplomatic operations in Iraq: *Provided further*, That of the funds appropriated under this heading, not more than $30,000,000 shall be available to establish and implement a coordinated civilian response capacity at the United States Department of State.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Office of Inspector General'', $7,500,000, to remain available until September 30, 2009: *Provided*, That $2,500,000 shall be transferred to the Special Inspector General for Iraq Reconstruction for reconstruction oversight.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for ''Embassy Security, Construction, and Maintenance'', $76,700,000, to remain available until expended, for facilities in Afghanistan.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for ''Contributions to International Organizations'', $53,000,000 to remain available until September 30, 2009.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'', $333,600,000, to remain available until September 30, 2009, for the United Nations–African Union Hybrid Mission in Darfur.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for ''International Disaster Assistance'', $200,000,000, to remain available until expended.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for ''Operating Expenses of the United States Agency for International Development'', $142,000,000, to remain available until September 30, 2009: *Provided*, That of the funds appropriated under this heading, not more than $20,000,000 shall be available to establish and implement a coordinated civilian response capacity at the United States Agency for International Development.

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

For an additional amount for ''Operating Expenses of the United States Agency for International Development Office of Inspector General'', $4,000,000, to remain available until September 30, 2009.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For an additional amount for ''Economic Support Fund'', $1,747,000,000, to remain available until September 30, 2009, of which not more than $440,000,000 may be made available for assistance for Iraq, $150,000,000 shall be made available for assistance for Jordan to meet the needs of Iraqi refugees, and up to $53,000,000 may be available for energy-related assistance for North Korea, notwithstanding any other provision of law: *Provided*, That not more than $100,000,000 of the funds appropriated under this heading shall be made available for assistance for the West Bank and none of such funds shall be for cash transfer assistance: *Provided further*, That of the funds appropriated under this heading, $1,000,000 shall be made available for the Office of the United Nations High Commissioner for Human Rights in Mexico: *Provided further*, That the funds made available under this heading for energy-related assistance for

North Korea may be made available to support the goals of the Six Party Talks Agreements after the Secretary of State determines and reports to the Committees on Appropriations that North Korea is continuing to fulfill its commitments under such agreements.

DEPARTMENT OF STATE

DEMOCRACY FUND

For an additional amount for ''Democracy Fund'', $75,000,000, to remain available until September 30, 2009, for democracy programs in Iraq.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for ''International Narcotics Control and Law Enforcement'', $419,300,000, to remain available until September 30, 2009: *Provided*, That not more than $25,000,000 of the funds appropriated by this subchapter shall be made available for security assistance for the West Bank.

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'', $300,000,000, to remain available until expended.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

For an additional amount for ''United States Emergency Refugee and Migration Assistance Fund'', $25,000,000, to remain available until expended.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', $11,200,000, to remain available until September 30, 2009.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for ''Foreign Military Financing Program'', $72,500,000, to remain available until September 30, 2009, of which up to $66,500,000 shall be made available for assistance for Mexico.

SUBCHAPTER B—BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

For an additional amount for ''Diplomatic and Consular Programs'', $737,900,000, which shall become available on October 1, 2008 and remain available through September 30, 2009: *Provided*, That of the funds appropriated under this heading, $78,400,000 is for worldwide security protection and shall remain available until expended: *Provided further*, That not more than $581,500,000 of the funds appropriated under this heading shall be available for diplomatic operations in Iraq.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for ''Office of Inspector General'', $57,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009: *Provided*, That $46,500,000 shall be transferred to the Special Inspector General for Iraq Reconstruction for reconstruction oversight and up to $5,000,000 shall be transferred to the Special Inspector General for Afghanistan Reconstruction for reconstruction oversight.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

For an additional amount for ''Embassy Security, Construction, and Maintenance,'' $41,300,000, which shall become available on October 1, 2008 and remain available until expended, for facilities in Afghanistan.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

For an additional amount for ''Contributions to International Organizations'', $75,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

For an additional amount for ''Contributions for International Peacekeeping Activities'', $150,500,000, which shall become available on October 1, 2008 and remain available through September 30, 2009.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for ''International Broadcasting Operations'', $8,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH AND CHILD SURVIVAL

For an additional amount for ''Global Health and Child Survival'', $75,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009, for programs to combat avian influenza.

DEVELOPMENT ASSISTANCE

For an additional amount for ''Development Assistance'', $200,000,000, for assistance for developing countries to address the international food crisis notwithstanding any other provision of law, which shall become available on October 1, 2008 and remain available through September 30, 2010: *Provided*, That such assistance should be carried out consistent with the purposes of section 103(a)(1) of the Foreign Assistance Act of 1961: *Provided further*, That not more than $50,000,000 should be made available for local or regional purchase and distribution of food: *Provided further*, That the Secretary of State shall submit to the Committees on Appropriations not later than 45 days after enactment of this Act, and prior to the initial obligation of funds appropriated under this heading, a report on the proposed uses of such funds to alleviate hunger and malnutrition, including a list of those countries facing significant food shortages.

INTERNATIONAL DISASTER ASSISTANCE

For an additional amount for ''International Disaster Assistance'', $200,000,000, which shall become available on October 1, 2008 and remain available until expended.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

For an additional amount for ''Operating Expenses of the United States Agency for International Development'', $93,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009.

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

For an additional amount for ''Operating Expenses of the United States Agency for International Development Office of Inspector General'', $1,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

For an additional amount for ''Economic Support Fund,'' $1,147,300,000, which shall become available on October 1, 2008 and remain available through September 30, 2009, of which not more than $100,000,000 may be made available for assistance for Iraq, $100,000,000 shall be made available for assistance for Jordan, and $15,000,000 may be made available for energy-related assistance for North Korea, notwithstanding any other provision of law: *Provided*, That not more than $150,000,000 of the funds appropriated under this heading in this subchapter shall be made available for assistance for the West Bank.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

For an additional amount for ''International Narcotics Control and Law Enforcement'', $204,500,000, which shall become available on October 1, 2008 and remain available through September 30, 2009: *Provided*, That not more than $50,000,000 of the funds made available by this subchapter shall be made available for security assistance for the West Bank and up to $53,500,000 shall be made available for assistance for Mexico.

MIGRATION AND REFUGEE ASSISTANCE

For an additional amount for ''Migration and Refugee Assistance'', $350,000,000, which shall become available on October 1, 2008 and remain available until expended.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

For an additional amount for ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', $4,500,000, for humanitarian demining assistance for Iraq, which shall become available on October 1, 2008 and remain available through September 30, 2009.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

For an additional amount for ''Foreign Military Financing Program'', $170,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009, of which $100,000,000 shall be made available for assistance for Jordan and up to $50,000,000 shall be made available for assistance for Mexico: *Provided*, That section 3802(c) of title III, chapter 8 of Public Law 110–28 shall apply to funds made available under this heading for assistance for Lebanon.

PEACEKEEPING OPERATIONS

For an additional amount for ''Peacekeeping Operations'', $85,000,000, which shall become available on October 1, 2008 and remain available through September 30, 2009.

SUBCHAPTER C—GENERAL PROVISIONS, THIS CHAPTER

EXTENSION OF AUTHORITIES

SEC. 1401. Funds appropriated by this chapter may be obligated and expended notwithstanding section 10 of Public Law 91–672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

AFGHANISTAN

SEC. 1402 (a) ASSISTANCE FOR WOMEN AND GIRLS.—Funds appropriated by this chapter under the heading ''Economic Support Fund'' that are available for assistance for Afghanistan shall be made available, to the maximum extent practicable, through local Afghan provincial and municipal governments and Afghan civil society organizations and in a manner that emphasizes the participation of Afghan women and directly improves the economic, social and political status of Afghan women and girls.

(b) HIGHER EDUCATION.—Of the funds appropriated by this chapter under the heading ''Economic Support Fund'' that are made available for education programs in Afghanistan, not less than 50 percent shall be made available to support higher education and vocational training programs in law, accounting, engineering, public administration, and other disciplines necessary to rebuild the country, in which the participation of women is emphasized.

(c) CIVILIAN ASSISTANCE.—Of the funds appropriated by this chapter under the heading ''Economic Support Fund'' that are available for assistance for Afghanistan, not less than $2,000,000 shall be made available for a United States contribution to the North Atlantic Treaty Organization/International Security Assistance Force Post-Operations Humanitarian Relief Fund.

(d) ANTICORRUPTION.—Not later than 90 days after enactment of this Act, the Secretary of State shall—

(1) submit a report to the Committees on Appropriations on actions being taken by the Government of Afghanistan to combat corruption within the national and provincial governments, including to remove and prosecute officials who have committed corrupt acts;

(2) submit a list to the Committees on Appropriations, in classified form if necessary, of senior Afghan officials who the Secretary has credible evidence to believe have committed corrupt acts; and

(3) certify and report to the Committees on Appropriations that effective mechanisms are in place to ensure that assistance to national government ministries and provincial governments will be properly accounted for.

WEST BANK

SEC. 1403. Not later than 90 days after the date of enactment of this Act, and 180 days thereafter, the Secretary of State shall submit to the Committees on Appropriations a report on assistance provided by the United States for the training of Palestinian security forces, including detailed descriptions of the training, curriculum, and equipment provided; an assessment of the training and the performance of forces after training has been completed; and a description of the assistance that has been pledged and provided to Palestinian security forces by other donors: *Provided*, That not later than 90 days after the date of enactment of this Act, the Secretary of State shall report to the Committees on Appropriations, in classified form if necessary, on the security strategy of the Palestinian Authority.

MEXICO

SEC. 1404. (a) ASSISTANCE FOR MEXICO.—Of the funds appropriated under the headings ''International Narcotics Control and Law Enforcement'', ''Foreign Military Financing Program'', and ''Economic Support Fund'' in this chapter, not more than $296,500,000 of the funds appropriated in subchapter A and $103,500,000 of the funds appropriated in subchapter B shall be made available for assistance for Mexico, only to combat drug trafficking and related violent crime, and for judicial reform, institution building, and rule of law activities, of which not less than $73,500,000 shall be used for judicial reform, institution building, and rule of law activities: *Provided*, That none of the funds made available under this section shall be made available for budget support or as cash payments: *Provided further*, That none of the funds made available under this section shall be available for obligation until the Secretary of State determines and reports to the Committees on Appropriations that vetting procedures are in place to ensure that relevant members and units of the Mexican armed forces and police forces that may receive assistance pursuant to this section have not been involved in human rights violations or corrupt acts.

(b) ALLOCATION OF FUNDS.—25 percent of the funds made available by this chapter for assistance for Mexico under the headings ''International Narcotics Control and Law Enforcement'' and ''Foreign Military Financing Program'' shall be withheld from obligation until the Secretary of State reports to the Committees on Appropriations on the requirements described in subsection (c).

(c) REQUIREMENTS.—The requirements referred to in subsection (b) are the following:

(1) The Government of Mexico is—

(A) improving the transparency and accountability of Federal police forces and engaging with state and municipal authorities to improve the transparency and accountability of state and municipal police forces through mechanisms such as police complaints commissions;

(B) ensuring meaningful engagement with civil society to monitor efforts to combat drug trafficking and related violent crime, judicial reform, institution building, and rule of law activities to ensure due process and the protection of freedom of expression, association, and assembly in accordance with Mexican and international law; and

(C) ensuring that, in accordance with applicable Mexican law, the Mexican armed forces and the Federal police forces are cooperating with civilian prosecutors and judicial authorities in investigating and prosecuting in the civilian justice system those individuals, including military personnel, who have been credibly alleged under Mexican law to have committed violations of internationally recognized human rights, and, consistent with Mexican and international law, is vigorously enforcing the prohibition on the use of testimony obtained through torture or other ill-treatment.

(2) The Federal Public Security Secretary and the Minister of Defense, respectively, in accordance with applicable Mexican law, are suspending or placing on administrative duty, those members of the Federal police and armed forces who have been credibly alleged under Mexican law, to have committed violations of internationally recognized human rights or participated in corrupt acts and have established policies that reward respect for human rights, in particular regarding the use of force.

(3) The Attorney General and other relevant authorities of the Mexican Government are investigating and prosecuting members of the Mexican armed forces and police forces who have been credibly alleged under Mexican law to have committed violations of internationally recognized human rights.

(d) EXCEPTION.—Notwithstanding subsections (b) and (c), of the funds appropriated by subchapter A for assistance for Mexico under the heading ''International Narcotics Control and Law Enforcement'', $3,000,000 shall be made available for technical and other assistance to enable the Government of Mexico to implement a unified national registry encompassing Federal, state, and municipal police officials, and $5,000,000 may be made available to the Bureau of Alcohol, Tobacco, Firearms and Explosives to deploy special agents in Mexico to support Mexican law enforcement agencies in tracing seized firearms and investigating firearms trafficking cases: *Provided*, That section 484(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291c(a)) shall not apply with respect to assistance for Mexico made available by this chapter.

(e) REPORT.—The report required in subsection (b) shall include a description of actions taken with respect to each requirement specified in subsection (c) and the cases or issues brought to the attention of the Secretary of State for which the response or action taken has been inadequate.

(f) VETTING.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report, in classified form if necessary, detailing the procedures used to vet Mexican armed forces and police forces for eligibility to receive assistance under this section.

(g) NOTIFICATION.—Funds made available for Mexico by this chapter shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1).

(h) SPENDING PLAN.—Not later than 45 days after the date of the enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a detailed spending plan for funds appropriated or otherwise made available for Mexico by this chapter, which shall include a strategy for combating drug trafficking and related violent crime, judicial reform, institution building, and rule of law activities, with concrete goals, actions to be taken, budget proposals, and anticipated results.

(i) CONSULTATION.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter until September 30, 2010, the Secretary of State shall consult with Mexican and internationally recognized human rights organizations on progress in meeting the requirements described in subsection (c).

CENTRAL AMERICA

SEC. 1405. (a) ASSISTANCE FOR THE COUNTRIES OF CENTRAL AMERICA.—Of the funds appropriated in subchapter A under the headings ''International Narcotics Control and Law Enforcement'', ''Foreign Military Financing Program'', ''Nonproliferation, Anti-Terrorism, Demining and Related Programs'', and ''Economic Support Fund'', $61,500,000 shall be made available for assistance for the countries of Central America, Haiti, and the Dominican Republic only to combat drug trafficking and related violent crime, and for judicial reform, institution building, rule of law activities, and maritime security: *Provided*, That of the funds appropriated under the heading ''Economic Support Fund'', $15,000,000 shall be made available through the United States Agency for International Development for an Economic and Social Development Fund for the countries of Central America: *Provided further*, That of the funds appropriated under the heading ''International Narcotics Control and Law Enforcement'', $2,500,000 shall be made available for assistance for Haiti and $2,500,000 shall be made available for assistance for the Dominican Republic: *Provided further*, That none of the funds shall be made available for budget support or as cash payments: *Provided further*, That none of the funds shall be available for obligation until the Secretary of State determines and reports to the Committees on Appropriations that vetting procedures are in place to ensure that Federal and municipal police forces and the armed forces of the countries of Central America that may receive assistance pursuant to this section have not been involved in human rights violations or corrupt acts.

(b) ALLOCATION OF FUNDS.—(1) Up to 75 percent of the funds appropriated under the headings ''International Narcotics Control and Law Enforcement'' and ''Foreign Military Financing Program'' in subchapter A that are available for assistance for the countries of Central America may be obligated prior to the certification and report by the Secretary of State required in paragraph (2).

(2) The balance of the funds may be obligated not less than 120 days after the date of the enactment of this Act if, before such obligation, the Secretary of State determines and reports to the Committees on Appropriations that the requirements in subsection (c) have been met.

(c) REQUIREMENTS.—The requirements referred to in subsection (b)(2) are the following:

(1) The International Law Enforcement Academy (ILEA) in San Salvador, El Salvador is establishing a vetting procedure for police and other public security officials attending programs at the ILEA.

(2) The countries of Central America are—

(A) vetting members and units of Federal and municipal police forces and the armed forces that may receive assistance to ensure such members and units have not been involved in human rights violations or corrupt acts;

(B) strengthening law enforcement capabilities, developing effective systems information exchange, improving demand reduction, and expanding public education, prevention, and treatment programs;

(C) improving controls on chemical precursors;

(D) adopting and implementing reforms that improve the capacity and protect the independence of the judiciary;

(E) reforming criminal procedures to ensure due process and training Federal and municipal police leadership in modern policing to curb police abuses;

(F) targeting organizational structures and financial and other assets of drug cartels;

(G) taking steps to curb corruption in law enforcement agencies; and

(H) suspending, prosecuting, and punishing members of the police forces who have been credibly alleged to have committed violations of human rights and corrupt acts, and establishing policies for members of such forces that reward respect for human rights, in particular regarding the use of force.

(d) REPORT.—The report required in subsection (b)(2) shall include actions taken with respect to each requirement and the cases or issues brought to the attention of the Secretary for which the response or action taken has been inadequate.

(e) VETTING.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations, in classified form if necessary, detailing the procedures used by the Government of the United States to vet the Federal and municipal police and the armed forces of the countries of Central America for eligibility to receive assistance under this section.

(f) NOTIFICATION.—Funds made available for the countries of Central America in subchapter A shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1).

(g) SPENDING PLAN.—Not later than 45 days after enactment of this Act the Secretary of State shall submit to the Committees on Appropriations a detailed spending plan for funds appropriated or otherwise made available for the countries of Central America, Haiti and the Dominican Republic in subchapter A, which shall include a strategy for combating drug trafficking and related violent crime, judicial reform, institution building, and rule of law activities, with concrete goals, actions to be taken, budget proposals and anticipated results.

(h) CONSULTATION.—Not later than 90 days after the date of enactment of this Act and every 120 days thereafter until September 30, 2010, the Secretary of State shall consult with internationally recognized human rights organizations, and human rights organizations in the countries of Central America receiving assistance pursuant to this section, on progress in meeting the requirements described in subsection (c).

(i) DEFINITION.—For the purposes of this section, the term ''countries of Central America'' means Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama.

BUYING POWER MAINTENANCE ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

SEC. 1406. (a) Of the funds appropriated under the heading ''Diplomatic and Consular Programs'' and allocated by section 3810 of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28), $26,000,000 shall be transferred to and merged with funds in the ''Buying Power Maintenance Account'': *Provided*, That of the funds made available by this chapter up to an additional $74,000,000 may be transferred to and merged with the ''Buying Power Maintenance Account'', subject to the regular notification procedures of the Committees on Appropriations and in accordance with the procedures in section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706). Any funds transferred pursuant to this section shall be available, without fiscal year limitation, pursuant to section 24 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696).

(b) Section 24(b)(7) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(b)(7)) is amended by amending subparagraph (D) to read as follows:

''(D) The authorities contained in this paragraph may be exercised only with respect to funds appropriated or otherwise made available after fiscal year 2008.''.

RESCISSIONS

SEC. 1407. (a) WORLD FOOD PROGRAM.—(1) For an additional amount for a contribution to the World Food Program to assist farmers in countries affected by food shortages to increase crop yields, notwithstanding any other provision of law, $20,000,000, to remain available until expended.

(2) Of the funds appropriated under the heading ''Andean Counterdrug Initiative'' in prior Acts making appropriations for foreign operations, export financing, and related programs, $20,000,000 are rescinded.

(b) SUDAN.—(1) For an additional amount for ''International Narcotics Control and Law Enforcement'', $10,000,000, for assistance for Sudan to support formed police units, to remain available until September 30, 2009, and subject to prior consultation with the Committees on Appropriations.

(2) Of the funds appropriated under the heading ''International Narcotics Control and Law Enforcement'' in prior Acts making appropriations for foreign operations, export financing, and related programs, $10,000,000 are rescinded.

(c) Section 8002 of this Act shall not apply to this section.

ALLOCATIONS

SEC. 1408. (a) Funds provided in this chapter for the following accounts shall be made available for programs and countries in the amounts contained in the respective tables included in the explanatory statement printed in the Congressional Record accompanying this Act:

''Diplomatic and Consular Programs''

''Economic Support Fund''.

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

REPROGRAMMING AUTHORITY

SEC. 1409. Notwithstanding any other provision of law, to include minimum funding requirements or funding directives, funds made available under the headings ''Development Assistance'' and ''Economic Support Fund'' in prior Acts making appropriations for foreign operations, export financing, and related programs may be made available to address critical food shortages, subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

SPENDING PLAN AND NOTIFICATION PROCEDURES

SEC. 1410. (a) SUBCHAPTER A SPENDING PLAN.—Not later than 45 days after the enactment of this Act the Secretary of State shall submit to the Committees on Appropriations a report detailing planned expenditures for funds appropriated under the headings in subchapter A, except for funds appropriated under the headings ''International Disaster Assistance'', ''Migration and Refugee Assistance'', and ''United States Emergency Refugee and Migration Assistance Fund''.

(b) SUBCHAPTER B SPENDING PLAN.—The Secretary of State shall submit to the Committees on Appropriations not later than November 1, 2008, and prior to the initial obligation of funds, a detailed spending plan for funds appropriated or otherwise made available in subchapter B, except for funds appropriated under the headings ''International Disaster Assistance'', ''Migration and Refugee Assistance'', and ''United States Emergency Refugee and Migration Assistance Fund''.

(c) NOTIFICATION.—Funds made available in this chapter shall be subject to the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961.

TERMS AND CONDITIONS

SEC. 1411. Unless otherwise provided for in this Act, funds appropriated or otherwise made available by this chapter shall be available under the authorities and conditions provided in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008 (division J of Public Law 110–161), except that section 699K of such Act shall not apply to funds in this chapter.

TITLE II—DOMESTIC MATTERS

CHAPTER 1—COMMERCE, JUSTICE, AND SCIENCE

DEPARTMENT OF COMMERCE

BUREAU OF THE CENSUS

PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Periodic Censuses and Programs'', $210,000,000, to remain available until expended, for necessary expenses related to the 2010 Decennial Census: *Provided*, That not less than $3,000,000 shall be transferred to the ''Office of Inspector General'' at the Department of Commerce for necessary expenses associated with oversight activities of the 2010 Decennial Census: *Provided further*, That not less than $1,000,000 shall be used only for a reimbursable agreement with the Defense Contract Management Agency to provide continuing contract management oversight of the 2010 Decennial Census.

DEPARTMENT OF JUSTICE

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For an additional amount for ''Salaries and Expenses'', $178,000,000, to remain available until September 30, 2008.

CHAPTER 2—ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

CONSTRUCTION

For an additional amount for ''Construction'', for necessary expenses related to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $2,835,000,000, to remain available until expended: *Provided*, That such sums shall not be available until October 1, 2008: *Provided further*, That the Secretary of the Army is directed to use $1,997,000,000 of the funds provided herein to modify authorized projects in southeast Louisiana to provide hurricane, storm and flood damage reduction in the greater New Orleans and surrounding areas to the levels of protection necessary to achieve the certification required for participation in the National Flood Insurance Program under the base flood elevations current at the time of enactment of this Act, and shall use $1,077,000,000 of those funds for the Lake Pontchartrain and Vicinity project and $920,000,000 of those funds for the West Bank and Vicinity project: *Provided further*, That, in addition, $838,000,000 of the funds provided herein shall be for elements of Southeast Louisiana Urban Drainage project within the geographic perimeter of the West Bank and Vicinity and Lake Pontchartrain and Vicinity projects, to provide for interior drainage of runoff from rainfall with a ten percent annual exceedance probability: *Provided further*, That the amounts provided herein shall be subject to a 65 percent Federal / 35 percent non-Federal cost share for the specified purposes: *Provided further*, That beginning not later than 60 days after the date of enactment of this Act, the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for ''Flood Control and Coastal Emergencies'', as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses relating to the consequences of Hurricane Katrina and other hurricanes of the 2005 season, $2,926,000,000, to remain available until expended: *Provided*, That such sums shall not be available until October 1, 2008: *Provided further*, That funds provided herein shall be used to reduce the risk of hurricane and storm damages to the greater New Orleans metropolitan area, at full Federal expense, for the following: $704,000,000 shall be used to modify the 17th Street, Orleans Avenue, and London Avenue drainage canals and install pumps and closure structures at or near the lakefront; $90,000,000 shall be used for stormproofing interior pump stations to ensure the operability of the stations during hurricanes, storms, and high water events; $459,000,000 shall be used for armoring critical elements of the New Orleans hurricane and storm damage reduction system; $53,000,000 shall be used to improve protection at the Inner Harbor Navigation Canal; $456,000,000 shall be used to replace or modify certain non-Federal levees in Plaquemines Parish to incorporate the levees into the existing New Orleans to Venice hurricane protection project; $412,000,000 shall be used for reinforcing or replacing flood walls, as necessary, in the existing Lake Pontchartrain and Vicinity project and the existing West Bank and Vicinity project to improve the performance of the systems; $393,000,000 shall be used for repair and restoration of authorized protections and floodwalls; and $359,000,000 shall be used to complete the authorized protection for the Lake Pontchartrain and Vicinity Project and for the West Bank and Vicinity Project: *Provided further*, That beginning not later than 60 days after the date of enactment of this Act, the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide monthly reports to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds: *Provided further*, That any project using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Assistant Secretary of the Army for Civil Works requiring the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of completed elements and to hold and save the United States free from damages due to the construction, operation, and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: *Provided further*, That the expenditure of funds as provided above may be made without regard to individual amounts or purposes except that any reallocation of funds that is necessary to accomplish the established goals is authorized, subject to the approval of the House and Senate Committees on Appropriations.

CHAPTER 3—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For an additional amount for ''State Unemployment Insurance and Employment Service Operations'' for grants to the States for the administration of State unemployment insurance, $110,000,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, to be used for unemployment insurance workloads experienced by the States through September 30, 2008, which shall be available for Federal obligation through December 31, 2008.

CHAPTER 4—LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to Annette Lantos, widow of Tom Lantos, late a Representative from the State of California, $169,300: *Provided*, That section 8002 shall not apply to this appropriation.

TITLE III—VETERANS EDUCATIONAL ASSISTANCE

SHORT TITLE

SEC. 3001. This title may be cited as the ''Post-9/11 Veterans Educational Assistance Act of 2008''.

FINDINGS

SEC. 3002. Congress makes the following findings:

(1) On September 11, 2001, terrorists attacked the United States, and the brave members of the Armed Forces of the United States were called to the defense of the Nation.

(2) Service on active duty in the Armed Forces has been especially arduous for the members of the Armed Forces since September 11, 2001.

(3) The United States has a proud history of offering educational assistance to millions of veterans, as demonstrated by the many ''G.I. Bills'' enacted since World War II. Educational assistance for veterans helps reduce the costs of war, assist veterans in readjusting to civilian life after wartime service, and boost the United States economy, and has a positive effect on recruitment for the Armed Forces.

(4) The current educational assistance program for veterans is outmoded and designed for peacetime service in the Armed Forces.

(5) The people of the United States greatly value military service and recognize the difficult challenges involved in readjusting to civilian life after wartime service in the Armed Forces.

(6) It is in the national interest for the United States to provide veterans who serve on active duty in the Armed Forces after September 11, 2001, with enhanced educational assistance benefits that are worthy of such service and are commensurate with the educational assistance benefits provided by a grateful Nation to veterans of World War II.

EDUCATIONAL ASSISTANCE FOR MEMBERS OF THE ARMED FORCES WHO SERVE AFTER SEPTEMBER 11, 2001

SEC. 3003. (a) EDUCATIONAL ASSISTANCE AUTHORIZED.—

(1) IN GENERAL.—Part III of title 38, United States Code, is amended by inserting after chapter 32 the following new chapter:

''CHAPTER 33—POST–9/11 EDUCATIONAL ASSISTANCE

''SUBCHAPTER I—DEFINITIONS

''Sec.
''3301. Definitions.

''SUBCHAPTER II—EDUCATIONAL ASSISTANCE

''3311. Educational assistance for service in the Armed Forces commencing on or after September 11, 2001: entitlement.
''3312. Educational assistance: duration.
''3313. Educational assistance: amount; payment.
''3314. Tutorial assistance.
''3315. Licensure and certification tests.
''3316. Supplemental educational assistance: members with critical skills or specialty; members serving additional service.
''3317. Public-private contributions for additional educational assistance.

''SUBCHAPTER III—ADMINISTRATIVE PROVISIONS

''3321. Time limitation for use of and eligibility for entitlement.
''3322. Bar to duplication of educational assistance benefits.
''3323. Administration.
''3324. Allocation of administration and costs.

''SUBCHAPTER I—DEFINITIONS

''§ 3301. Definitions

''In this chapter:

''(1) The term 'active duty' has the meanings as follows (subject to the limitations specified in sections 3002(6) and 3311(b) of this title):

''(A) In the case of members of the regular components of the Armed Forces, the meaning given such term in section 101(21)(A) of this title.

''(B) In the case of members of the reserve components of the Armed Forces, service on active duty under a call or order to active duty under section 688, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10.

''(2) The term 'entry level and skill training' means the following:

''(A) In the case of members of the Army, Basic Combat Training and Advanced Individual Training.

''(B) In the case of members of the Navy, Recruit Training (or Boot Camp) and Skill Training (or so-called 'A' School).

''(C) In the case of members of the Air Force, Basic Military Training and Technical Training.

''(D) In the case of members of the Marine Corps, Recruit Training and Marine Corps Training (or School of Infantry Training).

''(E) In the case of members of the Coast Guard, Basic Training.

''(3) The term 'program of education' has the meaning the meaning given such term in section 3002 of this title, except to the extent otherwise provided in section 3313 of this title.

''(4) The term 'Secretary of Defense' has the meaning given such term in section 3002 of this title.

''SUBCHAPTER II—EDUCATIONAL ASSISTANCE

''§ 3311. Educational assistance for service in the Armed Forces commencing on or after September 11, 2001: entitlement

''(a) ENTITLEMENT.—Subject to subsections (d) and (e), each individual described in subsection (b) is entitled to educational assistance under this chapter.

''(b) COVERED INDIVIDUALS.—An individual described in this subsection is any individual as follows:

''(1) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 36 months on active duty in the Armed Forces (including service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty; or

''(ii) is discharged or released from active duty as described in subsection (c).

''(2) An individual who—

''(A) commencing on or after September 11, 2001, serves at least 30 continuous days on active duty in the Armed Forces; and

''(B) after completion of service described in subparagraph (A), is discharged or released from active duty in the Armed Forces for a service-connected disability.

''(3) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 30 months, but less than 36 months, on active duty in the Armed Forces (including service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty for an aggregate of less than 36 months; or

''(ii) before completion of service on active duty of an aggregate of 36 months, is discharged or released from active duty as described in subsection (c).

''(4) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 24 months, but less than 30 months, on active duty in the Armed Forces (including service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty for an aggregate of less than 30 months; or

''(ii) before completion of service on active duty of an aggregate of 30 months, is discharged or released from active duty as described in subsection (c).

''(5) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 18 months, but less than 24 months, on active duty in the Armed Forces (excluding service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty for an aggregate of less than 24 months; or

''(ii) before completion of service on active duty of an aggregate of 24 months, is discharged or released from active duty as described in subsection (c).

''(6) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 12 months, but less than 18 months, on active duty in the Armed Forces (excluding service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty for an aggregate of less than 18 months; or

''(ii) before completion of service on active duty of an aggregate of 18 months, is discharged or released from active duty as described in subsection (c).

''(7) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 6 months, but less than 12 months, on active duty in the Armed Forces (excluding service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty for an aggregate of less than 12 months; or

''(ii) before completion of service on active duty of an aggregate of 12 months, is discharged or released from active duty as described in subsection (c).

''(8) An individual who—

''(A) commencing on or after September 11, 2001, serves an aggregate of at least 90 days, but less than 6 months, on active duty in the Armed Forces (excluding service on active duty in entry level and skill training); and

''(B) after completion of service described in subparagraph (A)—

''(i) continues on active duty for an aggregate of less than 6 months; or

''(ii) before completion of service on active duty of an aggregate of 6 months, is discharged or released from active duty as described in subsection (c).

''(c) COVERED DISCHARGES AND RELEASES.—A discharge or release from active duty of an individual described in this subsection is a discharge or release as follows:

''(1) A discharge from active duty in the Armed Forces with an honorable discharge.

''(2) A release after service on active duty in the Armed Forces characterized by the Secretary concerned as honorable service and placement on the retired list, transfer to the Fleet Reserve or Fleet Marine Corps Reserve, or placement on the temporary disability retired list.

''(3) A release from active duty in the Armed Forces for further service in a reserve component of the Armed Forces after service on active duty characterized by the Secretary concerned as honorable service.

''(4) A discharge or release from active duty in the Armed Forces for—

''(A) a medical condition which preexisted the service of the individual as described in the applicable paragraph of subsection (b) and which the Secretary determines is not service-connected;

''(B) hardship; or

''(C) a physical or mental condition that was not characterized as a disability and did not result from the individual's own willful misconduct but did interfere with the individual's performance of duty, as determined by the Secretary concerned in accordance with regulations prescribed by the Secretary of Defense.

''(d) PROHIBITION ON TREATMENT OF CERTAIN SERVICE AS PERIOD OF ACTIVE DUTY.—The following periods of service shall not be considered a part of the period of active duty on which an individual's entitlement to educational assistance under this chapter is based:

''(1) A period of service on active duty of an officer pursuant to an agreement under section 2107(b) of title 10.

''(2) A period of service on active duty of an officer pursuant to an agreement under section 4348, 6959, or 9348 of title 10.

''(3) A period of service that is terminated because of a defective enlistment and induction based on—

''(A) the individual's being a minor for purposes of service in the Armed Forces;

''(B) an erroneous enlistment or induction; or

''(C) a defective enlistment agreement.

''(e) TREATMENT OF INDIVIDUALS ENTITLED UNDER MULTIPLE PROVISIONS.—In the event an individual entitled to educational assistance under this chapter is entitled by reason of both paragraphs (4) and (5) of subsection (b), the individual shall be treated as being entitled to educational assistance under this chapter by reason of paragraph (5) of such subsection.

''§ 3312. Educational assistance: duration

''(a) IN GENERAL.—Subject to section 3695 of this title and except as provided in subsections (b) and (c), an individual entitled to educational assistance under this chapter is entitled to a number of months of educational assistance under section 3313 of this title equal to 36 months.

''(b) CONTINUING RECEIPT.—The receipt of educational assistance under section 3313 of this title by an individual entitled to educational assistance under this chapter is subject to the provisions of section 3321(b)(2) of this title.

''(c) DISCONTINUATION OF EDUCATION FOR ACTIVE DUTY.—(1) Any payment of educational assistance described in paragraph (2) shall not—

''(A) be charged against any entitlement to educational assistance of the individual concerned under this chapter; or

''(B) be counted against the aggregate period for which section 3695 of this title limits the individual's receipt of educational assistance under this chapter.

''(2) Subject to paragraph (3), the payment of educational assistance described in this paragraph is the payment of such assistance to an individual for pursuit of a course or courses under this chapter if the Secretary finds that the individual—

''(A)(i) in the case of an individual not serving on active duty, had to discontinue such course pursuit as a result of being called or ordered to serve on active duty under section 688, 12301(a), 12301(d), 12301(g), 12302, or 12304 of title 10; or

''(ii) in the case of an individual serving on active duty, had to discontinue such course pursuit as a result of being ordered to a new duty location or assignment or to perform an increased amount of work; and

''(B) failed to receive credit or lost training time toward completion of the individual's approved education, professional, or vocational objective as a result of having to discontinue, as described in subparagraph (A), the individual's course pursuit.

''(3) The period for which, by reason of this subsection, educational assistance is not charged against entitlement or counted toward the applicable aggregate period under section 3695 of this title shall not exceed the portion of the period of enrollment in the course or courses from which the individual failed to receive credit or with respect to which the individual lost training time, as determined under paragraph (2)(B).

''§ 3313. Educational assistance: amount; payment

''(a) PAYMENT.—The Secretary shall pay to each individual entitled to educational assistance under this chapter who is pursuing an approved program of education (other

than a program covered by subsections (e) and (f)) the amounts specified in subsection (c) to meet the expenses of such individual's subsistence, tuition, fees, and other educational costs for pursuit of such program of education.

''(b) APPROVED PROGRAMS OF EDUCATION.—A program of education is an approved program of education for purposes of this chapter if the program of education is offered by an institution of higher learning (as that term is defined in section 3452(f) of this title) and is approved for purposes of chapter 30 of this title (including approval by the State approving agency concerned).

''(c) AMOUNT OF EDUCATIONAL ASSISTANCE.—The amounts payable under this subsection for pursuit of an approved program of education are amounts as follows:

''(1) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(1) or 3311(b)(2) of this title, amounts as follows:

''(A) An amount equal to the established charges for the program of education, except that the amount payable under this subparagraph may not exceed the maximum amount of established charges regularly charged in-State students for full-time pursuit of approved programs of education for undergraduates by the public institution of higher education offering approved programs of education for undergraduates in the State in which the individual is enrolled that has the highest rate of regularly-charged established charges for such programs of education among all public institutions of higher education in such State offering such programs of education.

''(B) A monthly stipend in an amount as follows:

''(i) For each month the individual pursues the program of education, other than a program of education offered through distance learning, a monthly housing stipend amount equal to the monthly amount of the basic allowance for housing payable under section 403 of title 37 for a member with dependents in pay grade E–5 residing in the military housing area that encompasses all or the majority portion of the ZIP code area in which is located the institution of higher education at which the individual is enrolled.

''(ii) For the first month of each quarter, semester, or term, as applicable, of the program of education pursued by the individual, a lump sum amount for books, supplies, equipment, and other educational costs with respect to such quarter, semester, or term in the amount equal to—

''(I) $1,000, multiplied by

''(II) the fraction which is the portion of a complete academic year under the program of education that such quarter, semester, or term constitutes.

''(2) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(3) of this title, amounts equal to 90 percent of the amounts that would be payable to the individual under paragraph (1) for the program of education if the individual were entitled to amounts for the program of education under paragraph (1) rather than this paragraph.

''(3) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(4) of this title, amounts equal to 80 percent of the amounts that would be payable to the individual under paragraph (1) for the program of education if the individual were entitled to amounts for the program of education under paragraph (1) rather than this paragraph.

''(4) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(5) of this title, amounts equal to 70 percent of the amounts that would be payable to the individual under paragraph (1) for the program of education if the individual were entitled to amounts for the program of education under paragraph (1) rather than this paragraph.

''(5) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(6) of this title, amounts equal to 60 percent of the amounts that would be payable to the individual under paragraph (1) for the program of education if the individual were entitled to amounts for the program of education under paragraph (1) rather than this paragraph.

''(6) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(7) of this title, amounts equal to 50 percent of the amounts that would be payable to the individual under paragraph (1) for the program of education if the individual were entitled to amounts for the program of education under paragraph (1) rather than this paragraph.

''(7) In the case of an individual entitled to educational assistance under this chapter by reason of section 3311(b)(8) of this title, amounts equal to 40 percent of the amounts that would be payable to the individual under paragraph (1) for the program of education if the individual were entitled to amounts for the program of education under paragraph (1) rather than this paragraph.

''(d) FREQUENCY OF PAYMENT.—(1) Payment of the amounts payable under subsection (c)(1)(A), and of similar amounts payable under paragraphs (2) through (7) of subsection (c), for pursuit of a program of education shall be made for the entire quarter, semester, or term, as applicable, of the program of education.

''(2) Payment of the amount payable under subsection (c)(1)(B), and of similar amounts payable under paragraphs (2) through (7) of subsection (c), for pursuit of a program of education shall be made on a monthly basis.

''(3) The Secretary shall prescribe in regulations methods for determining the number of months (including fractions thereof) of entitlement of an individual to educational assistance this chapter that are chargeable under this chapter for an advance payment of amounts under paragraphs (1) and (2) for pursuit of a program of education on a quarter, semester, term, or other basis.

''(e) PROGRAMS OF EDUCATION PURSUED ON ACTIVE DUTY.—(1) Educational assistance is payable under this chapter for pursuit of an approved program of education while on active duty.

''(2) The amount of educational assistance payable under this chapter to an individual pursuing a program of education while on active duty is the lesser of—

''(A) the established charges which similarly circumstanced nonveterans enrolled in the program of education involved would be required to pay; or

''(B) the amount of the charges of the educational institution as elected by the individual in the manner specified in section 3014(b)(1) of this title.

''(3) Payment of the amount payable under paragraph (2) for pursuit of a program of education shall be made for the entire quarter, semester, or term, as applicable, of the program of education.

''(4) For each month (as determined pursuant to the methods prescribed under subsection (d)(3)) for which amounts are paid an individual under this subsection, the entitlement of the individual to educational assistance under this chapter shall be charged at the rate of one month for each such month.

''(f) PROGRAMS OF EDUCATION PURSUED ON HALF-TIME BASIS OR LESS.—(1) Educational assistance is payable under this chapter for pursuit of an approved program of education on half-time basis or less.

''(2) The educational assistance payable under this chapter to an individual pursuing a program of education on half-time basis or less is the amounts as follows:

''(A) The amount equal to the lesser of—

''(i) the established charges which similarly circumstanced nonveterans enrolled in the program of education involved would be required to pay; or

''(ii) the maximum amount that would be payable to the individual for the program of education under paragraph (1)(A) of subsection (c), or under the provisions of paragraphs (2) through (7) of subsection (c) applicable to the individual, for the program of education if the individual were entitled to amounts for the program of education under subsection (c) rather than this subsection.

''(B) A stipend in an amount equal to the amount of the appropriately reduced amount of the lump sum amount for books, supplies, equipment, and other educational costs otherwise payable to the individual under subsection (c).

''(3) Payment of the amounts payable to an individual under paragraph (2) for pursuit of a program of education on half-time basis or less shall be made for the entire quarter, semester, or term, as applicable, of the program of education.

''(4) For each month (as determined pursuant to the methods prescribed under subsection (d)(3)) for which amounts are paid an individual under this subsection, the entitlement of the individual to educational assistance under this chapter shall be charged at a percentage of a month equal to—

''(A) the number of course hours borne by the individual in pursuit of the program of education involved, divided by

''(B) the number of course hours for full-time pursuit of such program of education.

''(g) PAYMENT OF ESTABLISHED CHARGES TO EDUCATIONAL INSTITUTIONS.—Amounts payable under subsections (c)(1)(A) (and of similar amounts payable under paragraphs (2) through (7) of subsection (c)), (e)(2) and (f)(2)(A) shall be paid directly to the educational institution concerned.

''(h) ESTABLISHED CHARGES DEFINED.—(1) In this section, the term 'established charges', in the case of a program of education, means the actual charges (as determined pursuant to regulations prescribed by the Secretary) for tuition and fees which similarly circumstanced nonveterans enrolled in the program of education would be required to pay.

''(2) Established charges shall be determined for purposes of this subsection on the following basis:

''(A) In the case of an individual enrolled in a program of education offered on a term, quarter, or semester basis, the tuition and fees charged the individual for the term, quarter, or semester.

''(B) In the case of an individual enrolled in a program of education not offered on a term, quarter, or semester basis, the tuition and fees charged the individual for the entire program of education.

''§ 3314. Tutorial assistance

''(a) IN GENERAL.—Subject to subsection (b), an individual entitled to educational assistance under this chapter shall also be entitled to benefits provided an eligible veteran under section 3492 of this title.

''(b) CONDITIONS.—(1) The provision of benefits under subsection (a) shall be subject to the conditions applicable to an eligible veteran under section 3492 of this title.

''(2) In addition to the conditions specified in paragraph (1), benefits may not be provided to an individual under subsection (a) unless the professor or other individual teaching, leading, or giving the course for which such benefits are provided certifies that—

''(A) such benefits are essential to correct a deficiency of the individual in such course; and

''(B) such course is required as a part of, or is prerequisite or indispensable to the satisfactory pursuit of, an approved program of education.

''(c) AMOUNT.—(1) The amount of benefits described in subsection (a) that are payable under this section may not exceed $100 per month, for a maximum of 12 months, or until a maximum of $1,200 is utilized.

''(2) The amount provided an individual under this subsection is in addition to the amounts of educational assistance paid the individual under section 3313 of this title.

''(d) NO CHARGE AGAINST ENTITLEMENT.—Any benefits provided an individual under subsection (a) are in addition to any other educational assistance benefits provided the individual under this chapter.

''§ 3315. Licensure and certification tests

''(a) IN GENERAL.—An individual entitled to educational assistance under this chapter shall also be entitled to payment for one licensing or certification test described in section 3452(b) of this title.

''(b) LIMITATION ON AMOUNT.—The amount payable under subsection (a) for a licensing or certification test may not exceed the lesser of—

''(1) $2,000; or

''(2) the fee charged for the test.

''(c) NO CHARGE AGAINST ENTITLEMENT.—Any amount paid an individual under subsection (a) is in addition to any other educational assistance benefits provided the individual under this chapter.

''§ 3316. Supplemental educational assistance: members with critical skills or specialty; members serving additional service

''(a) INCREASED ASSISTANCE FOR MEMBERS WITH CRITICAL SKILLS OR SPECIALTY.—(1) In the case of an individual who has a skill or specialty designated by the Secretary concerned as a skill or specialty in which there is a critical shortage of personnel or for which it is difficult to recruit or, in the case of critical units, retain personnel, the Secretary concerned may increase the monthly amount of educational assistance otherwise payable to the individual under paragraph (1)(B) of section 3313(c) of this title, or under paragraphs (2) through (7) of such section (as applicable).

''(2) The amount of the increase in educational assistance authorized by paragraph (1) may not exceed the amount equal to the monthly amount of increased basic educational assistance providable under section 3015(d)(1) of this title at the time of the increase under paragraph (1).

''(b) SUPPLEMENTAL ASSISTANCE FOR ADDITIONAL SERVICE.—(1) The Secretary concerned may provide for the payment to an individual entitled to educational assistance under this chapter of supplemental educational assistance for additional service authorized by subchapter III of chapter 30 of this title. The amount so payable shall be payable as an increase in the monthly amount of educational assistance otherwise payable to the individual under paragraph (1)(B) of section 3313(c) of this title, or under paragraphs (2) through (7) of such section (as applicable).

''(2) Eligibility for supplement educational assistance under this subsection shall be determined in accordance with the provisions of subchapter III of chapter 30 of this title, except that any reference in such provisions to eligibility for basic educational assistance under a provision of subchapter II of chapter 30 of this title shall be treated as a reference to eligibility for educational assistance under the appropriate provision of this chapter.

''(3) The amount of supplemental educational assistance payable under this subsection shall be the amount equal to the monthly amount of supplemental educational payable under section 3022 of this title.

''(c) REGULATIONS.—The Secretaries concerned shall administer this section in accordance with such regulations as the Secretary of Defense shall prescribe.

''§ 3317. Public-private contributions for additional educational assistance

''(a) ESTABLISHMENT OF PROGRAM.—In instances where the educational assistance provided pursuant to section 3313(c)(1)(A) does not cover the full cost of established charges (as specified in section 3313 of this title), the Secretary shall carry out a program under which colleges and universities can, voluntarily, enter into an agreement with the Secretary to cover a portion of those established charges not otherwise covered under section 3313(c)(1)(A), which contributions shall be matched by equivalent contributions toward such costs by the Secretary. The program shall only apply to covered individuals described in paragraphs (1) and (2) of section 3311(b).

''(b) DESIGNATION OF PROGRAM.—The program under this section shall be known as the 'Yellow Ribbon G.I. Education Enhancement Program'.

''(c) AGREEMENTS.—The Secretary shall enter into an agreement with each college or university seeking to participate in the program under this section. Each agreement shall specify the following:

''(1) The manner (whether by direct grant, scholarship, or otherwise) of the contributions to be made by the college or university concerned.

''(2) The maximum amount of the contribution to be made by the college or university concerned with respect to any particular individual in any given academic year.

''(3) The maximum number of individuals for whom the college or university concerned will make contributions in any given academic year.

''(4) Such other matters as the Secretary and the college or university concerned jointly consider appropriate.

''(d) MATCHING CONTRIBUTIONS.—(1) In instances where the educational assistance provided an individual under section 3313(c)(1)(A) of this title does not cover the full cost of tuition and mandatory fees at a college or university, the Secretary shall provide up to 50 percent of the remaining costs for tuition and mandatory fees if the college or university voluntarily enters into an agreement with the Secretary to match an equal percentage of any of the remaining costs for such tuition and fees.

''(2) Amounts available to the Secretary under section 3324(b) of this title for payment of the costs of this chapter shall be available to the Secretary for purposes of paragraph (1).

''(e) OUTREACH.—The Secretary shall make available on the Internet website of the Department available to the public a current list of the colleges and universities participating in the program under this section. The list shall specify, for each college or university so listed, appropriate information on the agreement between the Secretary and such college or university under subsection (c).

''SUBCHAPTER III—ADMINISTRATIVE PROVISIONS

''§ 3321. Time limitation for use of and eligibility for entitlement

''(a) IN GENERAL.—Except as provided in this section, the period during which an individual entitled to educational assistance under this chapter may use such individual's entitlement expires at the end of the 15-year period beginning on the date of such individual's last discharge or release from active duty.

''(b) EXCEPTIONS.—(1) Subsections (b), (c), and (d) of section 3031 of this title shall apply with respect to the running of the 15-year period described in subsection (a) of this section in the same manner as such subsections apply under section 3031 of this title with respect to the running of the 10-year period described in section 3031(a) of this title.

''(2) Section 3031(f) of this title shall apply with respect to the termination of an individual's entitlement to educational assistance under this chapter in the same manner as such section applies to the termination of an individual's entitlement to educational assistance under chapter 30 of this title, except that, in the administration of such section for purposes of this chapter, the reference to section 3013 of this title shall be deemed to be a reference to 3312 of this title.

''(3) For purposes of subsection (a), an individual's last discharge or release from active duty shall not include any discharge or release from a period of active duty of less than 90 days of continuous service, unless the individual is discharged or released as described in section 3311(b)(2) of this title.

''§ 3322. Bar to duplication of educational assistance benefits

''(a) IN GENERAL.—An individual entitled to educational assistance under this chapter who is also eligible for educational assistance under chapter 30, 31, 32, or 35 of this title, chapter 107, 1606, or 1607 of title 10, or the provisions of the Hostage Relief Act of 1980 (Public Law 96–449; 5 U.S.C. 5561 note) may not receive assistance under two or more such programs concurrently, but shall elect (in such form and manner as the Secretary may prescribe) under which chapter or provisions to receive educational assistance.

''(b) INAPPLICABILITY OF SERVICE TREATED UNDER EDUCATIONAL LOAN REPAYMENT PROGRAMS.—A period of service counted for purposes of repayment of an education loan under chapter 109 of title 10 may not be counted as a period of service for entitlement to educational assistance under this chapter.

''(c) SERVICE IN SELECTED RESERVE.—An individual who serves in the Selected Reserve may receive credit for such service under only one of this chapter, chapter 30 of this title, and chapters 1606 and 1607 of title 10, and shall elect (in such form and manner as the Secretary may prescribe) under which chapter such service is to be credited.

''(d) ADDITIONAL COORDINATION MATTERS.—In the case of an individual entitled to educational assistance under chapter 30, 31, 32, or 35 of this title, chapter 107, 1606, or 1607 of title 10, or the provisions of the Hostage Relief Act of 1980, or making contributions toward entitlement to educational assistance under chapter 30 of this title, as of August 1, 2009, coordination of entitlement to educational assistance under this chapter, on the one hand, and such chapters or provisions, on the other, shall be governed by the provisions of section 3003(c) of the Post-9/11 Veterans Educational Assistance Act of 2008.

''§ 3323. Administration

''(a) IN GENERAL.—(1) Except as otherwise provided in this chapter, the provisions specified in section 3034(a)(1) of this title shall apply to the provision of educational assistance under this chapter.

''(2) In applying the provisions referred to in paragraph (1) to an individual entitled to educational assistance under this chapter for purposes of this section, the reference in such provisions to the term 'eligible veteran' shall be deemed to refer to an individual entitled to educational assistance under this chapter.

''(3) In applying section 3474 of this title to an individual entitled to educational assistance under this chapter for purposes of this section, the reference in such section 3474 to the term 'educational assistance allowance' shall be deemed to refer to educational assistance payable under section 3313 of this title.

''(4) In applying section 3482(g) of this title to an individual entitled to educational assistance under this chapter for purposes of this section—

''(A) the first reference to the term 'educational assistance allowance' in such section 3482(g) shall be deemed to refer to educational assistance payable under section 3313 of this title; and

''(B) the first sentence of paragraph (1) of such section 3482(g) shall be applied as if such sentence ended with 'equipment'.

''(b) INFORMATION ON BENEFITS.—(1) The Secretary of Veterans Affairs shall provide the information described in paragraph (2) to each member of the Armed Forces at such times as the Secretary of Veterans Affairs and the Secretary of Defense shall jointly prescribe in regulations.

''(2) The information described in this paragraph is information on benefits, limitations, procedures, eligibility requirements (including time-in-service requirements), and other important aspects of educational assistance under this chapter, including application forms for such assistance under section 5102 of this title.

''(3) The Secretary of Veterans Affairs shall furnish the information and forms described in paragraph (2), and other educational materials on educational assistance under this chapter, to educational institutions, training establishments, military education personnel, and such other persons and entities as the Secretary considers appropriate.

''(c) REGULATIONS.—(1) The Secretary shall prescribe regulations for the administration of this chapter.

''(2) Any regulations prescribed by the Secretary of Defense for purposes of this chapter shall apply uniformly across the Armed Forces.

''§ 3324. Allocation of administration and costs

''(a) ADMINISTRATION.—Except as otherwise provided in this chapter, the Secretary shall administer the provision of educational assistance under this chapter.

''(b) COSTS.—Payments for entitlement to educational assistance earned under this chapter shall be made from funds appropriated to, or otherwise made available to, the Department of Veterans Affairs for the payment of readjustment benefits.''.

(2) CLERICAL AMENDMENTS.—The tables of chapters at the beginning of title 38, United States Code, and at the beginning of part III of such title, are each amended by inserting after the item relating to chapter 32 the following new item:

''33. Post-9/11 Educational Assistance 3301''.

(b) CONFORMING AMENDMENTS.—

(1) AMENDMENTS RELATING TO DUPLICATION OF BENEFITS.—

(A) Section 3033 of title 38, United States Code, is amended—

(i) in subsection (a)(1), by inserting ''33,'' after ''32,''; and

(ii) in subsection (c), by striking ''both the program established by this chapter and the program established by chapter 106 of title 10'' and inserting ''two or more of the programs established by this chapter, chapter 33 of this title, and chapters 1606 and 1607 of title 10''.

(B) Paragraph (4) of section 3695(a) of such title is amended to read as follows:

''(4) Chapters 30, 32, 33, 34, 35, and 36 of this title.''.

(C) Section 16163(e) of title 10, United States Code, is amended by inserting ''33,'' after ''32,''.

(2) ADDITIONAL CONFORMING AMENDMENTS.—

(A) Title 38, United States Code, is further amended by inserting ''33,'' after ''32,'' each place it appears in the following provisions:

(i) In subsections (b) and (e)(1) of section 3485.

(ii) In section 3688(b).

(iii) In subsections (a)(1), (c)(1), (c)(1)(G), (d), and (e)(2) of section 3689.

(iv) In section 3690(b)(3)(A).

(v) In subsections (a) and (b) of section 3692.

(vi) In section 3697(a).

(B) Section 3697A(b)(1) of such title is amended by striking ''or 32'' and inserting ''32, or 33''.

(c) APPLICABILITY TO INDIVIDUALS UNDER MONTGOMERY GI BILL PROGRAM.—

(1) INDIVIDUALS ELIGIBLE TO ELECT PARTICIPATION IN POST-9/11 EDUCATIONAL ASSISTANCE.—An individual may elect to receive educational assistance under chapter 33 of title 38, United States Code (as added by subsection (a)), if such individual—

(A) as of August 1, 2009—

(i) is entitled to basic educational assistance under chapter 30 of title 38, United States Code, and has used, but retains unused, entitlement under that chapter;

(ii) is entitled to educational assistance under chapter 107, 1606, or 1607 of title 10, United States Code, and has used, but retains unused, entitlement under the applicable chapter;

(iii) is entitled to basic educational assistance under chapter 30 of title 38, United States Code, but has not used any entitlement under that chapter;

(iv) is entitled to educational assistance under chapter 107, 1606, or 1607 of title 10, United States Code, but has not used any entitlement under such chapter;

(v) is a member of the Armed Forces who is eligible for receipt of basic educational assistance under chapter 30 of title 38, United States Code, and is making contributions toward such assistance under section 3011(b) or 3012(c) of such title; or

(vi) is a member of the Armed Forces who is not entitled to basic educational assistance under chapter 30 of title 38, United States Code, by reason of an election under section 3011(c)(1) or 3012(d)(1) of such title; and

(B) as of the date of the individual's election under this paragraph, meets the requirements for entitlement to educational assistance under chapter 33 of title 38, United States Code (as so added).

(2) CESSATION OF CONTRIBUTIONS TOWARD GI BILL.—Effective as of the first month beginning on or after the date of an election under paragraph (1) of an individual described by subparagraph (A)(v) of that paragraph, the obligation of the individual to make contributions under section 3011(b) or 3012(c) of title 38, United States Code, as applicable, shall cease, and the requirements of such section shall be deemed to be no longer applicable to the individual.

(3) REVOCATION OF REMAINING TRANSFERRED ENTITLEMENT.—

(A) ELECTION TO REVOKE.—If, on the date an individual described in subparagraph (A)(i) or (A)(iii) of paragraph (1) makes an election under that paragraph, a transfer of the entitlement of the individual to basic educational assistance under section 3020 of title 38, United States Code, is in effect and a number of months of the entitlement so transferred remain unutilized, the individual may elect to revoke all or a portion of the entitlement so transferred that remains unutilized.

(B) AVAILABILITY OF REVOKED ENTITLEMENT.—Any entitlement revoked by an individual under this paragraph shall no longer be available to the dependent to whom transferred, but shall be available to the individual instead for educational assistance under chapter 33 of title 38, United States Code (as so added), in accordance with the provisions of this subsection.

(C) AVAILABILITY OF UNREVOKED ENTITLEMENT.—Any entitlement described in subparagraph (A) that is not revoked by an individual in accordance with that subparagraph shall remain available to the dependent or dependents concerned in accordance with the current transfer of such entitlement under section 3020 of title 38, United States Code.

(4) POST-9/11 EDUCATIONAL ASSISTANCE.—

(A) IN GENERAL.—Subject to subparagraph (B) and except as provided in paragraph (5), an individual making an election under paragraph (1) shall be entitled to educational assistance under chapter 33 of title 38, United States Code (as so added), in accordance with the provisions of such chapter, instead of basic educational assistance under chapter 30 of title 38, United States Code, or educational assistance under chapter 107, 1606, or 1607 of title 10, United States Code, as applicable.

(B) LIMITATION ON ENTITLEMENT FOR CERTAIN INDIVIDUALS.—In the case of an individual making an election under paragraph (1) who is described by subparagraph (A)(i) of that paragraph, the number of months of entitlement of the individual to educational assistance under chapter 33 of title 38, United States Code (as so added), shall be the number of months equal to—

(i) the number of months of unused entitlement of the individual under chapter 30 of title 38, United States Code, as of the date of the election, plus

(ii) the number of months, if any, of entitlement revoked by the individual under paragraph (3)(A).

(5) CONTINUING ENTITLEMENT TO EDUCATIONAL ASSISTANCE NOT AVAILABLE UNDER 9/11 ASSISTANCE PROGRAM.—

(A) IN GENERAL.—In the event educational assistance to which an individual making an election under paragraph (1) would be entitled under chapter 30 of title 38, United States Code, or chapter 107, 1606, or 1607 of title 10, United States Code, as applicable, is not authorized to be available to the individual under the provisions of chapter 33 of title 38, United States Code (as so added), the individual shall remain entitled to such educational assistance in accordance with the provisions of the applicable chapter.

(B) CHARGE FOR USE OF ENTITLEMENT.—The utilization by an individual of entitlement under subparagraph (A) shall be chargeable against the entitlement of the individual to educational assistance under chapter 33 of title 38, United States Code (as so added), at the rate of one month of entitlement under such chapter 33 for each month of entitlement utilized by the individual under subparagraph (A) (as determined as if such entitlement were utilized under the provisions of chapter 30 of title 38, United States Code, or chapter 107, 1606, or 1607 of title 10, United States Code, as applicable).

(6) ADDITIONAL POST-9/11 ASSISTANCE FOR MEMBERS HAVING MADE CONTRIBUTIONS TOWARD GI BILL.—

(A) ADDITIONAL ASSISTANCE.—In the case of an individual making an election under paragraph (1) who is described by clause (i), (iii), or (v) of subparagraph (A) of that paragraph, the amount of educational assistance payable to the individual under chapter 33 of title 38, United States Code (as so added), as a monthly stipend payable under paragraph (1)(B) of section 3313(c) of such title (as so added), or under paragraphs (2) through (7) of

that section (as applicable), shall be the amount otherwise payable as a monthly stipend under the applicable paragraph increased by the amount equal to—

(i) the total amount of contributions toward basic educational assistance made by the individual under section 3011(b) or 3012(c) of title 38, United States Code, as of the date of the election, multiplied by

(ii) the fraction—

(I) the numerator of which is—

(aa) the number of months of entitlement to basic educational assistance under chapter 30 of title 38, United States Code, remaining to the individual at the time of the election; plus

(bb) the number of months, if any, of entitlement under such chapter 30 revoked by the individual under paragraph (3)(A); and

(II) the denominator of which is 36 months.

(B) MONTHS OF REMAINING ENTITLEMENT FOR CERTAIN INDIVIDUALS.—In the case of an individual covered by subparagraph (A) who is described by paragraph (1)(A)(v), the number of months of entitlement to basic educational assistance remaining to the individual for purposes of subparagraph (A)(ii)(I)(aa) shall be 36 months.

(C) TIMING OF PAYMENT.—The amount payable with respect to an individual under subparagraph (A) shall be paid to the individual together with the last payment of the monthly stipend payable to the individual under paragraph (1)(B) of section 3313(c) of title 38, United States Code (as so added), or under paragraphs (2) through (7) of that section (as applicable), before the exhaustion of the individual's entitlement to educational assistance under chapter 33 of such title (as so added).

(7) CONTINUING ENTITLEMENT TO ADDITIONAL ASSISTANCE FOR CRITICAL SKILLS OR SPECIALITY AND ADDITIONAL SERVICE.—An individual making an election under paragraph (1)(A) who, at the time of the election, is entitled to increased educational assistance under section 3015(d) of title 38, United States Code, or section 16131(i) of title 10, United States Code, or supplemental educational assistance under subchapter III of chapter 30 of title 38, United States Code, shall remain entitled to such increased educational assistance or supplemental educational assistance in the utilization of entitlement to educational assistance under chapter 33 of title 38, United States Code (as so added), in an amount equal to the quarter, semester, or term, as applicable, equivalent of the monthly amount of such increased educational assistance or supplemental educational assistance payable with respect to the individual at the time of the election.

(8) IRREVOCABILITY OF ELECTIONS.—An election under paragraph (1) or (3)(A) is irrevocable.

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall take effect on August 1, 2009.

INCREASE IN AMOUNTS OF BASIC EDUCATIONAL ASSISTANCE UNDER THE MONTGOMERY GI BILL

SEC. 3004. (a) EDUCATIONAL ASSISTANCE BASED ON THREE-YEAR PERIOD OF OBLIGATED SERVICE.—Subsection (a)(1) of section 3015 of title 38, United States Code, is amended—

(1) by striking subparagraphs (A) through (C) and inserting the following new subparagraph:

''(A) for months occurring during the period beginning on August 1, 2008, and ending on the last day of fiscal year 2009, $1,321; and''; and

(2) by redesignating subparagraph (D) as subparagraph (B).

(b) EDUCATIONAL ASSISTANCE BASED ON TWO-YEAR PERIOD OF OBLIGATED SERVICE.—Subsection (b)(1) of such section is amended—

(1) by striking subparagraphs (A) through (C) and inserting the following new subparagraph:

''(A) for months occurring during the period beginning on August 1, 2008, and ending on the last day of fiscal year 2009, $1,073; and''; and

(2) by redesignating subparagraph (D) as subparagraph (B).

(c) MODIFICATION OF MECHANISM FOR COST-OF-LIVING ADJUSTMENTS.—Subsection (h)(1) of such section is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) the average cost of undergraduate tuition in the United States, as determined by the National Center for Education Statistics, for the last academic year preceding the beginning of the fiscal year for which the increase is made, exceeds

''(B) the average cost of undergraduate tuition in the United States, as so determined, for the academic year preceding the academic year described in subparagraph (A).''.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall take effect on August 1, 2008.

(2) NO COST-OF-LIVING ADJUSTMENT FOR FISCAL YEAR 2009.—The adjustment required by subsection (h) of section 3015 of title 38, United States Code (as amended by this section), in rates of basic educational assistance payable under subsections (a) and (b) of such section (as so amended) shall not be made for fiscal year 2009.

MODIFICATION OF AMOUNT AVAILABLE FOR REIMBURSEMENT OF STATE AND LOCAL AGENCIES ADMINISTERING VETERANS EDUCATION BENEFITS

SEC. 3005. Section 3674(a)(4) of title 38, United States Code, is amended by striking ''may not exceed'' and all that follows through the end and inserting ''shall be $19,000,000.''.

TITLE IV—EMERGENCY UNEMPLOYMENT COMPENSATION

FEDERAL-STATE AGREEMENTS

SEC. 4001. (a) IN GENERAL.—Any State which desires to do so may enter into and participate in an agreement under this title with the Secretary of Labor (in this title referred to as the ''Secretary''). Any State which is a party to an agreement under this title may, upon providing 30 days' written notice to the Secretary, terminate such agreement.

(b) PROVISIONS OF AGREEMENT.—Any agreement under subsection (a) shall provide that the State agency of the State will make payments of emergency unemployment compensation to individuals who—

(1) have exhausted all rights to regular compensation under the State law or under Federal law with respect to a benefit year (excluding any benefit year that ended before May 1, 2007);

(2) have no rights to regular compensation or extended compensation with respect to a week under such law or any other State unemployment compensation law or to compensation under any other Federal law (except as provided under subsection (e)); and

(3) are not receiving compensation with respect to such week under the unemployment compensation law of Canada.

(c) EXHAUSTION OF BENEFITS.—For purposes of subsection (b)(1), an individual shall be deemed to have exhausted such individual's rights to regular compensation under a State law when—

(1) no payments of regular compensation can be made under such law because such individual has received all regular compensation available to such individual based on employment or wages during such individual's base period; or

(2) such individual's rights to such compensation have been terminated by reason of the expiration of the benefit year with respect to which such rights existed.

(d) WEEKLY BENEFIT AMOUNT, ETC.—For purposes of any agreement under this title—

(1) the amount of emergency unemployment compensation which shall be payable to any individual for any week of total unemployment shall be equal to the amount of the regular compensation (including dependents' allowances) payable to such individual during such individual's benefit year under the State law for a week of total unemployment;

(2) the terms and conditions of the State law which apply to claims for regular compensation and to the payment thereof shall apply to claims for emergency unemployment compensation and the payment thereof, except where otherwise inconsistent with the provisions of this title or with the regulations or operating instructions of the Secretary promulgated to carry out this title; and

(3) the maximum amount of emergency unemployment compensation payable to any individual for whom an emergency unemployment compensation account is established under section 4002 shall not exceed the amount established in such account for such individual.

(e) ELECTION BY STATES.—Notwithstanding any other provision of Federal law (and if State law permits), the Governor of a State that is in an extended benefit period may provide for the payment of emergency unemployment compensation prior to extended compensation to individuals who otherwise meet the requirements of this section.

EMERGENCY UNEMPLOYMENT COMPENSATION ACCOUNT

SEC. 4002. (a) IN GENERAL.—Any agreement under this title shall provide that the State will establish, for each eligible individual who files an application for emergency unemployment compensation, an emergency unemployment compensation account with respect to such individual's benefit year.

(b) AMOUNT IN ACCOUNT.—

(1) IN GENERAL.—The amount established in an account under subsection (a) shall be equal to the lesser of—

(A) 50 percent of the total amount of regular compensation (including dependents' allowances) payable to the individual during the individual's benefit year under such law, or

(B) 13 times the individual's average weekly benefit amount for the benefit year.

(2) WEEKLY BENEFIT AMOUNT.—For purposes of this subsection, an individual's weekly benefit amount for any week is the amount of regular compensation (including dependents' allowances) under the State law payable to such individual for such week for total unemployment.

(c) SPECIAL RULE.—

(1) IN GENERAL.—Notwithstanding any other provision of this section, if, at the time that the individual's account is exhausted or at any time thereafter, such individual's State is in an extended benefit period (as determined under paragraph (2)), then, such account shall be augmented by an amount equal to the amount originally established in such account (as determined under subsection (b)(1)).

(2) EXTENDED BENEFIT PERIOD.—For purposes of paragraph (1), a State shall be considered to be in an extended benefit period, as of any given time, if—

(A) such a period is then in effect for such State under the Federal-State Extended Unemployment Compensation Act of 1970;

(B) such a period would then be in effect for such State under such Act if section 203(d) of such Act—

(i) were applied by substituting ''4'' for ''5'' each place it appears; and

(ii) did not include the requirement under paragraph (1)(A); or

(C) such a period would then be in effect for such State under such Act if—

(i) section 203(f) of such Act were applied to such State (regardless of whether the State by law had provided for such application); and

(ii) such section 203(f)—

(I) were applied by substituting ''6.0'' for ''6.5'' in paragraph (1)(A)(i); and

(II) did not include the requirement under paragraph (1)(A)(ii).

PAYMENTS TO STATES HAVING AGREEMENTS FOR THE PAYMENT OF EMERGENCY UNEMPLOYMENT COMPENSATION

SEC. 4003. (a) GENERAL RULE.—There shall be paid to each State that has entered into an agreement under this title an amount equal to 100 percent of the emergency unemployment compensation paid to individuals by the State pursuant to such agreement.

(b) TREATMENT OF REIMBURSABLE COMPENSATION.—No payment shall be made to any State under this section in respect of any compensation to the extent the State is entitled to reimbursement in respect of such compensation under the provisions of any Federal law other than this title or chapter 85 of title 5, United States Code. A State shall not be entitled to any reimbursement under such chapter 85 in respect of any compensation to the extent the State is entitled to reimbursement under this title in respect of such compensation.

(c) DETERMINATION OF AMOUNT.—Sums payable to any State by reason of such State having an agreement under this title shall be payable, either in advance or by way of reimbursement (as may be determined by the Secretary), in such amounts as the Secretary estimates the State will be entitled to receive under this title for each calendar month, reduced or increased, as the case may be, by any amount by which the Secretary finds that the Secretary's estimates for any prior calendar month were greater or less than the amounts which should have been paid to the State. Such estimates may be made on the basis of such statistical, sampling, or other method as may be agreed upon by the Secretary and the State agency of the State involved.

FINANCING PROVISIONS

SEC. 4004. (a) IN GENERAL.—Funds in the extended unemployment compensation account (as established by section 905(a) of the Social Security Act (42 U.S.C. 1105(a)) of the Unemployment Trust Fund (as established by section 904(a) of such Act (42 U.S.C. 1104(a)) shall be used for the making of payments to States having agreements entered into under this title.

(b) CERTIFICATION.—The Secretary shall from time to time certify to the Secretary of the Treasury for payment to each State the sums payable to such State under this title. The Secretary of the Treasury, prior to audit or settlement by the Government Accountability Office, shall make payments to the State in accordance with such certification, by transfers from the extended unemployment compensation account (as so established) to the account of such State in the Unemployment Trust Fund (as so established).

(c) ASSISTANCE TO STATES.—There are appropriated out of the employment security administration account (as established by section 901(a) of the Social Security Act (42 U.S.C. 1101(a)) of the Unemployment Trust Fund, without fiscal year limitation, such funds as may be necessary for purposes of assisting States (as provided in title III of the Social Security Act (42 U.S.C. 501 et seq.)) in meeting the costs of administration of agreements under this title.

(d) APPROPRIATIONS FOR CERTAIN PAYMENTS.—There are appropriated from the general fund of the Treasury, without fiscal year limitation, to the extended unemployment compensation account (as so established) of the Unemployment Trust Fund (as so established) such sums as the Secretary estimates to be necessary to make the payments under this section in respect of—

(1) compensation payable under chapter 85 of title 5, United States Code; and

(2) compensation payable on the basis of services to which section 3309(a)(1) of the Internal Revenue Code of 1986 applies.

Amounts appropriated pursuant to the preceding sentence shall not be required to be repaid.

FRAUD AND OVERPAYMENTS

SEC. 4005. (a) IN GENERAL.—If an individual knowingly has made, or caused to be made by another, a false statement or representation of a material fact, or knowingly has failed, or caused another to fail, to disclose a material fact, and as a result of such false statement or representation or of such nondisclosure such individual has received an amount of emergency unemployment compensation under this title to which such individual was not entitled, such individual—

(1) shall be ineligible for further emergency unemployment compensation under this title in accordance with the provisions of the applicable State unemployment compensation law relating to fraud in connection with a claim for unemployment compensation; and

(2) shall be subject to prosecution under section 1001 of title 18, United States Code.

(b) REPAYMENT.—In the case of individuals who have received amounts of emergency unemployment compensation under this title to which they were not entitled, the State shall require such individuals to repay the amounts of such emergency unemployment compensation to the State agency, except that the State agency may waive such repayment if it determines that—

(1) the payment of such emergency unemployment compensation was without fault on the part of any such individual; and

(2) such repayment would be contrary to equity and good conscience.

(c) RECOVERY BY STATE AGENCY.—

(1) IN GENERAL.—The State agency may recover the amount to be repaid, or any part thereof, by deductions from any emergency unemployment compensation payable to such individual under this title or from any unemployment compensation payable to such individual under any State or Federal unemployment compensation law administered by the State agency or under any other State or Federal law administered by the State agency which provides for the payment of any assistance or allowance with respect to any week of unemployment, during the 3-year period after the date such individuals received the payment of the emergency unemployment compensation to which they were not entitled, except that no single deduction may exceed 50 percent of the weekly benefit amount from which such deduction is made.

(2) OPPORTUNITY FOR HEARING.—No repayment shall be required, and no deduction shall be made, until a determination has been made, notice thereof and an opportunity for a fair hearing has been given to the individual, and the determination has become final.

(d) REVIEW.—Any determination by a State agency under this section shall be subject to review in the same manner and to the same extent as determinations under the State unemployment compensation law, and only in that manner and to that extent.

DEFINITIONS

SEC. 4006. In this title, the terms ''compensation'', ''regular compensation'', ''extended compensation'', ''benefit year'', ''base period'', ''State'', ''State agency'', ''State law'', and ''week'' have the respective meanings given such terms under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note).

APPLICABILITY

SEC. 4007. (a) IN GENERAL.—Except as provided in subsection (b), an agreement entered into under this title shall apply to weeks of unemployment—

(1) beginning after the date on which such agreement is entered into; and

(2) ending on or before March 31, 2009.

(b) TRANSITION FOR AMOUNT REMAINING IN ACCOUNT.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), in the case of an individual who has amounts remaining in an account established under section 4002 as of the last day of the last week (as determined in accordance with the applicable State law) ending on or before March 31, 2009, emergency unemployment compensation shall continue to be payable to such individual from such amounts for any week beginning after such last day for which the individual meets the eligibility requirements of this title.

(2) LIMIT ON AUGMENTATION.—If the account of an individual is exhausted after the last day of such last week (as so determined), then section 4002(c) shall not apply and such account shall not be augmented under such section, regardless of whether such individual's State is in an extended benefit period (as determined under paragraph (2) of such section).

(3) LIMIT ON COMPENSATION.—No compensation shall be payable by reason of paragraph (1) for any week beginning after June 30, 2009.

TITLE V—MEDICAID PROVISIONS

SEC. 5001. (a) MORATORIA ON CERTAIN MEDICAID REGULATIONS.—

(1) EXTENSION OF CERTAIN MORATORIA IN PUBLIC LAW 110–28.—Section 7002(a)(1) of the U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 (Public Law 110–28) is amended—

(A) by striking ''prior to the date that is 1 year after the date of enactment of this Act'' and inserting ''prior to April 1, 2009'';

(B) in subparagraph (A), by inserting after ''Federal Regulations)'' the following: ''or in the final regulation, relating to such parts, published on May 29, 2007 (72 Federal Register 29748)''; and

(C) in subparagraph (C), by inserting before the period at the end the following: '', including the proposed regulation published on May 23, 2007 (72 Federal Register 28930)''.

(2) EXTENSION OF CERTAIN MORATORIA IN PUBLIC LAW 110–173.—Section 206 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173) is amended—

(A) by striking ''June 30, 2008'' and inserting ''April 1, 2009'';

(B) by inserting '', including the proposed regulation published on August 13, 2007 (72 Federal Register 45201),'' after ''rehabilitation services''; and

(C) by inserting '', including the final regulation published on December 28, 2007 (72 Federal Register 73635),'' after ''school-based transportation''.

(3) ADDITIONAL MORATORIA.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Health and Human Services shall not, prior to April 1, 2009, take any action (through promulgation of regulation, issuance of regulatory guidance, use of Federal payment

audit procedures, or other administrative action, policy, or practice, including a Medical Assistance Manual transmittal or letter to State Medicaid directors) to impose any restrictions relating to a provision described in subparagraph (B), (C), or (D) if such restrictions are more restrictive in any aspect than those applied to the respective provision as of the date specified in subparagraph (E) for such provision.

(B) PORTION OF INTERIM FINAL REGULATION RELATING TO MEDICAID TREATMENT OF OPTIONAL CASE MANAGEMENT SERVICES.—

(i) IN GENERAL.—Subject to clause (ii), the provision described in this subparagraph is the interim final regulation relating to optional State plan case management services under the Medicaid program published on December 4, 2007 (72 Federal Register 68077) in its entirety.

(ii) EXCEPTION.—The provision described in this subparagraph does not include the portion of such regulation as relates directly to implementing section 1915(g)(2)(A)(ii) of the Social Security Act, as amended by section 6052 of the Deficit Reduction Act of 2005 (Public Law 109–171), through the definition of case management services and targeted case management services contained in proposed section 440.169 of title 42, Code of Federal Regulations, but only to the extent that such portion is not more restrictive than the policies set forth in the Dear State Medicaid Director letter on case management issued on January 19, 2001 (SMDL #01–013), and with respect to community transition case management, the Dear State Medicaid Director letter issued on July 25, 2000 (Olmstead Update 3).

(C) PROPOSED REGULATION RELATING TO REDEFINITION OF MEDICAID OUTPATIENT HOSPITAL SERVICES.—The provision described in this subparagraph is the proposed regulation relating to clarification of outpatient clinic and hospital facility services definition and upper payment limit under the Medicaid program published on September 28, 2007 (72 Federal Register 55158) in its entirety.

(D) PORTION OF PROPOSED REGULATION RELATING TO MEDICAID ALLOWABLE PROVIDER TAXES.—

(i) IN GENERAL.—Subject to clause (ii), the provision described in this subparagraph is the final regulation relating to health-care-related taxes under the Medicaid program published on February 22, 2008 (73 Federal Register 9685) in its entirety.

(ii) EXCEPTION.—The provision described in this subparagraph does not include the portions of such regulation as relate to the following:

(I) REDUCTION IN THRESHOLD.—The reduction from 6 percent to 5.5 percent in the threshold applied under section 433.68(f)(3)(i) of title 42, Code of Federal Regulations, for determining whether or not there is an indirect guarantee to hold a taxpayer harmless, as required to carry out section 1903(w)(4)(C)(ii) of the Social Security Act, as added by section 403 of the Medicare Improvement and Extension Act of 2006 (division B of Public Law 109–432).

(II) CHANGE IN DEFINITION OF MANAGED CARE.—The change in the definition of managed care as proposed in the revision of section 433.56(a)(8) of title 42, Code of Federal Regulations, as required to carry out section 1903(w)(7)(A)(viii) of the Social Security Act, as amended by section 6051 of the Deficit Reduction Act of 2005 (Public Law 109–171).

(E) DATE SPECIFIED.—The date specified in this subparagraph for the provision described in—

(i) subparagraph (B) is December 3, 2007;

(ii) subparagraph (C) is September 27, 2007; or

(iii) subparagraph (D) is February 21, 2008.

(b) FUNDS TO REDUCE MEDICAID FRAUD AND ABUSE.—

(1) IN GENERAL.—For purposes of reducing fraud and abuse in the Medicaid program under title XIX of the Social Security Act—

(A) there is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury not otherwise appropriated, $25,000,000, for fiscal year 2009; and

(B) there is authorized to be appropriated to the Secretary $25,000,000 for fiscal year 2010 and each subsequent fiscal year.

Amounts appropriated under this section shall remain available for expenditure until expended and shall be in addition to any other amounts appropriated or made available to the Secretary for such purposes with respect to the Medicaid program.

(2) ANNUAL REPORT.—Not later than September 30 of 2009 and of each subsequent year, the Secretary of Health and Human Services shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report on the activities (and the results of such activities) funded under paragraph (1) to reduce waste, fraud, and abuse in the Medicaid program under title XIX of the Social Security Act during the previous 12 month period, including the amount of funds appropriated under such paragraph for each such activity and an estimate of the savings to the Medicaid program resulting from each such activity.

(c) STUDY AND REPORTS TO CONGRESS.—

(1) SECRETARIAL REPORT IDENTIFYING PROBLEMS.—Not later than July 1, 2008, the Secretary of Health and Human Services shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report that—

(A) outlines the specific problems the Medicaid regulations referred to in the amendments made by paragraphs (1) and (2) of subsection (a) and in the provisions described in subparagraph (B) through (D) of paragraph (3) of such subsection were intended to address;

(B) detailing how these regulations were designed to address these specific problems; and

(C) cites the legal authority for such regulations.

(2) INDEPENDENT COMPREHENSIVE STUDY AND REPORT.—

(A) IN GENERAL.—Not later than July 1, 2008, the Secretary of Health and Human Services shall enter into a contract with an independent organization for the purpose of—

(i) producing a comprehensive report on the prevalence of the problems outlined in the report submitted under paragraph (1);

(ii) identifying strategies in existence to address these problems; and

(iii) assessing the impact of each regulation referred to in such paragraph on each State and the District of Columbia.

(B) ADDITIONAL MATTER.—The report under subparagraph (A) shall also include—

(i) an identification of which claims for items and services (including administrative activities) under title XIX of the Social Security Act are not processed through systems described in section 1903(r) of such Act;

(ii) an examination of the reasons why these claims for such items and services are not processed through such systems; and

(iii) recommendations on actions by the Federal government and the States that can make claims for such items and services more accurate and complete consistent with such title.

(C) DEADLINE.—The report under subparagraph (A) shall be submitted to the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate not later than March 1, 2009.

(D) COOPERATION OF STATES.—If the Secretary of Health and Human Services determines that a State or the District of Columbia has not cooperated with the independent organization for purposes of the report under this paragraph, the Secretary shall reduce the amount paid to the State or District under section 1903(a) of the Social Security Act (42 U.S.C. 1396b(a)) by $25,000 for each day on which the Secretary determines such State or District has not so cooperated. Such reduction shall be made through a process that permits the State or District to challenge the Secretary's determination.

(3) FUNDING.—

(A) IN GENERAL.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary without further appropriation, $5,000,000 to carry out this subsection.

(B) AVAILABILITY; AMOUNTS IN ADDITION TO OTHER AMOUNTS APPROPRIATED FOR SUCH ACTIVITIES.—Amounts appropriated pursuant to subparagraph (A) shall—

(i) remain available until expended; and

(ii) be in addition to any other amounts appropriated or made available to the Secretary of Health and Human Services with respect to the Medicaid program.

(d) ASSET VERIFICATION THROUGH ACCESS TO INFORMATION HELD BY FINANCIAL INSTITUTIONS.—

(1) ADDITION OF AUTHORITY.—Title XIX of the Social Security Act is amended by inserting after section 1939 the following new section:

''ASSET VERIFICATION THROUGH ACCESS TO INFORMATION HELD BY FINANCIAL INSTITUTIONS

''SEC. 1940. (a) IMPLEMENTATION.—

''(1) IN GENERAL.—Subject to the provisions of this section, each State shall implement an asset verification program described in subsection (b), for purposes of determining or redetermining the eligibility of an individual for medical assistance under the State plan under this title.

''(2) PLAN SUBMITTAL.—In order to meet the requirement of paragraph (1), each State shall—

''(A) submit not later than a deadline specified by the Secretary consistent with paragraph (3), a State plan amendment under this title that describes how the State intends to implement the asset verification program; and

''(B) provide for implementation of such program for eligibility determinations and redeterminations made on or after 6 months after the deadline established for submittal of such plan amendment.

''(3) PHASE-IN.—

''(A) IN GENERAL.—

''(i) IMPLEMENTATION IN CURRENT ASSET VERIFICATION DEMO STATES.—The Secretary shall require those States specified in subparagraph (C) (to which an asset verification program has been applied before the date of the enactment of this section) to implement an asset verification program under this subsection by the end of fiscal year 2009.

''(ii) IMPLEMENTATION IN OTHER STATES.—The Secretary shall require other States to submit and implement an asset verification program under this subsection in such manner as is designed to result in the application of such programs, in the aggregate for all such other States, to enrollment of approximately, but not less than, the following percentage of enrollees, in the aggregate for all such other States, by the end of the fiscal year involved:

''(I) 12.5 percent by the end of fiscal year 2009.

''(II) 25 percent by the end of fiscal year 2010.

''(III) 50 percent by the end of fiscal year 2011.

''(IV) 75 percent by the end of fiscal year 2012.

''(V) 100 percent by the end of fiscal year 2013.

''(B) CONSIDERATION.—In selecting States under subparagraph (A)(ii), the Secretary shall consult with the States involved and take into account the feasibility of implementing asset verification programs in each such State.

''(C) STATES SPECIFIED.—The States specified in this subparagraph are California, New York, and New Jersey.

''(D) CONSTRUCTION.—Nothing in subparagraph (A)(ii) shall be construed as preventing a State from requesting, and the Secretary approving, the implementation of an asset verification program in advance of the deadline otherwise established under such subparagraph.

''(4) EXEMPTION OF TERRITORIES.—This section shall only apply to the 50 States and the District of Columbia.

''(b) ASSET VERIFICATION PROGRAM.—

''(1) IN GENERAL.—For purposes of this section, an asset verification program means a program described in paragraph (2) under which a State—

''(A) requires each applicant for, or recipient of, medical assistance under the State plan under this title on the basis of being aged, blind, or disabled to provide authorization by such applicant or recipient (and any other person whose resources are material to the determination of the eligibility of the applicant or recipient for such assistance) for the State to obtain (subject to the cost reimbursement requirements of section 1115(a) of the Right to Financial Privacy Act but at no cost to the applicant or recipient) from any financial institution (within the meaning of section 1101(1) of such Act) any financial record (within the meaning of section 1101(2) of such Act) held by the institution with respect to the applicant or recipient (and such other person, as applicable), whenever the State determines the record is needed in connection with a determination with respect to such eligibility for (or the amount or extent of) such medical assistance; and

''(B) uses the authorization provided under subparagraph (A) to verify the financial resources of such applicant or recipient (and such other person, as applicable), in order to determine or redetermine the eligibility of such applicant or recipient for medical assistance under the State plan.

''(2) PROGRAM DESCRIBED.—A program described in this paragraph is a program for verifying individual assets in a manner consistent with the approach used by the Commissioner of Social Security under section 1631(e)(1)(B)(ii).

''(c) DURATION OF AUTHORIZATION.—Notwithstanding section 1104(a)(1) of the Right to Financial Privacy Act, an authorization provided to a State under subsection (b)(1) shall remain effective until the earliest of—

''(1) the rendering of a final adverse decision on the applicant's application for medical assistance under the State's plan under this title;

''(2) the cessation of the recipient's eligibility for such medical assistance; or

''(3) the express revocation by the applicant or recipient (or such other person described in subsection (b)(1), as applicable) of the authorization, in a written notification to the State.

''(d) TREATMENT OF RIGHT TO FINANCIAL PRIVACY ACT REQUIREMENTS.—

''(1) An authorization obtained by the State under subsection (b)(1) shall be considered to meet the requirements of the Right to Financial Privacy Act for purposes of section 1103(a) of such Act, and need not be furnished to the financial institution, notwithstanding section 1104(a) of such Act.

''(2) The certification requirements of section 1103(b) of the Right to Financial Privacy Act shall not apply to requests by the State pursuant to an authorization provided under subsection (b)(1).

''(3) A request by the State pursuant to an authorization provided under subsection (b)(1) is deemed to meet the requirements of section 1104(a)(3) of the Right to Financial Privacy Act and of section 1102 of such Act, relating to a reasonable description of financial records.

''(e) REQUIRED DISCLOSURE.—The State shall inform any person who provides authorization pursuant to subsection (b)(1)(A) of the duration and scope of the authorization.

''(f) REFUSAL OR REVOCATION OF AUTHORIZATION.—If an applicant for, or recipient of, medical assistance under the State plan under this title (or such other person described in subsection (b)(1), as applicable) refuses to provide, or revokes, any authorization made by the applicant or recipient (or such other person, as applicable) under subsection (b)(1)(A) for the State to obtain from any financial institution any financial record, the State may, on that basis, determine that the applicant or recipient is ineligible for medical assistance.

''(g) USE OF CONTRACTOR.—For purposes of implementing an asset verification program under this section, a State may select and enter into a contract with a public or private entity meeting such criteria and qualifications as the State determines appropriate, consistent with requirements in regulations relating to general contracting provisions and with section 1903(i)(2). In carrying out activities under such contract, such an entity shall be subject to the same requirements and limitations on use and disclosure of information as would apply if the State were to carry out such activities directly.

''(h) TECHNICAL ASSISTANCE.—The Secretary shall provide States with technical assistance to aid in implementation of an asset verification program under this section.

''(i) REPORTS.—A State implementing an asset verification program under this section shall furnish to the Secretary such reports concerning the program, at such times, in such format, and containing such information as the Secretary determines appropriate.

''(j) TREATMENT OF PROGRAM EXPENSES.—Notwithstanding any other provision of law, reasonable expenses of States in carrying out the program under this section shall be treated, for purposes of section 1903(a), in the same manner as State expenditures specified in paragraph (7) of such section.''.

(2) STATE PLAN REQUIREMENTS.—Section 1902(a) of such Act (42 U.S.C. 1396a(a)) is amended—

(A) in paragraph (69) by striking ''and'' at the end;

(B) in paragraph (70) by striking the period at the end and inserting ''; and''; and

(C) by inserting after paragraph (70), as so amended, the following new paragraph:

''(71) provide that the State will implement an asset verification program as required under section 1940.''.

(3) WITHHOLDING OF FEDERAL MATCHING PAYMENTS FOR NONCOMPLIANT STATES.—Section 1903(i) of such Act (42 U.S.C. 1396b(i)) is amended—

(A) in paragraph (22) by striking ''or'' at the end;

(B) in paragraph (23) by striking the period at the end and inserting ''; or''; and

(C) by adding after paragraph (23) the following new paragraph:

''(24) if a State is required to implement an asset verification program under section 1940 and fails to implement such program in accordance with such section, with respect to amounts expended by such State for medical assistance for individuals subject to asset verification under such section, unless—

''(A) the State demonstrates to the Secretary's satisfaction that the State made a good faith effort to comply;

''(B) not later than 60 days after the date of a finding that the State is in noncompliance, the State submits to the Secretary (and the Secretary approves) a corrective action plan to remedy such noncompliance; and

''(C) not later than 12 months after the date of such submission (and approval), the State fulfills the terms of such corrective action plan.''.

(4) REPEAL.—Section 4 of Public Law 110–90 is repealed.

(e) ADJUSTMENT TO PAQI FUND.—Section 1848(l)(2) of the Social Security Act (42 U.S.C. 1395w-4(l)(2)), as amended by section 101(a)(2) of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110–173), is amended—

(1) in subparagraph (A)(i)—

(A) in subclause (III), by striking ''$4,960,000,000'' and inserting ''$3,940,000,000''; and

(B) by adding at the end the following new subclause:

''(IV) For expenditures during 2014, an amount equal to $3,750,000,000.'';

(2) in subparagraph (A)(ii), by adding at the end the following new subclause:

''(IV) 2014.—The amount available for expenditures during 2014 shall only be available for an adjustment to the update of the conversion factor under subsection (d) for that year.''; and

(3) in subparagraph (B)—

(A) in clause (ii), by striking ''and'' at the end;

(B) in clause (iii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following new clause:

''(iv) 2014 for payment with respect to physicians' services furnished during 2014.''.

TITLE VI—ACCOUNTABILITY AND TRANSPARENCY IN GOVERNMENT CONTRACTING

CHAPTER 1—CLOSE THE CONTRACTOR FRAUD LOOPHOLE

SHORT TITLE

SEC. 6101. This chapter may be cited as the ''Close the Contractor Fraud Loophole Act''.

REVISION OF THE FEDERAL ACQUISITION REGULATION

SEC. 6102. The Federal Acquisition Regulation shall be amended within 180 days after the date of the enactment of this Act pursuant to FAR Case 2007–006 (as published at 72 Fed Reg. 64019, November 14, 2007) or any follow-on FAR case to include provisions that require timely notification by Federal contractors of violations of Federal criminal law or overpayments in connection with the award or performance of covered contracts or subcontracts, including those performed outside the United States and those for commercial items.

DEFINITION

SEC. 6103. In this chapter, the term ''covered contract'' means any contract in an amount greater than $5,000,000 and more than 120 days in duration.

CHAPTER 2—GOVERNMENT FUNDING TRANSPARENCY

SHORT TITLE

SEC. 6201. This chapter may be cited as the ''Government Funding Transparency Act of 2008''.

FINANCIAL DISCLOSURE REQUIREMENTS FOR CERTAIN RECIPIENTS OF FEDERAL AWARDS

SEC. 6202. (a) DISCLOSURE REQUIREMENTS.—Section 2(b)(1) of the Federal Funding Accountability and Transparency Act (Public Law 109–282; 31 U.S.C. 6101 note) is amended—

(1) by striking ''and'' at the end of subparagraph (E);

(2) by redesignating subparagraph (F) as subparagraph (G); and

(3) by inserting after subparagraph (E) the following new subparagraph:

''(F) the names and total compensation of the five most highly compensated officers of the entity if—

''(i) the entity in the preceding fiscal year received—

''(I) 80 percent or more of its annual gross revenues in Federal awards; and

''(II) $25,000,000 or more in annual gross revenues from Federal awards; and

''(ii) the public does not have access to information about the compensation of the senior executives of the entity through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986.''.

(b) REGULATIONS REQUIRED.—The Director of the Office of Management and Budget shall promulgate regulations to implement the amendment made by this chapter. Such regulations shall include a definition of ''total compensation'' that is consistent with regulations of the Securities and Exchange Commission at section 402 of part 229 of title 17 of the Code of Federal Regulations (or any subsequent regulation).

TITLE VII—GI BILL FINANCING PROVISION

GI BILL FINANCING PROVISION

SEC. 7001. (a) IN GENERAL.—Part I of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 1 the following new section:

''SEC. 1A. INCREASE IN TAX ON HIGH INCOME INDIVIDUALS TO FINANCE THE GI BILL.

''(a) GENERAL RULE.—In the case of a taxpayer other than a corporation, there is hereby imposed (in addition to any other tax imposed by this subtitle) a tax equal to 0.47 percent of so much of modified adjusted gross income as exceeds $500,000 ($1,000,000 in the case of a joint return or a surviving spouse (as defined in section 2(a)).

''(b) MODIFIED ADJUSTED GROSS INCOME.—For purposes of this section, the term 'modified adjusted gross income' means adjusted gross income reduced by any deduction allowed for investment interest (as defined in section 163(d)). In the case of an estate or trust, a rule similar to the rule of section 67(e) shall apply for purposes of determining adjusted gross income for purposes of this section.

''(c) NONRESIDENT ALIEN.—In the case of a nonresident alien individual, only amounts taken into account in connection with the tax imposed by section 871(b) shall be taken into account under this section.

''(d) MARITAL STATUS.—For purposes of this section, marital status shall be determined under section 7703.

''(e) NOT TREATED AS TAX IMPOSED BY THIS CHAPTER FOR CERTAIN PURPOSES.—The tax imposed under this section shall not be treated as tax imposed by this chapter for purposes of determining the amount of any credit under this chapter or for purposes of section 55.''.

(b) CLERICAL AMENDMENT.—The table of sections for part I of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 1 the following new item:

''Sec. 1A. Increase in tax on high income individuals to finance the GI bill.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2008.

(d) SECTION 15 NOT TO APPLY.—The amendment made by subsection (a) shall not be treated as a change in a rate of tax for purposes of section 15 of the Internal Revenue Code of 1986.

TITLE VIII—GENERAL PROVISIONS

AVAILABILITY OF FUNDS

SEC. 8001. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

EMERGENCY DESIGNATION

SEC. 8002. Each amount in each title of this Act is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

SHORT TITLE

SEC. 8003. This Act may be cited as the ''Supplemental Appropriations Act, 2008''.

POINT OF ORDER

Mr. RYAN of Wisconsin. Mr. Speaker, I make a point of order against consideration of the measure.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. RYAN of Wisconsin. Mr. Speaker, I make a point of order that the measure causes an increase in the deficit over a 6- and 11-year period and therefore violates clause 10 of House rule XXI, the PAYGO point of order.

Mr. Speaker, there is undeniably net direct spending included in this bill. Hence it increases the deficit. Simply by putting new entitlement spending on an appropriation bill in order to evade PAYGO would constitute a blatant loophole in the PAYGO point of order. If PAYGO is designed to prevent increases in the deficit, this measure should not be considered here today.

I therefore urge that my point of order be sustained.

The SPEAKER pro tempore. Does any other Member wish to be heard?

Mr. OBEY. Mr. Speaker, the gentleman may be reciting the PAYGO rule as he wishes it were, but that's not the way it is.

The legislation before the House fully complies with the PAYGO rule. That rule deals with direct spending and revenues.

As to revenues, the revenue effects of this package reduce the deficit, rather than increasing it. As to spending, none of the spending in this package falls into the direct spending category, which is basically defined as spending outside the appropriations process.

Even though not technically required to do so, the Medicaid provisions and the expansion of veterans' education benefits fully meet the PAYGO standard. Both sets of provisions contain offsets to ensure that they do not increase the deficit over the 5- and 10-year periods used by the PAYGO rule.

The rest of the bill consists mostly of emergency appropriations for defense and other security-related needs, largely for things requested by the President. And the other major spending item, relating to extended unemployment compensation benefits, is temporary in nature and responds to current hardships created by the economic downturn.

So I believe that we ought to abide by the House rules as they are, not as some Members wish they were.

The SPEAKER pro tempore. The gentleman from Wisconsin makes a point of order that the motion violates clause 10 of rule XXI by increasing a deficit.

Clause 10 of rule XXI provides a point of order against a measure if the provisions of such measure affecting direct spending or revenues have the net effect of increasing a deficit or reducing a surplus. Clause 10 of rule XXI further provides that the effect of the measure on the deficit or surplus is determined by the Committee on the Budget relative to certain estimates supplied by the Congressional Budget Office.

The gentleman from Wisconsin has asserted that the motion contains direct spending that causes an increase in a deficit. As a threshold matter, the Chair must determine if provisions in the measure affect ''direct spending.''

In reviewing the text of clause 10 of rule XXI, the Chair finds no definition of the term ''direct spending.'' Because clause 10 of rule XXI is a budget enforcement mechanism, the Chair finds it prudent to look to other budget enforcement schemes for guidance in defining this term. In a review of relevant budget enforcement statutes, the Chair finds a definition of the term ''direct spending'' in section 250 of the Balanced Budget and Emergency Deficit Control Act of 1985, hereafter section 250. The definition in section 250 provides, in pertinent part, that ''direct spending'' means budget authority provided by law other than appropriation Acts.

The underlying bill, H.R. 2642, is a general appropriation bill. This measure constitutes an ''appropriation Act'' within the meaning of section 250. The motion proposes amendments that would make emergency supplemental appropriations for the fiscal year 2008. Accordingly, the budget authority portended by the motion does not constitute ''direct spending'' for purposes of section 250, and by extension, the Chair finds that the motion does not affect direct spending for purposes of clause 10 of rule XXI.

Pursuant to clause 10 of rule XXI, the Committee on the Budget is required to provide estimates to the Chair on the effect of the measure on the deficit. In consonance with the Chair's findings, the Chair is authoritatively guided by estimates from the Committee on the Budget that the net effect of the provisions of the pending motion affecting revenues and direct spending would not increase a deficit.

Accordingly, the point of order is overruled.

PARLIAMENTARY INQUIRY

Mr. RYAN of Wisconsin. One quick parliamentary inquiry for the purposes of clarification, Mr. Speaker.

The SPEAKER pro tempore. The gentleman may state his inquiry.

Mr. RYAN of Wisconsin. Condensing all of that, is it my understanding, then, that this is not sustained because PAYGO does not apply to direct spending so long as it's in an appropriations bill? Is that correct?

The SPEAKER pro tempore. The Chair's ruling will have to speak for itself in that regard.

Pursuant to House Resolution 1197, the gentleman from Wisconsin (Mr. OBEY) and the gentleman from California (Mr. LEWIS) each will control 1 hour.

The Chair recognizes the gentleman from Wisconsin.

GENERAL LEAVE

Mr. OBEY. Mr. Speaker, I ask unanimous consent all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the pending legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. OBEY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have a tough problem before the House today. We have a war which the majority of this House despises. We have a war that we do not have the power to end so long as the President is as obstreperous as he has been on the subject. That means that we have to find a way to try to manage this problem in a way that sends a clear message to the public that they are the only ones who can, in fact, muster the power to change direction on this war by electing a President who will get us out of this war. It also means we have to manage it in such a way that we set the table for the new President to give him at least a few months to think through how he is going to proceed to extricate us from this war and to get his ducks in a row on Iraqi policy. Therefore, we are taking the Senate bill and we are asking the House to consider three amendments and work their will on it.

The first amendment is very simple. It's an up-or-down vote on providing the funding to pay for the equipment and to pay for the salaries for the troops as long as they are going to be in the war situation. That money will be estimated to run out by June of 2009.

The second amendment would simply be an up-or-down vote on the conditions that the House believes should appropriately be attached to the spending of that money, many of which the House has seen before. Those conditions will, among other things, require that virtually every unit sent to the war be fully combat ready. They will provide that no one who works for the United States may engage in interrogation techniques that are at variance with the Army Field Manual. In plain language, no torture. The conditions will also say that there shall be no long-term security agreements entered into with Iraq without submission of those agreements to the United States Senate for their consideration. It will establish a timetable for extricating ourselves from combat by setting a goal, not a firm date but a goal, of 18 months from the date of enactment.

Also, we have added two conditions which would have the effect of requiring Iraq to provide a dollar-for-dollar match for any of the redevelopment and reconstruction activities that are being carried out by the United States Government. The effect of that would be the functional equivalent of turning 50 percent of what we provide to Iraq into loans. We've done it this way because we have faith that the loans would ever be repaid, and this way we guarantee that the Iraqis, who are now about to develop very large surpluses in their own budget—they will have to meet these costs up front on an equal basis before the United States proceeds to expend its own money. And it would also require that the American military be provided gasoline in Iraq at the same subsidized price as the Iraqis are being subsidized. We don't see why the United States troops who are defending that country ought to have to pay a premium.

Then we will have a third amendment, again up or down, on the other administration requests. Those include food aid. We've increased the international food aid recommended by the President by $745 million. Anybody who has read the newspapers or watched television for the last 2 weeks understands why that is a moral necessity. We have also included the administration request for the Louisiana levies exactly as they have requested it as fiscal 2009 money. We have responded to a request from the Bureau of Prisons to provide $178 million so that they do not have to lay off prison guards and other personnel in the U.S. prison system. The Secretary of Commerce has requested that we provide additional funding because they run into technology problems at the U.S. Census Bureau; so we have responded to that with a $210 million appropriation. We have also added $2.2 billion in military construction funds above the President's request to fully fund the administration's 2008 BRAC requests. We have also included $210 million for military child care centers, which the President from that rostrum told the country he was for but neglected to ask the money for in his budget this year.

There are no Members' projects whatsoever in this bill. In the military construction portion of the bill, for instance, there are 121 facilities that are provided for; 111 of those were specifically asked for by the White House, and the others were identified by the committee as top service priorities after testimony from the military services.

There's only one proposal that could be really considered a specific project earmark, and that is one hospital which the Assistant Secretary of Defense asked to be included in the recommendations, and we're providing planning funds for that facility.

In addition, the other items in that third amendment to be considered would deal with the following:

If we're going to fight the war, we happen to believe that we ought to provide a ''thank you'' to the people who have fought it, especially because there has been no sense of shared sacrifice in this country. The only people who have been asked to sacrifice are military families again and again and again. So what we are doing is including the Webb bill, which would provide for the equivalent of a full-boat 4-year education at a public university for persons who have spent 36 months on active duty, and the benefits are scaled down in accordance with time served. It's long past time that we do that.

We have also included emergency funding for unemployment compensation so that for persons who have exhausted their unemployment benefits, they will have an additional 13 weeks available to them.

We have also in this amendment recommended delaying the administration's rules changes in Medicaid that have been so controversial, and we include two contractor reforms which the House had already passed.

The main difference, Mr. Speaker, between this bill and the administration's bill is that we pay for everything in the bill except the unemployment compensation provision and the President pays for virtually none of his requests.

□ 1245

Now I prefer to pay for the entire war if we are going to have it. I don't think we ought to have it. But if we were going to have it, I thought we ought to pay for the whole thing. So did Mr. MURTHA and Mr. MCGOVERN. So we introduced legislation to pay for the whole war with the war surtax. We lost that argument. That is not in this bill.

I felt that if we weren't going to pay for the war up front, then there should be no requirement to provide an offset to provide the additional GI Bill expanded benefits, which are the equivalent of only about 6 percent of the cost of this war so far. But I lost that argument, too.

And so this bill does pay for the expansion of GI benefits. And it pays for that in probably the best way possible, by asking the most fortunate citizens in our society, those who individually make $500,000 or more a year, or as a couple who make $1 million or more a year, we are asking them to help out in the form of a patriot premium by, in essence, asking them to pay a one-half of 1 percent surtax in order to finance the GI Bill expansion.

As I look at this bill, what we are doing is we are asking people who, on average, have gotten a $126,000 annual tax cut to take a tiny portion of that

tax cut to help us make life better for the persons who have been doing the most in order to preserve the way of life which has enabled those people to do so well in life. And I make no apology for it.

Ninety-nine percent of the appropriated dollars in the bill—99 percent of the appropriated dollars in this bill—are being requested by the administration.

This war, Mr. Speaker, has screwed up our economy. This war has injected chaos in the lives of military families all across the country. We make no apology in trying to use this vehicle to respond to the needs of the two groups in society who have been hit the hardest by this war; one being those who have lost their jobs because of the turmoil we have had in the economy because of the war and other factors, and second, the military families whom we believe ought to be treated about as well as the GIs were when they came back from World War II. This war has now lasted longer than World War II. And we think we have an obligation to respond to what is actually out there on the ground in communities all across the country.

We can debate our political philosophies. We can debate our economic theories. We can behave like little budgeteers, arguing about this comma and that comma, this offset and that offset. But in the end, we are dealing with the lives of human beings. We are dealing with the lives of families. We are dealing with people who have sacrificed incredibly much with their family members being sent to Iraq and Afghanistan once, twice, three times. Kids are not seeing their parents.

I represent a city of 37,000 people. We have had almost 35,000 casualties in this country. It is as if 4,000 people in my hometown were killed, and virtually every other person in that hometown wound up in a VA hospital. That is the human toll that has been paid so far just by Americans on this war.

So this is a process which will give Members the opportunity to vote up or down on the major pieces that comprise this legislation.

And I urge the House to move forward.

I, myself, will be intending to vote against the first amendment. I will be voting for the second and the third amendment. I hope that every Member here today exercises his conscience. That is what they are supposed to do.

With that, I reserve the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from California.

Mr. LEWIS of California. I very much appreciate your recognizing me to respond to my friend, DAVID OBEY.

I am going to speak just a little bit out of order, for two of my colleagues on the floor, DAVID OBEY, the chairman of the committee, and my colleague, Mr. MURTHA, the chairman of the Defense Subcommittee, have shared with me, I thought, over some years, the traditional order of this House. I've seen how the committee system works, especially in the Appropriations Committee, making certain that all Members, Democrats and Republicans, had an opportunity to provide input. And now to have us move so far away from that traditional order by way of this process today is a great disappointment to me.

I can't help but wonder if maybe there is some lack of commitment to regular order that I had never perceived before. For example, my colleague from San Diego, the chairman of the VA Subcommittee, if he had been given an opportunity, could have marked up and had hearings and otherwise on the VA portions some time ago.

This supplemental came from the President well over a year ago. We have had plenty of time to exercise the process in the way that maximizes Members' involvement, remembering that those Members are elected to represent their people at home.

And so the procedure we are going through today has undermined that representative process.

I think many of my colleagues, particularly those who serve with me on the Appropriations Committee, know that I have a great deal of respect for the senior Senator from West Virginia, the chairman of the Senate Appropriations Committee, Senator ROBERT BYRD. While he and I may disagree on issues from time to time, it is fair to say that we both share a deeply held love and respect for this institution.

Senator BYRD also reveres the established traditions and precedents of the committee he leads. He understands that we will only truly know what is in the supplemental if it is exposed to the light of day through the regular order committee process. No one, not even the Senate majority leader, is going to tell Senator BYRD to abdicate his devotion to regular order or his responsibility as chairman of his beloved Appropriations Committee.

Unfortunately, the adherence to regular order has now been completely abandoned on the House side of the Capitol. Both Chairman OBEY and Speaker PELOSI, the sole authors of the House supplemental before us today, have dismissed as ''a nonissue'' those bipartisan voices calling for full committee consideration of this critically important legislation.

In conversations with both Republicans and Democrats in the House, it is widely felt that the Democrat leadership has unfairly and wrongly circumvented the House Appropriations Committee process.

Further, the House majority has chosen to proceed under a closed rule, eliminating any and all amendments on the House floor, and is intent on bypassing a conference committee with the Senate. In effect, the Democrat leadership has eliminated every conceivable opportunity for Republicans and Democrats to represent the views of their own constituents.

I find this sadly ironic, for it was NANCY PELOSI in 2006 who outlined the new Democrat majority's governing philosophy. And I will quote her: ''Bills should come to the House floor under a procedure that allows open, full, and fair debate consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute. Bills should be developed following full hearings and open subcommittee markups.''

As the body knows full well, we have had not an open process, let alone full and fair debate. Nor have we had any amendment process. Nor have we had any hearings whatsoever. So, I ask the Speaker, what has changed?

In an October 20, 2006 press release, then-minority leader NANCY PELOSI wrote in a letter to then-Speaker Hastert, ''The voice of every American has a right to be heard. No Member of Congress should be silenced on the floor.''

My colleagues know that I have expressed grave concerns about Speaker PELOSI and Chairman OBEY being the sole authors of this legislation without any input from other Members with considerable expertise in these subject matters. I am not alone in expressing this concern.

Last week, my dear friend and colleague, MARCY KAPTUR, voiced her displeasure with Chairman OBEY and her own leadership. She said, ''Leadership, by keeping the supplemental too close to the vest and not going through a committee markup, has failed to engage the broader membership. It does disenfranchise the voice of people who don't come from leadership locations.''

I just happen to be the ranking member on this full committee. I saw the text and the heart of this proposal only yesterday in the early part of the afternoon. They have had it for months in the works, but have chosen to ignore entirely the minority in this connection. My colleagues know that I have expressed grave concern about this process before.

The House majority leader, STENY HOYER, has said that it is disingenuous for Republicans to speak out over the Iraq war supplemental bypassing the Appropriations Committee process. He suggested that the House Republicans, while in the majority, had engaged in similar practices. This argument would be convenient if it were, in fact, true. However, we all know that facts are stubborn things.

According to the April 29 edition of the Politico, ''There have been about three dozen emergency spending bills in the past 20 years, and a handful has passed without input from the Appropriations Committee, including billions in Hurricane Katrina aid and post-September 11 funds. But none of the Iraq war funding bills has bypassed the appropriations panel in the process.''

Have there been occasions where supplemental spending bills have not been

considered by the full committee? Sure there have. But on those rare instances, such as the aftermath of September 11 and so on, there was bipartisan consensus on the need to act quickly. And we did so by working together.

In no circumstance, to my knowledge, did either the Republican majority or the Democrat minority that preceded it ever deny either the opposition party or even members of its own party a seat at the table in writing such critical legislation.

Yet here we stand today, debating the merits of a bill that only a handful of Members have even seen. Very, very few Members know what is in this legislation.

I ask you, anybody in this room, have any of you, besides DAVID OBEY, had a chance to really read this bill and know what's in it in detail? You're going to be asked to vote on it anyway, regardless of that lack of input.

Members of the House, Republicans and Democrats, deserve to have their voice heard. By the end of the day, not one Member will have an opportunity to offer an amendment or propose any alternative ideas to this body for a vote.

What are Speaker PELOSI and Chairman OBEY afraid of?

This is the fifth time since January 2007 that this majority has brought a supplemental appropriations bill to the House floor under a closed rule, violating the entire tradition of the appropriations process.

In order for the people's voices to be heard, it is fundamental that the representatives' voices are heard. What is happening here is that we are beginning to lay a pattern to destroy the representative process that allows the people to be heard through the people they send here to represent them in the first place.

Speaker PELOSI and Chairman OBEY have effectively said to virtually every Democrat and Republican serving this great body: ''Your voice is irrelevant, and your input is not welcome.'' Again, what are Speaker PELOSI and Chairman OBEY afraid of?

I believe this practice of circumventing our traditional committee process and ignoring the voices of rank and file Members and their constituents is detrimental to the health of the legislative process. It puts in place a process wherein a handful of powerful legislators become ''the Great Deciders'' of what should or should not be included in this almost $250 billion spending bill. This is not the ''House of the Few Great Deciders.'' It is the ''People's House.'' It is the House of Representatives. We fail to recognize this at our great peril.

On May 24, 2002, my friend and my chairman, Mr. OBEY, said, and I quote, ''What a shame, when the legislative process is corrupted to polarize a product that should have been used to forge national unity.''

These words are particularly true today as Chairman OBEY and Speaker PELOSI put partisan interests ahead of the interests of the Members of the House and ahead of the people of this country. We can do better. And ladies and gentlemen, we must do better.

□ 1300

We can do better, and, ladies and gentlemen, we must do better. Vote ''no'' on this package and send it back to where it belongs.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I want to thank the gentleman from California. Those are some of the nicest words he has ever said about me, and I appreciate them deeply.

Let me also say that I think his speech simply bears out that because they can find no real substantive fault with the legislation, they have to fall back on whining about process.

I would suggest that the gentleman from California is the last person I will take lectures from when it comes to talking about an open appropriations process. I was not chairman when the Appropriations Committee when, after the conference was closed and the work was done and the names are on the conference report, I was not the chairman of the committee who allowed 30 pages of unrelated new language not seen by anybody to be inserted in that conference report which insulated the pharmaceutical industry from suit if their products damaged their customers.

I was not the chairman of the committee when the committee, after the conference was closed, and after it was finished, inserted anonymously, anonymously, in the dead of night, language which changed the definition of organic foods on the agriculture bill and led to nicely enriched profits for certain people in this society.

All I can say is that the gentleman may not like the fact that we couldn't finish discussions as fast as we wanted to on this bill. He says he has only been able to see the text for the last day or so. Let me simply suggest that at least the text he reads is the text that will be in the bill after we vote on the bill, which is more than you can say for what happened under his stewardship on several locations.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. OBEY. Mr. Speaker, I yield myself 1 additional minute.

Let me simply make the point, there is virtually nothing in this bill that hasn't been around here for months. This is not new material. The President's war request has been around here for months, as the gentleman himself has indicated.

The unemployment compensation provision that we are providing in this bill already passed the House on one occasion. The Webb bill has been around for months, and it has the support, and, in fact, the sponsorship of the majority of the House and wide bipartisan support in the Senate as well.

I would suggest, I think the question is, the Pentagon is saying you've got to get the money to the troops, because they're about to run out of money and won't get paid. Yet our friends on the other side are asking us to follow a process which would have taken a much longer period of time.

You can't have it both ways. This is a fair process.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has again expired.

Mr. OBEY. Mr. Speaker, I yield myself another minute.

I am personally opposed to the first amendment which we are presenting to the House. But out of courtesy to the minority, who support it, and out of courtesy to the White House, who supports it, we are allowing that to come to a vote. Our party has not even whipped on that question. We told Members, vote your conscience. I don't see how you could be more fair than that.

Mr. Speaker, I reserve the balance of my time.

Mr. LEWIS of California. Mr. Speaker, I yield 5 minutes to my colleague from Florida, BILL YOUNG.

Mr. YOUNG of Florida. Mr. Speaker, I thank the gentleman for yielding the time to me, and I am here to comment on the defense part of the package, the request by the administration, the issue of procedure.

Chairman MURTHA was very outgoing and worked together with the minority and me, as the ranking member, in drafting this bill. We have always done that. When I was chairman, we did that. When he was chairman, we did that. The defense part of this bill is a good package. That's amendment No. 1.

As a matter of fact, we actually followed the process, and we went to the subcommittee, and the subcommittee members had a full discussion of the defense part of this bill, and the subcommittee members on both size of the aisle agreed that we had produced a pretty good bill, and it met most of what the administration had asked for.

Then we reported it on to the full committee. That's where the process broke down. The process up to that point, while it was at the subcommittee level, the process worked fine, regular order, just like it was supposed to.

But then all of a sudden the process did break down. I don't know to what extent any other Members might have been involved, but this Member, as the ranking member on the subcommittee, was not involved.

There were subsequent meetings, despite the fact it hadn't gone to the full committee, it hadn't gone to the floor of the House so that the Members could express their interest, either by amendment or by debate. There was a meeting between the leadership in the House and the Senate on the defense

package where it was actually conferenced, a conference agreement was reached. There was no conference, but a conference agreement was reached, and that is my understanding of what is in this bill today.

As Mr. LEWIS has said, we just got the actual language of what is in this package last night. So it does take a little time to read all of these bills and to understand.

But I think the defense part of it, there may have been an additional change after that preconference conference, or whatever it was, I don't know that. That might have happened.

But I support amendment No. 1, and I believe that we have done a good job in providing for our troops.

The largest portions of amendment No. 1 will deal with pay, military personnel costs, what it takes to maintain the lives of our members of the military and their families. The other very large part of this package is operations and maintenance, something that is essential to keep the military going.

So I support this package, but I really am concerned about the process as well. I like the package, but there may be some Members on this side of the aisle or on that side of the aisle who would like to see some changes, who would like to have an opportunity to debate what is included in that package, who might want to offer an amendment that could be productive, that may be something we would all support.

But we all know, because the opportunity to do that just isn't there. It is a little strange place.

My friend—and I think everyone knows that Mr. OBEY and I are friends, and that we have a strong respect for each other, and we have worked very well together in our respective positions—but he mentioned early on that we moved very quickly after September 11, 2001, after the attacks on the World Trade Center, and the airplane that flew into the Pentagon, and the airplane that flew into the ground in Pennsylvania in Mr. MURTHA's district that very likely was directed at this United States Capitol, where the Defense Subcommittee was in session working on the Defense appropriations bill. But we didn't know what was happening there. We didn't know what was next.

If you recall, all of the airplanes flying in and around the United States were grounded because we didn't know if additional airplanes had been hijacked, we just didn't know the extent of the attack that we were experiencing, the terrible, vicious terrorist attack against an innocent Nation. So we did move quickly, and we appropriated $3 billion——

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LEWIS of California. Mr. Speaker, I yield the gentleman an additional minute.

Mr. YOUNG of Florida. I thank the gentleman.

So we did move quickly, and on the third day after September 11, we produced a bill. Mr. OBEY and I wrote that bill together, we consulted with each other, we had a couple of disagreements, we worked those out. We had some accountability in the bill.

We then had a meeting with Senators, and on the third day we had worked together, Republicans and Democrats, to produce a bill that sailed through the House, sailed through the Senate, signed by the President. That's the way it was done. The process was not the regular order, but it was a process done in consultation with both parties and any Member that wanted to be included.

While I do support amendment No. 1, I think the process is terrible, I think the process is inexcusable. I cannot support the process, but I think we have a good package on amendment No. 1, which is to pay for the national defense requirements in this supplemental.

Mr. OBEY. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Pennsylvania (Mr. MURTHA), the chairman of the Defense Appropriations Subcommittee.

Mr. MURTHA. Well, as BILL YOUNG said, we worked together when he was chairman. When JERRY was chairman, we worked together.

The only thing I disagree with, when it comes to the floor, I am not sure I like to hear a lot about amendments. I mean, you know, I like to see it try to work in a hurry.

But, anyway, I am concerned, when I heard the other day the Secretary of Defense say that the United States military must prepare for more fighting, future wars against insurgents and militias, such as in Iraq and Afghanistan, rather than spend money and time preparing for conventional conflicts.

Overemphasizing the Department's focus on training and equipment for counterinsurgency missions appears to be simply a rationalization of a short-term budget decision made in the waning months of this administration. I am worried because we have been saying over and over again, let's look beyond Iraq, let's make sure we get the military back to the position where it should be.

These decisions have left the Armed Forces in a degraded state of readiness. Both of us, when JERRY was chairman, when BILL was chairman, we have tried to increase the amount of money for the military to increase our readiness without the support of the administration in many cases.

They have let the facilities, which directly impact service personnel, quality of life, in disrepair. Every place we have gone we have seen the disrepair. They have left many defense acquisition programs broken or badly damaged.

I sent a letter to the Secretary of Defense saying, Mr. Secretary, we have got some real problems here. We have got to fix these procedures by sending a budget up to it. We have got to stop the supplementals, put it in one budget so we can have some semblance of order when we look at these decisions. These decisions fail to take into account the potential missions the U.S. armed forces must prepare for and may have to undertake in the years ahead.

I find these comments questionable that he has made at a time when not one combat unit in the United States is rated as combat ready. We need a national strategy. We have tried to provide a national strategy to identify both near term and long-term threats to this country. We need a vigorous debate to achieve this strategy, and it hasn't happened since the Cold War.

Now, I hope that in the base bill and this supplemental we are moving in that direction. I hope that's what we are going to be able to accomplish.

Now, we spend more money on intelligence than any other country in the world. Put them all together, and we spend more money. I have got Punxsutawney Phil in my district. Punxsutawney Phil comes out once a year, he sees his shadow, and 50 percent of the time he is right.

Well, I will tell you, I wouldn't say that the intelligence effort that we spend so much money on is any more than that, because so many things have not been right.

I am concerned that if we don't pay attention to what we know, we who have been here a long time, we are not going to be prepared not only to fight a war, but to prevent a war. We can no longer be the world's policeman, and I think all of us understand that.

We need to rebuild our diplomatic alliances, and we need to restore our international credibility. Our military and diplomatic force must include the strengths of our allies. We cannot do it alone.

Now, let me say in this bill we have $3.6 billion for C–17s. We produced 34 C–130s. We went through it with the subcommittee in detail. We had to make some changes because the full committee wanted us to make some changes, $3 billion for medium and heavy trucks. I remember when we went to Saudi Arabia the first time, we asked General Schwarzkopf, what was the biggest shortage, and he said trucks.

We have tried to take care of the things we realize need to be done. We put money in for Humvees and Marine Corps facility maintenance, and we put in for medical maintenance. We transferred money to the military construction committee, and they made the decision where that money should go—and $570 billion—no one in Congress, probably in the history of Congress, paid more attention to medical care for the military than Mr. LEWIS, Mr. YOUNG and myself. We have tried to be in the forefront in making sure that they have what they need in order to take care of the troops.

□ 1315

As a matter of fact, we put money in some years ago for a center to take care of the amputees, and it took them awhile to understand that we were serious about it, but it happened. I am proud to say that is working very effectively.

So what we have done under the Constitution is appropriate the money where we think it will do the most good, and we will continue to do that. This is a good bill, and I hope Members vote for it so we can get the money to the troops that they need.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to my colleague from New York, JIM WALSH.

Mr. WALSH of New York. Mr. Speaker, I thank my friend from California for yielding me this time.

I have the greatest respect for the gentleman from Wisconsin. He is a good Member of this body. He is my chairman on the full committee. He is the chairman of my subcommittee, and on that subcommittee we work very well together to address the key issues of our country.

However, Mr. Speaker, the bill before the House today is a phony bill for many reasons. The rules have been thrown under the bus. No markup, no conference with the Senate. First and foremost, this product is the product of a couple of people in a body of 435. It does not reflect the best ideas of bipartisan membership of the Appropriations Committee. And when it leaves this Chamber, it will not reflect the best ideas of the 435 Members of this House.

While I often disagree with the chairman of the Appropriations Committee in the Senate, Senator BYRD, at least he stood up for his committee and for the regular order and for the prerogatives of the Appropriations Committee in the Senate.

I have heard over the last several days the assertion that Members of the minority were offered an opportunity to participate. I must have missed it; I don't remember any consultation.

Mr. Speaker, I am embarrassed that the committee on which I am so revered and on which I have been so proud to serve for so many years has been reduced to this phony exercise.

The reality is that the majority knows that this bill is going to be vetoed. Staff representing the Democratic leadership were quoted yesterday in the press as saying: ''Oh, yeah, it will be vetoed. That's the whole part I forgot.''

Quite frankly, Mr. Speaker, there is a time and place for fun, but not here and not now. The Democratic leadership, by virtue of that flippant remark to the press, a remark made quite clearly without regard to the needs of the men and women who risk their lives every day in service to this great Nation seems to me to recognize that they are playing politics with our troops.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LEWIS of California. I yield the gentleman 1 additional minute.

Mr. WALSH of New York. If they know this bill will be vetoed, if they know that our troops need food and ammunition and armor and equipment quickly, and if they know that the families of our troops need a paycheck, following a veto strategy seems to be nothing more than phony, political posturing at the expense of the heroes who, with their families, sacrifice to protect our Nation.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished chairman of the Military Construction Subcommittee, the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, this bill honors our troops, our veterans, and their families. I want to thank Chairman OBEY for being a true champion for our Nation's veterans, our troops, and our military families. His leadership and partnership with Speaker PELOSI are why this bill includes an historic 21st Century GI Bill of Rights, to make college education a reality, not a dream, for America's veterans.

Perhaps less noticed, but vitally important to our military troops and their families, we also made a commitment in this bill to significantly improve health care and daycare for military families, and housing for single servicemen and women. Better housing, health care and daycare are our way of letting those who defend our Nation know that this Congress will respect their service and sacrifice in a meaningful way.

For troops in Iraq and Afghanistan, many of whom are on their second or third tours of duty, this measure provides the essential facilities required to live and fight this war so far away from their homes. It recognizes for force protection projects wherever our troops are located.

For the young men and women just volunteering now for military service, amendment No. 3 also provides $300 million to build much-needed training barracks and other facilities. This barracks initiative will send a clear message to our newest heroes that we deeply respect their decision to serve our Nation.

For the men or women wounded or ill, this amendment provides $1.3 billion to modernize outdated and inefficient military hospitals. Twenty-first century troops and their families deserve better than to be treated in World War II and Korean-era medical facilities. This commitment tells our troops they will have the best care if they are wounded, and even more important to so many of them, that their families will have the best of care while they are gone.

I want to especially thank and salute Chairman MURTHA for his dedicated, strong support for this military health care initiative. All of our military troops deserve his thanks, and should thank him and respect him for his leadership here.

For the families left behind here at home while their loved ones are at combat overseas, this bill provides $200 million to build new child care and youth facilities. Our military spouses and children may not be wearing our Nation's uniform, but they are making sacrifices each and every day, and we should never forget their service to the American family.

To address the housing, training and other facilities needed at military bases that are growing as a result of the 2005 Base Realignment and Closing law, this bill fully funds the administration's BRAC request for the fiscal year 2008.

And let me point out, Mr. Speaker, that individual Member earmarks were neither requested nor considered by our Military Construction and VA Subcommittee. Every project funded was either requested by the administration, the Department of Defense, or funded based on the merit and need for our troops.

Voting ''yes'' on this bill is a vote to honor our troops and our veterans.

Mr. LEWIS of California. Mr. Speaker, it is my pleasure to recognize my colleague from Virginia, FRANK WOLF, for 2 minutes.

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. I had wanted to offer two amendments, one that would have prohibited government officials from attending the genocide Olympics on taxpayer money, and also Members of Congress. And no Member of Congress who speaks out on human rights should go to that Olympics.

Secondly, I wanted to offer an amendment that would create a bipartisan commission, much like the Iraq Study Group, to look at everything, to put everything on the table, all of the spending and tax policies, to get control of our spending and where we are.

We have $54 trillion of unfunded liabilities in this Nation. We have $9 trillion of debt, $1 trillion that the Chinese hold, and the Saudis also hold a large portion, the Saudis who had 15 Wahabbies on those airplanes that went into our buildings.

Standard & Poor's says we will lose our AAA bond rating in 2012, and Moody's says we will lose it in 2018. The value of the dollar is falling like a rock. Gasoline is increasing. Mr. Speaker, what kind of country are we leaving to our children? Are we leaving a country whereby China and Saudi Arabia will be their bankers?

Dietrich Bonhoeffer, the Lutheran pastor who stood up to the Nazis, said, ''The ultimate test of a moral society is the kind of world it leaves to its children.''

This Congress, on both sides of the aisle, Republican and Democratic side, is not leaving a very good situation to their children and their grandchildren. I would ask you as Members of this Congress, as parents and grandparents, what kind of country do you want to

leave? What are you going to tell your kids and your grandkids later on when you say, When I was there, there was $54 trillion of debt, and I did nothing. There was $1 trillion held by the Chinese, who are spying against us, and Mr. MURTHA knows how they are spying against us, we did nothing.

We lost our AAA bond rating, Mom or Dad or Grandma or Grandpa while you were there, did you do anything? And the answer will be: We did nothing.

I rise in opposition to this legislation.

I have been a member of the Appropriations Committee since 1995, yet I cannot recall a time that the House has avoided the Appropriations Committee process with such a critical nationally and internationally important piece of legislation.

Members of the Committee—including the minority—are being shut out of the process.

I wanted to offer an amendment that would prohibit U.S. government employees from attending the Olympics on the taxpayer's dime.

When awarded the honor of hosting the 2008 Summer Olympics, China had the opportunity to show the world that it has changed. But the China of today is worse than the China of yesterday, or of last year, or of the last decade. China is not progressing. It is regressing. It is more violent, more repressive, and more resistant to democratic values than ever before.

China, which jails Catholic bishops, Protestant house church leaders, Tibetan Buddhists, Muslim Uyghurs and Falun Gong practitioners; which is spying against us and supplying weapons to regimes like Khartoum; which has an extensive system of slave labor camps, was awarded the honor of hosting the 2008 summer Olympic games.

We should not reward the Beijing regime with our taxpayer dollars. U.S. officials should not be permitted to use Federal funds to attend the 2008 Olympics. But I am being prevented from offering this amendment because the Democrat leadership has gone around the Appropriations Committee and brought this bill to the floor under a closed rule.

I also wanted to offer an amendment that would create a bipartisan commission—much like the Iraq Study Group—to look at everything—tax policy and entitlement spending—and recommend legislative action to rein in our Federal debt.

We have $53 trillion in unfunded liabilities, and over $9 trillion dollars in debt. Standard and Poor's Investment Service has indicated that we could lose our triple-A bonding rating as early as 2012. The value of the dollar is falling through the floor. China holds our debt. OPEC countries like Saudi Arabia hold our debt. Dietrich Bonhoeffer said, "The ultimate test of a moral society is the kind of world it leaves to its children."

Our grandchildren will bear the burden of out-of-control entitlement spending if we do not act. It's on our watch to fix, and the process being used today shuts out critical issues that we must face.

This House needs to come together and work in a bipartisan manner to address the critical issues facing our country. This legislation today is the product of the heavy hand of the Democrat leadership in foreclosing an open and fair process and I cannot support it.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman for yielding.

As many of our student veterans have come to realize, the current Montgomery GI Bill falls far short in meeting the needs of today's college students. The current program is designed as a benefit for peacetime service and was never intended as a wartime benefit.

The 21st Century GI Bill in this bill will give our men and women in uniform who have served multiple tours of duty and extended tours of duty in Iraq and Afghanistan the educational benefits similar to the ones earned in World War II. Our veterans today have served multiple tours of duty. They are getting pulled away from school, their jobs, and their families. The current GI Bill does not honor their service sufficiently. This bill will.

I commend our bipartisan cosponsors, especially my Virginia colleague, JIM WEBB, for writing this bill. This bill will honor the service of our veterans. We need to pass this bill.

Mr. LEWIS of California. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in strong opposition to this legislation, and I thank the gentleman for yielding.

I oppose this legislation on two distinct grounds. On process, the American people should expect more from this Congress. They should expect that when the United States sends our brave men and women into combat, we provide them with the resources to protect themselves and to accomplish their mission, both military and humanitarian, and we do it expeditiously.

In this context, the chairman of the Joint Chiefs of Staff, Admiral Mike Mullen, the Nation's top military officer, has warned all of us and our congressional leaders, and I quote: "The Pentagon is dangerously close to running out of money. We need the supplemental appropriations very badly before the Memorial Day recess. We stop paying soldiers on the 15th of June, and we have precious little flexibility with respect to that."

Should it be a surprise to the majority leadership? Absolutely not. Our troops have been waiting nearly 450 days since the President delivered his request for emergency funds to Congress. Our soldiers need this funding to continue their efforts in the global war on terror.

Yet this is a process that amounts to deliberate brinksmanship. You have waited until the 11th hour before bringing the bill to the floor in an effort to force the President and the Congress to endorse and accept billions of dollars of nonwar, nonemergency spending.

Having said that, Mr. Speaker, on substance, on the funding for Iraq and Afghanistan, this is a solid package and I commend the gentleman, Chairman MURTHA, and the gentleman from Florida (Mr. YOUNG) for their work. However, my colleagues, once again we are being asked to endorse a policy that amounts to retreat from our battles with terrorists in Iraq.

But this bill in the end should not be about binding or nonbinding deadlines for withdraw or how to conduct this war. The critical mass of this bill is about supporting our troops and making sure that all of these volunteers get what they need.

Mr. OBEY. I yield 1 minute to the distinguished gentlewoman from South Dakota.

Ms. HERSETH SANDLIN. Mr. Speaker, I thank Chairman OBEY for his hard work in putting together this emergency supplemental and overcoming a number of challenges in readying the amendments the House is considering today.

As chairwoman of the Economic Opportunities Subcommittee of the House Veterans' Affairs Committee with jurisdiction over veterans' education benefits, I am proud to support today's efforts to modernize the Montgomery GI Bill. Members of the subcommittee have worked diligently throughout the 110th Congress to understand how best to enhance education benefits and make them easier to access for our Nation's veterans in the 21st century.

My stepbrother, a 3rd Class Petty Officer in the United States Navy, next week deploys to the Persian Gulf on the USS *Ronald Reagan*. He, like so many thousands of brave and dedicated service men and women, stands to benefit from our important vote today, a vote to invest more wisely in these men and women who make the commitment to serve our country and keep us safe, a vote that reflects our priorities as a Nation to recognize their honored service.

I urge my colleagues to support this much-needed improvement in veterans education benefits.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. I thank the gentleman from California.

Mr. Speaker, Washington is broken and it needs to be changed. This bill has been excluded from the normal rules and regulations of the House, and America's Representatives have not had their voices heard or their rights allowed. It would be a totally different bill if we had not violated the House rules and let the committee process work. Washington is broken and we need to have it changed.

□ 1330

For example, if we had committee meetings, we would not have had a tax increase in here. We have a huge tax increase in this bill that affects small business owners. Eighty percent or 83 percent of the taxes here, of the people that are going to be taxed here, are small businessmen.

Now, in Kansas, just like a lot of America, four out five jobs are created by small businesses. And for those of

you that have not been reading the newspaper, our country is in a period of slow growth. This is exactly the time we need to strengthen small businesses, instead of punishing them through this bill. Eighty-three percent of the people punished in this bill are people that are creating jobs.

If we'd had a committee process, we may not have added in other ancillary issues into this idea. Instead, we would have had a clean bill that would address the needs of our young men and women who are faithfully serving this Nation, protecting our families, take the fight to the enemy and helping us keep this country safe.

But, Mr. Speaker, Washington is broken and it needs to be changed. We have avoided the committee process and because of that, there are portions of this bill that could have been improved, portions of it that could have been improved for our veterans that have served so faithfully, come home to us broken, people we need to take care of. But because the committee was not involved in this process, we have not had the ability to improve this care for those who have done so much for us. The reason is, Mr. Speaker, is because Washington is broken and it needs to be changed.

We need to use the committee process. The committee process is a very important part of this. It's been violative of our own House rules. Washington is broken and it needs to be changed.

Mr. OBEY. I yield myself 2 minutes.

Mr. Speaker, I just cannot allow the impression to continue that somehow we have violated House rules or committee rules by this procedure. The fact is that despite some Members having not been around here long enough to remember, the House used to often proceed in this way, moving amendments back and forth between the Senate and the House as a device by which to reach agreement on legislation. That happened routinely during the old abortion debates back in the seventies when amendments offered by Mr. Magnuson and Mr. Flood were bounced back and forth between the Houses.

The fact is also that I offered, and my staff director specifically offered, to have the minority staff participate in every discussion related to appropriation items. We pointed out, we were not drafting, in our committee, the unemployment insurance issues. That was drafted by the authorizing committee. And we were not drafting the language with respect to Medicaid rules. That was done by the Energy and Commerce Committee.

But we offered to have the minority staff participate in all of the staff meetings that were going on with respect to anything over which the Appropriations Committee had direct jurisdiction. If they chose not to exercise that right, that's their responsibility, not ours.

I would also point out that my understanding is that in the 109th and 110th Congress, fully 12 percent of legislation that was passed was passed using this process of moving amendments back and forth between the Senate and the House. So this may be an unusual procedure, but it is far from unprecedented.

Mr. LEWIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from Illinois (Mr. JACKSON).

Mr. JACKSON of Illinois. Mr. Speaker, I thank the gentleman from Wisconsin.

I rise in strong support of amendment No. 2 and amendment No. 3 to the Supplemental Appropriations Act of 2008.

As a member of the Foreign Operations Appropriations Subcommittee, I have fought to include overseas humanitarian assistance in these supplemental appropriations bills. I want to thank Chairman OBEY for including several of these provisions in amendment No. 3 which truly reflect the will and generosity of the American people.

Because of the rising cost and shortage of food, riots and instability have hit Haiti, have hit Egypt and the Philippines. Amendment No. 3 contains a total of $850 million for P.L. 480 Food for Peace Programs, which will be made available as soon as this bill is signed into law.

In Sudan, Chad, Kenya, Somalia and the Democratic Republic of the Congo, thousands of people die each day, not from conflict, but mostly from malnourishment and lack of health care and shelter. Amendment No. 3 includes $200 million for urgent humanitarian disaster assistance, and $300 million for assistance for refugees and internally displaced persons.

These funds are desperately needed, and I strongly urge my colleagues to vote for amendment No. 3.

Mr. LEWIS of California. May I inquire of the Chair how much time is left on each side.

The SPEAKER pro tempore. The gentleman from California has 35½ minutes remaining. The gentleman from Wisconsin has 31 minutes remaining.

Mr. LEWIS of California. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, one of the delights of this process, preparing for this bill, has been to go back through the process of the past and look at some of the protestations and expressions of concern by my colleague, now the chairman of the full Appropriations Committee. I love this quote particularly. He says, ''Now this bill is going nowhere. It's going to be vetoed.'' Which bill are we talking about? This one or that one?

The American people know that once again Congress is putting partisan political considerations ahead of the needs of the American people. What we ought to do is to stop these political games and go forward with the regular process.

I reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the distinguished gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Thank you, Chairman OBEY, for the time.

Today the Congressional Progressive Caucus held an event called ''Winter Soldier.'' We listened to the veterans of the Iraq occupation, and they told us about what it's been like over there and what they've learned. The meeting actually followed in tradition of hearings first held during the Vietnam War. The forum gave veterans who have firsthand experience a chance to tell their stories. It was a solemn, thought-provoking event. What these men and women saw, what they've experienced, is really heartbreaking.

But today we have it in our power, we have it in our power to put an end to the tragedy that is the Iraq war. Today, this Congress will decide if we will give the President a blank check to continue his endless occupation of Iraq, or if we will fund redeployment and reconciliation and if we will do something for the refugees in Iraq.

The American people have been clear in their demands. They want to end the occupation, not extend it. They want us to bring our troops and military contractors home. They want us to reaffirm our commitment to the Iraqi people.

Mr. LEWIS of California. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I rise in strong opposition to this continued occupation in Iraq, and I want to thank Chairman OBEY for his leadership and for yielding me this time. I'm so much opposed to giving this President this new funding to continue this occupation with no strings attached until last night, once again, I went to the Rules Committee to propose the Lee amendment, which would provide funding only for the safe, responsible redeployment of our troops and contractors, and also for a strong diplomatic initiative. Not one dime should be spent anymore for funding this combat operation.

We just left a hearing of our Winter Soldiers. These young men and women told us about the dehumanizing effects of what has happened to them in terms of our troops. This has got to stop.

One of their first requests was to ask us not to vote for any more funding, to fund only redeployment and to bring them home.

In honor of our troops, let's bring them home and not send any more money over there to fight this war.

Mr. Speaker, I rise in strong opposition to the continued occupation in Iraq and I want to thank my Chairman, DAVID OBEY for his leadership and for yielding me the time. I am opposed to giving this president $180 billion with no strings attached to continue the disastrous war and occupation in Iraq as amendment No. 1 does.

The war and occupation in Iraq has put our country and economy in a hole. When you are in a hole, you've got to stop digging and climb your way out. Today that means funding the

safe redeployment of our American troops and contractors out of Iraq.

The Lee Amendment I offered at the Rules Committee would have accomplished that but it was not made in order. So I have no choice but to vote against providing more funding for Iraq.

Unlike amendment No. 1, amendment No. 2 contains important restrictions and limitations on funding and would begin redeployment of our troops within 30 days. The second amendment also contains two restrictions and conditions that I have long championed. The first is the prohibition against the establishment of permanent military bases in Iraq. The second condition prohibits the President from unilaterally binding the U.S. to an agreement with the Government of Iraq that includes security assurances for mutual defense.

Finally, I support amendment No. 3 which provides urgent funding for domestic and international priorities, including a new GI bill for our brave veterans, extension of unemployment benefits, funding for peacekeeping operations in Darfur, and urgently needed international food and disaster assistance.

The sad fact is that in the last 5 years this Administration has spent nearly a half trillion dollars on the Iraq war and occupation and we have precious little to show for it. Iraq has been destabilized, our national prestige has been tarnished, and national attention has been diverted from the real and urgent challenges facing the American people.

Over 4,000 American troops and tens of thousands of Iraqis have died, more than 30,000 Americans are wounded, and more than 4 million Iraqis are displaced.

It is far past time to stop the madness.

I urge a "no" vote on amendment No. 1. I urge a "yes" vote on amendment No. 2 and No. 3. We must redeploy and honor our troops by bringing them home.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the minority whip, Mr. BLUNT of Missouri.

Mr. BLUNT. Mr. Speaker, I thank the gentleman for yielding.

This week, we're in the week before we break for our annual Memorial Day work period. Historically, this has been a time when we recognized those who have served and those who are serving, those who are willing to give even their life to help protect the freedom of this country. This is a time-honored tradition in our country.

It's today that we finally come to the floor, after literally months and months of a request for this funding for troops, nearing the deadline where troop withdrawal notices or troop furlough notices and other furlough notices would go out, and we come to the floor with a bill that puts restrictions on the troops. We come to the floor with a bill that does, in fact, finally meet those funding needs of the troops. And we come in a way that doesn't allow us to have any different ideas, have any amendments to these provisions that are brought to us today.

This is an extraordinary procedure in the way we have handled supplementals in the past. The only supplementals that have ever been brought to the floor in the last 20 years, with a closed rule, were supplementals where both sides agreed that we had to immediately respond to an immediate emergency, and it was a bipartisan agreement. There is no bipartisan agreement on the way this bill is brought to the floor. And because of that, it does not meet the needs of the troops as it should. The restrictions are wrong. The time line is wrong. Even the GI benefits that all of us believe need to be updated to meet the needs of today's military, as opposed to yesterday's military, doesn't have transferability of those benefits, the thing that spouses and people in the military and dependents in the military would like. It isn't designed for a military that's a volunteer Army.

There is a better House provision, but are we allowed to offer that House provision? No.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. LEWIS of California. I yield the gentleman 1 additional minute.

Mr. BLUNT. We get to say yes or no because everybody in this building knows that this bill will never become law. We've waited till the week before Memorial Day to bring a bill to the floor that will not become law. The majority leader announced earlier today that maybe it will be the middle of June before we get to a bill that would actually get to the President's desk and become law, when furlough notices have gone out.

This is a shameful way for us to meet the needs of our troops, and I hope we'll get down to business next week and see if we can't actually pass a bill that will meet the needs of our troops.

Mr. OBEY. I yield 2 minutes to the distinguished majority caucus chairman, the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, I thank my colleagues from Wisconsin and from Pennsylvania.

This is about our eighth war funding supplemental, emergency spending for the war. But what's intriguing about this one is that, in every other war supplemental, we've asked the American taxpayers to give the Iraqis approximately $50 billion to rebuild their country, schools, hospitals, roads, electricity, all so Iraq can rebuild after the war. And this is the first supplemental that we've asked to rebuild America. These kids lives, approximately the same amount of money.

Over the last eight funding bills for the war, we've dedicated approximately $50 billion of American money to rebuild Iraq's schools and roads. We're asking approximately a little over $50 billion to help these kids, our GIs, to rebuild their lives, to get the education that they've earned, to start on a new life for them and their family, whether they be Guard, Reserve or active duty.

So there has been no conscience, no problem when it came to Iraq's roads. They got the money. There was no problem when it came to Iraqi schools and hospitals. We said that was our moral obligation, to help Iraq get back on their feet.

What moral obligation do we have to our own GIs to get back on their feet?

□ 1345

Where is the decency to these kids who we've sent, not once, not twice, some of them three times who signed up to be Guard or Reserve and then we've implemented a stop-loss program that totally changed the contracts?

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. OBEY. Mr. Speaker, the gentleman is yielded 1 additional minute.

Mr. EMANUEL. We have an obligation to these children to restart their lives.

At the height of 1949, the original GI Bill of Rights for World War II was 1 percent of our GDP. This is far less. And look how well that paid off for this country. Everybody knows somebody who went to school on that GI Bill. We are doing right by those kids who are doing right by us.

You have compared this war with the equivalent of what we've done in World War II. Well, let's make it the equivalent by giving these kids a GI Bill. They've earned it every day doing something that not one of us have done in this context.

And yes, we've asked those who are the most well-off in this country, people we all know, to pay a little so these kids can go to college and pursue their dream that they made possible for us because of their sacrifice. And I know a lot of those people, and they're willing to pay a little more to make sure that these kids have an opportunity for the American Dream.

Mr. LEWIS of California. Mr. Speaker, I am pleased to yield 1 minute to my colleague from Indiana (Mr. PENCE).

(Mr. PENCE asked and was given permission to revise and extend his remarks.)

Mr. PENCE. I thank the gentleman for yielding.

Mr. Speaker, unlike the previous speaker from Illinois, whom I greatly respect, I support the war in Iraq. I have supported it from the beginning. I support providing the resources to our soldiers who are in the fight in Iraq and Afghanistan. I pray for some 3,000 Indiana soldiers who are on the ground in Operation Iraqi Freedom every day. But though I support providing our soldiers with the resources they need to get the job done and come home safe, I cannot support this war supplemental bill.

Mr. Speaker, I believe the American people need to know what is going on here. I mean, this is a backroom deal for $250 billion that includes $72 billion in domestic spending that has nothing whatsoever to do with our soldiers and the war on terror. It also will increase taxes on working families by $51 billion. Higher taxes and higher domestic spending put on the backs of our soldiers is indecent, Mr. Speaker.

When my colleague from Illinois speaks about decency, it is indecent to come to this floor and play politics with our troops during a time of war. This Congress should bring a clean supplemental bill to this floor that provides our soldiers with the resources they need to get the job done and come home safe, not billions of dollars in domestic spending and higher taxes.

I urge my colleagues to vote ''no'' on this legislation to reject playing politics with our troops in the field.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

I cannot believe what I just heard.

The gentleman just indicated that somehow we're adding $72 billion to a bill ''that has nothing whatsoever to do with the welfare of soldiers.'' I would point out by far the largest item that we are adding to this bill, $51 billion over 10 years, is devoted to help those very same soldiers so that the people who fought, when they come home, get treated the same way that the GIs did at the end of World War II. That isn't on the backs of the soldiers. That's trying to enhance their lives. It's trying to enable Reservists and Guard members and regular forces who have had their lives disrupted, who have gone to Iraq two and three times. We're trying to say, Okay, you can stay home for a while. Get yourself a college education.

The GI Bill paid back this country $7 for every dollar it cost.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. OBEY. I yield myself 1 additional minute.

The GI Bill paid back to this society $7 for every dollar that it cost. There are unfortunately some people in this House who know the cost of everything and the value of nothing. Fortunately, the people who support this third amendment today will not be among them.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. SCALISE).

(Mr. SCALISE asked and was given permission to revise and extend his remarks.)

Mr. SCALISE. The people of southeast Louisiana have faced tremendous challenges during the last 2½ years. Thousands of people lost their homes due to the failure of Federal levees. However, today we find out that the flood protection that they need is going to be held in jeopardy by a poison pill in the name of a $52 billion tax increase on the backs of small businesses that was thrown into the bill last night with no debate. Our flood protection should not be held hostage to $52 billion in new taxes on the backs of small businesses.

This language clearly will not make it through the legislative process and will only give false hope to a people who deserve much better. Let us go back to work, come up with a solution that we can all agree can pass through the legislative process. I look forward to working with you to achieve that solution.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Tennessee (Mr. TANNER).

Mr. TANNER. Mr. Speaker, when these people say they're going to provide the resources for the war and for the veterans but they're not going to pay for it, what they're really saying is China is going to provide the resources to our veterans; China is going to finance this war because that's what has been going on. They have borrowed more money from foreign sources since George W. Bush took office than all 42 Presidents of the United States before him put together, and they still want to keep borrowing.

And talk about working families, we are asking people who make over $1 million a year to increase their taxes $500 for these veterans to go to college so the veterans will not be subject to future deficits and future matters that may be beyond our control where the program has to be cut.

This is dedicated funding, and it comes from those in this country who have the most to give to the people who gave the most with no arms and no legs. I have seen them and you have seen them at Walter Reed and Bethesda.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. OBEY. I yield the gentleman 1 additional minute.

Mr. TANNER. And we're going to provide resources? No, we're not going to provide any resources for these veterans unless you vote for this bill. What you're doing is we're going to ask China and Japan to give the resources to our veterans. I think that's a moral outrage.

If we can send more, we can damned sure help them get through college when they get home with one arm and one leg.

Mr. LEWIS of California. Mr. Speaker, I am pleased to recognize for 2 minutes the former chairman of the Veterans' Committee, STEVE BUYER of Indiana.

Mr. BUYER. I thank the gentleman for yielding, and I would like to limit my remarks to the veterans' education benefits that's contained in the amendment.

I don't believe that there is a Member here in the House who opposes improving the GI Bill. What I find objectionable and, Mr. Speaker, I have listened to the lectures by the then-ranking member and now the chairman of Appropriations with regard to process over the years and how conflicted he must feel, the fact that his leadership has directed him to bring a bill to the floor that has not gone through the process and, matter of fact, that there's no bipartisanship in agreement. You had brought bills to the floor before that didn't go through the appropriations process, but you two had agreements.

So you must be incredibly conflicted at the moment because you have given us lectures on process, and now you've thrown all of your lectures out the window.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to direct their remarks to the Chair.

Mr. BUYER. Mr. Speaker, he's thrown all of them out the window.

What upsets most of us who sit on the Veterans' Affairs Committee is in fact there was a response. Chairwoman HERSETH SANDLIN and Ranking Member JOHN BOOZMAN have a bill. It's called H.R. 5684, and that bill was amended through regular order in the House. And what that bill did was improve the existing GI model, and the entire committee passed it.

Now what has happened, instead of using the bill that came from the Veterans' Affairs Committee, she hijacked that process to bring a bill in the Senate that the House here has never even considered. We've never had any hearings on it. It might be the greatest of bills, but if we're about to do this, Mr. MURTHA and others, for all of our comrades and buddies and pals, we better make sure it's done right.

So in this process, I also know, and I agree with Mr. TANNER's remarks, Mr. Speaker, about paying for.

Now I'm going to vote for this. I'm going to vote for it not because I like the tax provisions. I would have much preferred some offsets. I also recognize the Senate probably aren't going to go with the tax provisions.

But we better be smart about our business here because if this House adopts this bill, we're going to have to be correcting it in conference instead of doing our business like we should have done in the House.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Veterans' Affairs Committee, the gentleman from California (Mr. FILNER).

Mr. FILNER. I hear my colleagues on the other side talking about political games and partisanship and process. The GI Bill of 1944 made the middle class of this Nation. Many of us are here today because of the GI Bill. My dad came back from World War II and was able to get some education, but he bought a house in Levittown, New York, for a couple grand, and we became part of the middle class for the first time in our history.

It's time for a GI Bill for the 21st century, and that's what this supplemental has. It says to our young men and women who are fighting, We're going to pay for the full cost of college for 4 years when you get back; we're going to take care of some of the living expenses if you have a family, and we're going to put the National Guard and Reserve that are doing so much of the fighting in Iraq as eligible for most of the benefits for the GI Bill. That's what we need in the supplemental.

We have a supplemental for the war. We need a supplemental for the warrior. The fact the first year, 2 years of this bill for the GI Bill was paid for, we

spent the same amount in 2 days of the war in Iraq. This is a reasonable amount of money to spend on those who have given us so much.

General Washington said over 220 years ago, The single most important factor in the morale of our fighting troops is a sense of how they're going to be treated when they come home. When they come home, many of them with amputations, many of them with psychological wounds, we want to say we're going to make sure we take care of you, we're going to make sure you get some college education, we're going to make sure that you can take a part of the American dream. That's what we owe our soldiers. That's what we owe our Reserve and National Guard, and that's what this supplemental has.

I don't care. You can talk about partisanship and political games. We're talking about the welfare of these young men and women who have given so much. Let's give them a part of the American Dream.

Mr. LEWIS of California. Mr. Speaker, before I yield to my next speaker, I would yield myself 10 seconds.

The chairman of the committee could have raised this 6 months ago since the bill has been around for a full year, but he chose to use political rhetoric today rather than really carry out his responsibilities.

I yield 1 minute to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. I thank the gentleman for yielding.

Again, it's a travesty that we are on this floor yet again expecting our fighting men and women to carry other spending on their backs while they're trying to preserve our freedom. We've seen it before. There ought to be a clean up-or-down vote: do you support our troops; do you not support our troops.

Now as the ranking member said, Mr. BUYER from Indiana, we all support an increase in GI benefits. But do you want to do it in such a way that the Secretary of Defense and the Commander in Chief says compromises our all-volunteer Army? I am the son, I am the grandson, I am the brother of veterans. I honor these people. But to harm our all-volunteer Army is not the way to do it.

And then we have heard lectures about well, we have to pay for it. Well, why yesterday did this body hand out Federal subsidies to millionaire farmers and then today turn around and try and tax them. A tax on small businesses is the way we're going to pay for this? It's absurd.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. WALZ).

Mr. WALZ of Minnesota. I thank the chairman of the Appropriations Committee and my neighbor over in Wisconsin for all of his work and, of course, Chairman MURTHA for his unending and tireless support of our veterans.

□ 1400

I rise today in strong support of the long overdue modernizations to the GI Bill. The original bill, that you have heard so many talk about, was one of the best pieces of legislation that ever left this floor. It allowed millions to attend college that wouldn't normally have been able to do so. I am, like my father before me is, one of those that stands before you because of that.

I also stand before you in a humble position of being the highest ranking enlisted soldier ever to serve in this body, and the understanding of what these soldiers sacrifice and what our responsibility is should be known by everyone here.

At times of war, we are asking so much, and as Senator DOLE told our committee not more than a year ago, you spent billions putting them in harm's way, you spend the billions getting them out.

We have a moral obligation to provide these veterans benefits when they return. It is also a national security issue to keep faith with our young people to know that, if they choose to sign up to defend their Nation, we will stand with them.

Now I can tell you this. I'm not an attorney like many of my colleagues here. I'm a high school teacher and a 24-year veteran of our military, but I hear people stand here talking about process, talking about legalese, talking about everything like that. Your process when you were in charge, you had 5 years, Mr. Speaker, 5 years to do something about the GI Bill.

Mr. Speaker, our colleagues on the Republican side had those 5 years. They chose to do nothing. They spent their time in enacting tax cuts for the wealthiest Americans. They tell us today this is a tax on small business. They must be doing well in Louisiana and Texas compared to Minnesota because $1 million a year for a family of two is an awful lot of money.

The time to do this is now. We hear all the talk. We hear there's soul searching being done by my Republican colleagues. The only thing you need to do is look in the eyes of those veterans and tell them that you are unwilling to provide the necessary benefit for them to come back and make their lives whole.

This provides for our warriors in the field. It provides for our veterans, and it does it by paying for it, and for that, I encourage all of our colleagues to vote with this.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. All Members are reminded to address their remarks through the Chair.

Mr. LEWIS of California. Mr. Speaker, could you give us the time, please, on both sides.

The SPEAKER pro tempore. The gentleman from California has 26¼ minutes remaining. The gentleman from Wisconsin has 19 minutes remaining.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. MCCRERY).

Mr. MCCRERY. Mr. Speaker, I rise in strong opposition to this legislation before us. Besides increasing taxes, this bill would create an untargeted emergency extended unemployment benefits program that would add to the deficit and ultimately increase State payroll taxes.

Moreover, this provision is untargeted, meaning it would pay extended unemployment benefits in all States, regardless of the availability of jobs in those States. Today's national unemployment rate is 5.0 percent. In March, 32 States had unemployment rates below 5 percent. Congress has never created a temporary extended benefits program at such a low unemployment rate. The lowest prior unemployment rate when such a program was created was 5.7 percent. Especially given today's low unemployment rate nationwide, it just doesn't make sense to extend benefits in States where jobs are readily available.

While I do not support the legislation before us on this subject, Republicans know that laid off workers are hurting, especially in States with struggling economies where jobs are hard to find and unemployment rates are high. That is why, during committee consideration of this legislation, I supported targeting extended unemployment benefits so real help would be provided where it is needed most. Unfortunately, that effort was rebuffed in favor of the general untargeted proposal before us today.

This legislation also shows the sham that is PAYGO. The broad extended unemployment program is projected to cost $16 billion over the next 5 years and increase State payroll taxes by $1 billion over that time. And this is likely just the start. The typical temporary program in recent decades lasted about 30 months. If the program started under the legislation before us today follows that path, the ultimate cost will exceed $30 billion.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LEWIS of California. I yield the gentleman an additional 30 seconds.

Mr. MCCRERY. This program will cost about $30 billion if it follows that path.

Yet despite pledges in this House to adhere to the letter and spirit of PAYGO, this bill does neither. Our colleagues' argument is that today's economic conditions constitute an emergency. Only 20 percent of all months since 1970 had a lower unemployment rate than today. So if we're in an emergency now, when won't we be in an emergency? We may as well just have extended unemployment benefits 100 percent Federally paid for forever and ever. It doesn't make sense, and it's very costly.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, Just Imagine! The mortal sin that we're accused of committing on this side of the aisle is believing that we ought to provide some additional economic assistance to people

who have been hit the hardest by economic dislocation and have been unemployed until their benefits have expired and haven't been able to find a job.

It's suggested that we're doing this ''on the backs'' of our fighting men and women who return home. I'd suggest it's just the opposite. When a man or a woman returns home from Iraq, when we find out that in addition to their having their reentry problem, they also, some of them, may have post-trauma stress reaction, they find out in addition to what they have to worry about for themselves, they also have to worry about the fact that their sister or their brother-in-law is now unemployed, adding to the burden on that family.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. OBEY. I yield myself 30 seconds.

I think those GIs recognize this is supposed to be a seamless society. We're supposed to help take care of the people who are in the most trouble, and I don't apologize for using some of the money that we use for veterans benefits. I don't apologize for getting that money from some of the people in this society who have had the least stress in their lives.

It seems to me that that's what the Judeo-Christian ethic is all about, and we plead fully guilty on this side of the aisle.

Mr. LEWIS of California. Mr. Speaker, I proudly yield 1 minute to my colleague from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman. I just want to make a brief observation here.

We were here yesterday with the farm bill and witnessed the kind of traveling back in time, if you will, to find a baseline to use so that we could comply with PAYGO. So the majority party seems to use PAYGO however it fits their purposes. They will use PAYGO or they will ignore PAYGO or find ways around it by shopping for a baseline that works rather than what the law provides, or they will say we've got to comply with PAYGO today because we need to increase taxes.

So it seems just an observation here that PAYGO is only used as a way not to enforce spending discipline because, if it actually does enforce any discipline, we waive it, but if it's used to increase taxes, then, by golly, we've got to enforce it.

I just don't see how one day can make such a big difference if this wasn't the case.

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I rise in support of the Iraq provisions included in amendment No. 2 calling for the responsible redeployment of our troops to begin within 30 days. After voting against this war, I have supported the goal of responsibly redeploying our troops for over 2 years.

And after President Bush and Prime Minister al-Maliki signed a ''Declaration of Principles'' document outlining unprecedented security commitments and assurances to Iraq from the United States, I introduced the Iraq Strategic Agreement Review Act.

So today I want to voice my support for the provision that makes clear, as my bill does, that any security arrangement between the United States and Iraq will not be funded unless it comes in the form of a treaty or is specifically authorized by a law.

As we speak, the administration is negotiating a strategic framework agreement that goes well beyond a typical Status of Forces Agreement, essentially amounting to a treaty. It will need to be ratified by the Iraqi parliament, and it must be ratified by the United States Congress as well.

Mr. Speaker, this issue goes to the heart of our constitutional duties as a Congress and the power to declare war with which we have been entrusted as representatives.

I urge my colleagues to support this provision.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to my colleague from the Appropriations Committee, the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Mr. Speaker, I think it's important for the American people to understand that throughout the history of this Congress and this Nation that party divisions in time of war have always ended at the water's edge, until today.

Tragically, for this Congress, for this House, for the Appropriations Committee, the Speaker of the House has decided to unilaterally impose on the will of the entire Nation this appropriations bill without the benefit of a hearing, without the benefit of amendments, without the benefit of input not just from the Republican Members, Mr. Speaker, but from the Democrat Members.

It's, I think, a terrible precedent to set for this great committee that I am so proud to be a member of. I know that my colleague, Mr. LEWIS, and my colleague, Chairman OBEY, are both men of good will and good hearts. I know this is, I think, a particularly sad day for the institution and the Nation where 300 million Americans are not given an opportunity to be heard on a question of national security as important as the issue of funding our troops is. Never before in the history of this institution have the entire committees, the Congress been shut out of this process.

On the aftermath of 9/11, when you could stand in front of the Capitol Building and still smell the Pentagon burning, the Congress came together and by unanimous consent agreed to approve a supplemental appropriations bill to help pay for the costs of the war. In a time of emergency with the hurricane damage in New Orleans and across the South, we all came together and agreed to do this.

But this is done unilaterally, without the consent of both sides, in a time of national emergency, and it is a travesty, Mr. Speaker. It contains provisions that have nothing to do with our troops' survival and safety in the field. To burden our troops with pork, with tax increases, with special provisions that have nothing to do with the war, adds to, I think, the obvious misuse of the process, and I urge Members to vote against the pork and support our troops.

Mr. OBEY. I yield myself 30 seconds, and I yield to the gentleman from Texas.

I would like the gentleman from Texas to point out a single piece of Member pork in this bill.

Mr. CULBERSON. Will the gentleman yield?

Mr. OBEY. Yes.

Mr. CULBERSON. Mr. Chairman, there's a number of unnecessary provisions in this bill.

Mr. OBEY. Name one.

Mr. CULBERSON. Well, why are we separating out——

Mr. OBEY. Name one.

Mr. CULBERSON. Why are we——

Mr. OBEY. Can you name one or can't you? The fact is there's not a single piece of Member pork in this bill. You ought to know.

Mr. CULBERSON. Why are we passing provisions in this bill——

The SPEAKER pro tempore. The gentlemen will cease their conversation. The gentleman's time has expired.

All Members are reminded to address their remarks through the Chair.

Mr. OBEY. I yield myself 1 additional minute.

And through the Chair, I would invite the Member to name a specific piece of congressional pork in this bill. He cannot because there is none. He's at least had enough time to read the bill to know that.

The only possible piece of pork in this bill is one which we inserted at the request of the Deputy Secretary of Defense for a military hospital in Guam that came here at the request of the Secretary of Defense's office.

You can find no Member's pork in this package, and you know it as well as I do.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to my colleague, Mr. WAMP from Tennessee.

Mr. WAMP. I thank the gentleman for yielding.

I don't want to get into the blame game because the American people are sick and tired of the blame game. I think the truth is, Republicans screwed up running this place, and now Democrats are screwing up running this place. So there's plenty of blame to go around. And they're sick and tired of this process debate because they don't understand how it affects them.

But let me say to the people who are talking process. If the Congress is not going to work together on matters of the military funding at a time of war, the Congress is never going to work together. And that is the underlying problem, and it does affect our lives.

I've got a nephew in Iraq right now. I've got another nephew on his way to Afghanistan and that affects our lives.

I am the ranking member of the Military Construction and Veterans Affairs Subcommittee. I heard my chairman, Mr. EDWARDS, whom I very much respect, go through 3 minutes of excellent reasons why to support this bill, but not one time did he talk about anybody on this side because we didn't have any voice in the process. He didn't compliment anything over here because we were not involved this time around. I think we should be.

And the way that they pay for the extras in this bill are with taxes. We don't want to raise your taxes. And I know that we're spending a lot of money in Iraq, but it's easy for everybody to forget, over half the Democrats in the United States Senate voted to remove Saddam Hussein by force. Almost half the Democrats in the House voted to remove Saddam Hussein by force.

□ 1415

The President of the United States acknowledged just a week ago that he never should have said ''Mission Accomplished,'' and he shouldn't have because it's not. We've got a long way to go.

This is the serious business of freedom, and it needs to be funded without all the extraneous stuff, and frankly, all the tricks associated with getting what they want in addition to what we need. And they're doing it with tax increases, and it's the wrong way. And I'm sorry, I'm not blaming anybody; we just need to do better.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Washington (Mr. MCDERMOTT).

(Mr. MCDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. MCDERMOTT. Mr. Speaker, the economy has been one of the casualties of the Iraq war. And this administration has consistently refused to be interested in dealing with the problems of the unemployed.

We tried to get this introduced when we had the stimulus package some months ago. The administration didn't want to do anything with the unemployed. Long-term unemployment in this country is up to 17.9 percent. Now, you would think they would care, but they still aren't asking for it.

They have never changed their tune from 1935. They never thought we should have unemployment insurance in the Social Security Act of 1935 because they said if you give people unemployment insurance, they won't want to go to work, they will just want to sit home and get a check. That comes from people who have never been unemployed. That comes from people who don't know anybody who has ever been unemployed. It is simply nonsense.

We need to put the money into the economy. We need to give it to the workers who have lost their jobs through no fault of their own. And this administration still sits there and says, no, we're not going to extend unemployment benefits.

There are 26 weeks in here; 13 for everybody, and 13 weeks for those States that are over 6 percent.

Mr. Speaker, the U.S. economy is one of the casualties of the Iraq war, and passing an extension of unemployment benefits is nothing less than battlefield triage for innocent American workers who have lost their jobs through no fault of their own.

When I first introduced legislation several months ago to extend unemployment benefits, I had hoped the White House would declare a cease fire so that we could act quickly and on a bipartisan basis to help the American people and U.S. economy.

Instead, months went by while the administration pretended the gathering economic storm was nothing to worry about. And matters just kept getting worse.

Long-term unemployment—the percentage of unemployed workers who have not been able to find a job for at least 6 months—now stands at 17.8 percent. That is something to worry about. And act on.

My bipartisan unemployment extension bill will extend benefits in every State for an additional 13 weeks, and in States where the overall unemployment rate exceeds 6 percent, there is another 13-week extension.

We are going to help the American people weather this storm. And at the same time, we're going to lessen the economic blow to the U.S. economy.

We know people spend their unemployment benefits quickly, and we know a dollar in benefits yields $1.73 in positive economic impact as the money ripples through the economy.

Governors, mayors, State legislators, economists, advocates for working families, and the faith community are all asking for this extension of unemployment benefits.

Only those on the far right are opposed.

They say that unemployment benefits keep people from going out and looking for a job, but they are both out of line and out of touch.

Across America the average unemployment benefit is less than $300 a week—below the poverty-level for an American family.

What we're doing today is throwing a lifeline to the American people. Enough damage has already been done to the U.S. economy because of all the money spent on the endless Iraq war.

It's time for Congress to tend to the economic casualties at home.

Vote for extending unemployment benefits because it is a vote for helping the American people.

NATIONAL GOVERNORS ASSOCIATION,
Washington, DC, May 1, 2008.

Hon. MAX BAUCUS,
Chairman, Committee on Finance, U.S. Senate, Washington, DC.

Hon. CHARLES GRASSLEY,
Ranking Member, Committee on Finance, U.S. Senate, Washington, DC.

Hon. CHARLES B. RANGEL,
Chairman, Committee on Ways and Means, House of Representatives, Washington, DC.

Hon. JIM MCCRERY,
Ranking Member, Committee on Ways and Means, House of Representatives, Washington, DC.

DEAR CHAIRMAN BAUCUS, SENATOR GRASSLEY, CHAIRMAN RANGEL AND REPRESENTATIVE MCCRERY: On behalf of the nation's governors, we write to express our support for an extension of unemployment benefits and to request federal assistance for states to serve a growing number of jobless individuals.

In the last month, 36 states experienced an increase in the unemployment rate. The national unemployment rate increased to 5.1 percent in March 2008. Most notable, however, is the significant number of individuals that are unemployed for 27 weeks or longer, thus exhausting all unemployment benefits. Today, approximately 16.7 percent of jobless individuals are experiencing long-term unemployment compared to approximately 11 percent at the beginning of the last recession.

Beginning in 1935, a federal-state partnership was formed to create an unemployment program that would provide a core stabilizing function during economic downturns through short-term income support for jobless individuals, In prior recessions including the economic downturn that began in 2001, Congress and the Administration utilized the program to extend unemployment benefits to jobless individuals.

At the same time, any proposal to extend unemployment benefits must also address the reality that states need additional resources to administer unemployment claims for a larger number of individuals for a longer period of time. This year alone, states may have to administer an average of nearly 400,000 unemployment insurance claims without federal funding. Federal support is needed by state employment and workforce agencies to administer increased initial unemployment claims, to support weekly unemployment benefits, and to provide employment and training services.

Given the current economic indicators and historical precedent, governors believe it is prudent and appropriate for Congress and the Administration to enact a temporary federally funded extension of unemployment insurance benefits and to provide a sufficient increase in funding for states to assist jobless individuals during this period of economic slowdown.

We stand ready to work with you and thank you for your leadership on this issue of national importance.

Sincerely,

DONALD L. CARCIERI,
Governor, Chair, Education, Early Childhood and Workforce Committee.

BRAD HENRY,
Governor, Vice Chair, Education, Early Childhood and Workforce Committee.

NATIONAL CONFERENCE OF STATE LEGISLATURES,
Washington, DC, May 7, 2008.

Re Extension of unemployment compensation benefits.

Hon. NANCY PELOSI,
Speaker of the House, House of Representatives, U.S. Capitol, Washington, DC.

Hon. JOHN BOEHNER,
Minority Leader, House of Representatives, U.S. Capitol, Washington, DC.

DEAR SPEAKER PELOSI AND REPRESENTATIVE BOEHNER: We are writing to express the support of the National Conference of State Legislatures (NCSL) for a temporary extension of unemployment compensation benefits, with adequate funds appropriated for state administrative functions.

Since its inception during the Great Depression, the unemployment compensation

system has provided a temporary income support to workers who lose their jobs. The counter-cyclical partnership between states and the federal government was designed to accumulate and hold significant funds in trust accounts during good economic times and pay out benefits during bad economic times and simultaneously stimulate a stagnant economy.

State legislators are concerned that the percentage of unemployed workers is rising and that state unemployment insurance agencies have experienced reduced funding appropriated by Congress in recent years. Nationally, unemployment insurance claims levels and the exhaustion of benefits rate have been on the rise and states are struggling to respond with less federal administrative funding than previous years, especially those states with high unemployment rates.

In the 2008 legislative session, at least one state had to appropriate general funds to support the administration of the program. These funds should have been appropriated by Congress as part of the FY 2008 appropriations legislation and/or through Reed Act distributions to meet the needs of the program. Economic assumptions did not anticipate the increases in unemployment claims that the Congressional Budget Office now projects as a result of the current economic slowdown.

During the current Congress, several bills were introduced (e.g., S 1871, LIR 2233, HR 3920, HR 5749) to extend benefits or modernize state unemployment systems. We support efforts by Congress to continue on the path to assist jobless individuals during this time of economic downturn. However, it is imperative that Congress continue to collaborate with states to strengthen unemployment systems and enact unemployment insurance legislation that would provide adequate resources for administering the program and supplement, not supplant, current state efforts.

We appreciate your leadership and look forward to working with you on this issue. Should you or your staff have any questions about NCSL's position on this matter, please contact Diana Hinton Noel.

Sincerely,

PHILLIP FRYE,
Representative, North Carolina; Chair, NCSL Labor and Economic Development Committee.

STEVE CONWAY,
Representative, Washington; immediate Past Chair, NCSL Labor and Economic Development Committee.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to Mr. KINGSTON from Georgia.

Mr. KINGSTON. Mr. Speaker, this is an important bill that we're debating today. In fact, it's a bill that has been kind of in the hopper, if you will, for months, and maybe even a year's time right now. This is a bill that the troops very badly need. And that's why it's odd to me that there are so many unrelated amendments to it.

I understand that when the Democrats took over, their promise to the MoveOn.org fringe of their party was that we are going to get the troops out of Iraq. They have not delivered on that. And so what we have here is a little fig leaf debate on getting out of Iraq so that their Get Out of Iraq Caucus can have a political cover story so that when they go home over the Memorial Day recess, they can tell people, yeah, I voted to get out Iraq. But the truth is, there is no delivery here.

That debate alone should be something that we do all day long. It should be at least a week's worth of our time, if not more, the debate on getting out of Iraq and imperiling troops in the way. But no, the Democrat Party will not give that to their group that wants the Get Out of Iraq Caucus. What they want is a little fig leaf amendment to a bill, which they know is going to pass and they're hoping that this is going to cover their politics. That is a sham, and that is a shame. I respect somebody who wants to get out of Iraq now, but they should have a debate on that on a freestanding bill. It should not be an amendment.

Secondly, I want to point out the stuff which Mr. CULBERSON referred to as pork. Mr. OBEY took exception to that. And I'd say this stuff isn't pork, but it isn't an emergency. It isn't stuff you put on the backs of our troops in the field.

I don't know how much money we spent in New Orleans, I would like to know. I think we, as Republicans, spent too much. I think you guys, as Democrats, are spending too much. I understand there is $5.8 billion for levees in New Orleans. Now, Mr. Speaker, as I recall, that did not happen recently.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LEWIS of California. I yield the gentleman an additional minute.

Mr. KINGSTON. There is money in here for the census. And I learned in eighth grade geography we do a census every 10 years. Why should that be put on an emergency bill? We know that the end of the decade comes. That funding should be done on an appropriate freestanding manner.

The Bureau of Prisons? Why are we passing that on the backs of soldiers? Contractor language. And I'm a former member of military construction and I represent four military installations. MILCON is very important to me. But why is it put on the back of a supplemental emergency bill? That is not what we do here. It should go through the regular appropriations process. It should go through a subcommittee. It should through a full committee before it comes to the House floor. It should not be an amendment that is put on a troop's bill.

I think that if we look back in history at the way that we were sticking it to, if you will, the minority party when we were in the majority, I think you guys have a very good case for that. In fact, I respect Mr. OBEY. I have a page full of quotes from him.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. OBEY. Mr. Speaker, I yield myself 1 minute to answer the gentleman's question.

The gentleman wants to know why do we have money in this bill for the census? Simple. It's because the Secretary of Commerce asked us to put it in because they've had a huge technical screw-up in the Department of the Census. The last time I looked, the Secretary of Commerce was appointed by the President of the United States, Mr. George W. Bush.

He wants to know why we have money in this bill for prisons. Simple. We've been told by the Bureau of Prisons—last time I looked, it's run by the Bush Administration—that if we didn't provide this money, because of cost overruns they're going to have to fire guards and lay off people in Federal prisons. Anybody interested in law and order I don't think is going to be happy about that.

So it seems to me it is responsible to respond to emergencies on both the domestic side and on the international side.

I'm sorry that the gentleman doesn't seem to be aware of the fact that we have, in writing, requests from both of those agencies, but that happens to be the fact. And that's the answer.

Mr. LEWIS of California. Mr. Speaker, in the interest of keeping this wonderful dialogue going on, I yield the gentleman from Georgia 1 additional minute.

Mr. KINGSTON. I'm touched with the bipartisan support of the Democrat Party that suddenly when the Bush administration asks for something, it's like that, they get it. I'm really impressed with that.

Did you get a formal letter from OMB on the census? Because we haven't seen it on the minority side.

Mr. OBEY. We got requests in writing from the agencies.

Mr. KINGSTON. Well, we haven't seen it from OMB on our side, so I just want to point that out.

Mr. OBEY. They testified before the committees. I don't know if you were there or not, but they testified.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

Mr. KINGSTON. Mr. Speaker, what I would say is that these things may or may not be legitimate expenditures, but if they went through a subcommittee and a full committee and they're on a freestanding piece of legislation, that is the proper process of Congress. And when the Democrat Party was in the minority, the distinguished chairman of the Appropriations Committee was one of the biggest proponents of regular order. What we are asking for is regular order. I agree, we did it wrong, but you don't have to repeat that.

Mr. OBEY. I yield myself 10 seconds.

Once again, when they can't argue about the substance, they whine about process. That's not going to impress very many people. It certainly didn't in Mississippi yesterday.

With that, I would like to yield 1 minute to the distinguished Speaker of

the House, the gentlewoman from California.

Ms. PELOSI. I thank the gentleman for yielding. And I want to commend you, Chairman OBEY, and Mr. MURTHA, for your tireless work on behalf of our men and women in uniform, and for bringing this critical legislation to the floor today. I am particularly interested in part two and three of the resolution.

We're all grateful for the fact that this will be the last time we will vote on an Iraq supplemental in the House of Representatives. Again, I thank the chairman and the chairman for their important work in this regard.

When the House completes its work today, we will have achieved three goals. First, we will have set a new direction in Iraq that will end this sad chapter in American history and bring our brave men and women home. That is necessary because President Bush, in his request to the Congress, insists on his failed course of action in Iraq, failed from day one; day one, when they went in and thought the war would end in one day.

They're asking us to trust the same impaired judgment that took us into this war on a false premise, without the proper training and equipment for our troops, without a strategy for success or an exit strategy from Iraq.

Isn't it sad that here we are, over 5 years later, over 4,000 of our precious treasure have died, tens of thousands of our men and women in uniform have been wounded, many of them permanently. Our reputation in the world has been greatly diminished, harming our ability to stop the proliferation of weapons of mass destruction and eradicate disease and alleviate poverty, and all of the other leadership roles we have played in the past. It has come at a tremendous cost in dollars to American taxpayers, trillions of dollars, which have taken us deeply into debt, which has taken us into recession. More on that later. But think of the opportunity cost of that money, what we could have done to invest in education and health care. We will pay any price any time to protect the American people, but not to follow the whim of the impaired judgment of this Bush administration.

Only when we finally end this war can we rebuild our military. And that is another cost of this war, diminishing the capacity of our military to meet challenges and threats to our security wherever they may occur. When we do that, we will be able to refocus our attention on the real war on terror.

So this action that we are proposing today, a new direction in Iraq that will end the war, will rebuild our military, refocus on the real war on terror, and restore our reputation in the world. That is why this legislation directs that a redeployment begin within 30 days of this bill's enactment, and with the goal of being completed by December 2009, be completed by then. The new President will have the flexibility to bring our troops home safely, honorably, responsibly, and soon.

Essential to restoring our reputation in the world is to regain our moral authority, which has been lost in this war. That is why under the conditions of this legislation torture is banned. Thank you, Mr. MURTHA, for your leadership on this subject. This condition has passed this House overwhelmingly in the defense appropriation bill.

It will also ban permanent bases in Iraq. This condition has passed this House overwhelmingly on any number of occasions, over 300 votes. Insist that the Iraqis pay their fair share for reconstruction. This is a relatively new condition, but a necessary one predicated on the fact that the Iraqis are amassing a budget surplus while we're going deeply in debt to pay for their reconstruction. We're saying if we put up a dollar, you put up a dollar, dollar for dollar to participate in their reconstruction. They have to be at least as interested in rebuilding Iraq as we are, especially when we are doing it to the neglect of our own reconstruction needs in the United States.

This legislation will also ensure that our military pays only its fair share for fuel. Do you know that in Iraq, we pay almost 2½ times as much for gasoline, our military does, than the Iraqi people do? The Iraqi Government subsidizes the Iraqi people and makes our military pay more than double. And that's a new condition.

The conditions here calling for the cleaning up of waste, fraud and abuse in Iraq and reviewing of contracting passed by suspension. Over two-thirds of the House voted for this legislation that is contained in this condition. And require that any agreements with Iraq that commit U.S. forces for the protection of the Iraqi Government from an external force or from a civil war internally must be approved by the Congress of the United States.

Under the guise of a Status of Forces Agreement, the administration is committing the United States to a treaty without congressional approval. I remind the President of article I. Read the Constitution, Mr. President.

I believe that these provisions should receive bipartisan support. They have every time they have come to the floor. The only two new ones are about the cost of fuel and the dollar for dollar.

What we will also accomplish in this bill is to honor our responsibility to our men and women in uniform. I have been to the theater, to the war area, five or six times in the course of this military action, sometimes with Mr. MURTHA, with Mr. SKELTON, with Mr. LANTOS, with our committee Chairs of jurisdiction.

□ 1430

And when we meet the young people there, they always say the same thing: ''What is going to happen to me when I go home?'' ''What is going to happen to me when I go home?''

Some of the soldiers were telling me about their lives at home, and one of them was very quiet, and I said to him, ''What did you do before you came to Iraq?''

He said, ''I was in high school, ma'am.'' He was in high school. He was a teenager with a gun over his shoulder. If that's necessary for our country's security, it has to happen. But this young man, a teenager, fighting that fight without any thought about what was going to happen to him when he came home.

Well, what we would like to say in the final amendment here is that when you come home, young man, we will thank you for your service to our country by sending you to college. That's what the student veterans have asked us for. That is what we have done for veterans in the past. That is what we owe these young people now. And in doing so, we will be doing a great thing not only for them but for our country because their education will be part of the economic recovery of our country. In the security of our country, they have led the way. In the economic recovery of our country, they will be in the lead.

Third in this bill, we will begin to address America's domestic priorities. We will address the deep economic pain facing many families. As I mentioned, this war, President Bush's war, which is enabled by the complicity of the Republicans in Congress, has taken us deeply into debt, which has taken us deeply into recession, and now has taken our economy to a place where we have record numbers of people unemployed. Today 7.6 million people are unemployed. Of these, 1.4 million Americans, jobless Americans, have been looking for work for over 6 months. And our economy has lost 260,000 jobs this year so far alone. These people need our help as they continue to seek work in this difficult economy.

Thank you, Mr. OBEY, for including the unemployment insurance for America's workers in this legislation.

The contrast, I believe, Mr. Speaker, is clear. President Bush and the Republicans in Congress insist on a war without end in Iraq. Democrats, Independents, and Republicans across the country, but, sadly, too few Republicans in this House, are insisting on a New Direction. A New Direction that strengthens America's military by ending the war in Iraq. A New Direction that strengthens America's economy by investing in our veterans and our workers here at home.

We have said over and over again that one way to support our troops is to build a future worthy of their sacrifice. We can begin building that future worthy of their sacrifice by saying ''thank you'' to them and, when they come home, to send them to college.

I urge my colleagues to support the second and the third amendments that are being presented today. And in closing, I want to, as always, salute our men and women in uniform for their service, their sacrifice, their courage,

their patriotism, and with our commitment, again, to build a future worthy of their sacrifice.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the Republican Policy chairman, the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. Mr. Speaker, we find ourselves today as a minority party watching a very perplexing bill come towards us. It's perplexing in the sense that we watch a majority party which has promised America to end the war, which many of us, I think, rightly view and the world will view as an American defeat because it has failed and cannot be changed to the point where America can win. We've also watched a majority party tell us that the spending on the Iraq war has destroyed the American economy. We can differ on that but that is their position. And we now watch the Democratic Party bring forward a bill that will fund a failed war and will evidently, by their logic, further decimate the American economy.

Now how does one come to the conclusion that this is a necessary step for said party? Well, you have discretionary spending added into it. Now, I would argue that a fine piece of legislation has been attached to this bill, which was introduced by the gentleman from Washington, to help people who are unemployed. Thanks to the policies of my State legislature, which has raised taxes and helped drive business out of Michigan, we have seen that people need unemployment insurance to get themselves through difficult times in the hopes they can find employment.

Which brings me to the next problem with this, which is in an attempt to help veterans, we are raising taxes on small business income. Eighty percent of the income that will be taxed comes from small business. So now what we have is an attempt to show that we can fund a war that we believe has failed with money that has decimated the American economy by going overseas; yet we will try to help the unemployed, who will further suffer from this, and we will try to help veterans who come back from that war by making sure that there are no jobs here waiting for them.

Again, it is a very perplexing bill. I would suggest to the gentleman who earlier suggested there was nothing Congress could do to end this war to rethink the position.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LEWIS of California. I yield the gentleman 1 additional minute.

Mr. MCCOTTER. Congress still holds the power of the purse. If the war is not funded, the war cannot continue. That's perhaps a position I disagree with, but it is a factual matter. If you are serious about this, you would do that.

Or you would have a straightforward vote on funding the troops to ensure that we continue to move forward and that America is not defeated in Iraq. You would have dealt with the McDermott bill and sent it to the President despite his veto threat because he has also threatened to veto this legislation. There would be much Republican support for this. And then you would deal with the veterans in the way they should be.

Now many friends of mine are Blue Dogs. You were not questioned on your patriotism when you determined that this money for veterans had to be offset. No one said you cared more about big government than veterans. I would suggest that those of us who want to make sure our economy recovers and do not want to tax it into submission and decimation should not have any patriotism questioned about supporting veterans by opposing tax increases and instead looking for cuts in Federal pork to pay for it.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Georgia (Mr. JOHNSON).

Mr. JOHNSON of Georgia. Mr. Speaker, I urge my colleagues to reject the President's demand for war money and to instead support an amendment that will force the redeployment of our troops from Iraq and to fully fund the benefits that our veterans deserve.

A half decade after ''Mission Accomplished,'' the President is asking once again for $160 billion to fund a war that cannot be won militarily. But, Mr. Speaker, it's past time to look this President in the eye and say, ''Read my lips: No.''

Our military is superb, but it cannot impose peace in a country plagued by sectarian violence. Peace will not come to Iraq until Iraqis stop killing each other.

Nevertheless, the President's followers demand hundreds of billions more for combat operations while they insist on blocking a relatively small appropriation for our veterans. This is an outrage, and we owe our servicewomen and men the best. The years of neglecting their safety and well-being must come to an end.

Mr. Speaker, I urge my colleagues to join me in rejecting funds for war, in requiring withdrawal from Iraq, and in providing the education and health care benefits our veterans deserve.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to my colleague from Kentucky (Mr. ROGERS).

(Mr. ROGERS of Kentucky asked and was given permission to revise and extend his remarks.)

Mr. ROGERS of Kentucky. I thank the gentleman for yielding.

Mr. Speaker, we're dealing here with a bill that until today has never seen the light of day. This bill was concocted in the back room of the Speaker. We were not allowed to have input on it. We have not been allowed to have amendments. JACK MURTHA's subcommittee on national defense was not allowed to have a hearing on this or discuss it with his subcommittee members. No subcommittee on appropriations was allowed to have a hearing and debate the issues.

Mr. MURTHA. Will the gentleman yield?

Mr. ROGERS of Kentucky. I yield to the gentleman from Pennsylvania.

Mr. MURTHA. We did have a meeting, and I explained the part of our bill to the subcommittee, and we had no dissension at all. We had a lot of suggestions. We spent a long time on the bill. We spent at least an hour, much more time than we usually spend on a bill.

Mr. ROGERS of Kentucky. You say you met with the subcommittee and informed them about what's in the bill that the Speaker wrote? I agree with that.

Mr. MURTHA. Absolutely.

Mr. ROGERS of Kentucky. That's what I'm saying.

Mr. MURTHA. Okay.

Mr. ROGERS of Kentucky. And the full chairman of the committee did the same thing. He didn't draft this bill. This bill was given to him. And the Members of the minority have had no say in what's in this bill.

The people of this country deserve to have their representatives in Congress have a say-so in what comes before the House and what's debated on the House floor, and we have not been given that.

This is a dictatorship here. This bill has not seen the light of day. It has not been the subject of amendments. We have not been allowed to ask questions. We didn't know what was in it until yesterday, a bill this thick.

So the process here is flawed. And it's the first time that I recollect in my 28 years here of a bill coming to the floor, an appropriations bill, without the minority's having a say-so unless they had agreed to it. This is a new procedure we are having here.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. LEWIS of California. I yield the gentleman 1 additional minute.

Mr. ROGERS of Kentucky. That's objection number one. We did not have a chance to have a say-so on this bill. The American people have been shut out of a discussion of what's in this bill, until today.

Number two, this bill is loaded down with matters that are not related to helping the brave men and women on the battlefield on the other side.

Now, there are all sorts of amendments that you're hearing today that will be offered, one of which contains a lot of spending and a lot of spending that's not related to helping the troops overseas.

And so I am disappointed. I'm disappointed in the fact that the Appropriations Committee was bypassed, therefore the people were denied a voice, and this bill brought directly to the floor without ever having had a single day of hearings in the subcommittees and the full committee.

I urge a ''no'' vote.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Florida (Mr. BOYD).

Mr. BOYD of Florida. I thank the gentleman from Wisconsin for yielding.

Mr. Speaker, ladies and gentlemen, the last GI Bill was written after World War II, and 64 years later we're passing a new expanded GI Bill that will provide important education benefits for our veterans. Simply put, ladies and gentlemen, it's the right thing to do.

In the wars in Iraq and Afghanistan, our guardsmen and our reservists have been used and deployed by our Commander in Chief at a level that we haven't seen since World War II. Many of these guardsmen and reservists were in a career profession before these wars, and many will come home unable to continue that career profession because of physical or mental injuries sustained during their service in that war.

This GI Bill will restore the promise of a full 4-year education for our benefits, 60 years since the last one was written, and make the veterans of Iraq and Afghanistan part of the American economic recovery efforts just as the veterans of World War II were.

I want to thank the Speaker and the House leadership for bringing this bill to the floor.

The SPEAKER pro tempore. The gentleman's time has expired.

Mr. OBEY. I yield the gentleman 1 additional minute.

Mr. BOYD of Florida. Mr. Speaker, this bill was brought to the floor in a fiscally responsible manner. By fully funding this GI Bill for the next 10 years and paying for it up front, we have made this legislation better for our veterans and better for the American people.

We are asking those who benefit the most from living in a strong country to pay to take care of those who risk their lives to defend it instead of borrowing the money from China or bucking the costs to our children and grandchildren.

Supporting this bill is the right thing to do. And I want to thank Chairman OBEY and Chairman MURTHA for also including the Iraq loan provisions which will require the Iraqis to pay for the security training of their own people and the reconstruction efforts.

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Mr. LEWIS of California. I reserve the balance of my time.

Mr. OBEY. Could I inquire of the gentleman from California how many speakers he has remaining.

Mr. LEWIS of California. As of this moment, we have one additional speaker. I may take 10 seconds to close or something like that.

Mr. OBEY. I yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. PATRICK J. MURPHY).

Mr. PATRICK J. MURPHY of Pennsylvania. Thank you, Chairman OBEY and Chairman MURTHA.

As a solemn and distinguished body, we again stand ready to break with President Bush and demand change in Iraq. And again, we have a chance to do what is right after years of pursuing the wrong strategy, a misguided strategy, that I saw firsthand and a battle my fellow paratroopers are still fighting today.

Today, we can come together to do what is right. Today, we can change direction in Iraq, refocus on al Qaeda in Afghanistan and give our troops the GI Bill that they have earned.

The question before us is clear: Do we proceed in a bipartisan way with the support of military experts and American families? Or do we continue to allow more political posturing and more of the same while American troops are stuck refereeing a religious civil war?

That is the choice we all must make. And to those who stand in the way of change and accountability in Iraq, the American people are paying attention.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. OBEY. I yield the gentleman 30 additional seconds.

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Speaker, I am proud to stand with those who want a change. I am proud to fight for accountability in our foreign policy and proud to fight until our brave veterans get the benefits that they deserve.

A year ago, I called on my colleagues from both sides of the aisle to stand ready for change. I renew that same call today. Neither our troops nor our veterans can wait for us to change our foreign policy in Iraq, not until next year's sixth anniversary, or the seventh anniversary, or the tenth.

Mr. LEWIS of California. I reserve the balance of my time.

Mr. OBEY. I yield 1 minute to the distinguished gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman.

I rise in opposition to one more dollar being spent on the war in Iraq but many, many dollars spent on the brave men and women. I thank the leadership and I thank this committee for allowing us to spend dollars because of a responsibility to our troops with the GI Bill.

I also offer to my constituents, but also to this body, that we have an emergency, as well, with our summer jobs program. And I hope that we will find a way to fund a summer jobs program for our youth.

Let me say that there is not a tax burden in this bill, and I thank our leadership for understanding PAYGO. This is nothing more than an opportunity for those who make over $1 million to experience the burden, if you will, of the sacrifice this Nation is making on behalf of our troops. The moneys that are expended, only $500 for those making over $1 million and more, will be given to our troops with the GI Bill of Rights.

Where do we stand? I stand with the flag on behalf of the American troops. This is a great bill. Vote against the funding for the war and vote for the redeployment of our troops, a better domestic plan, and yes, an opportunity to pass the GI Bill of Rights, the GI Bill for our young men and women.

Mr. Speaker, I rise today in opposition to the continued funding of the Iraq war. While I offer my support for Amendments No. 2 and No. 3, I must oppose amendment No. 1. While amendments 2 and 3 contain provisions beneficial to the American people, designed to improve our economy and protect our young men and women, amendment 1 continues a disastrous policy of providing unrestricted funding to continue the Bush administration's war in Iraq.

Last night, I offered three amendments to this legislation in the rules committee. My first amendment would have added three sense of Congress paragraphs: "(1) The war in Iraq should end as safely and quickly as possible and our troops should be brought home; (2) the performance of United States military personnel in Iraq and Afghanistan should be commended, their courage and sacrifice have been exceptional, and when they come home, their service should be recognized appropriately, including through the observance of a national day of celebration; and (3) the primary purpose of funds made available by this Act should be to transition the mission of United States Armed Forces in Iraq and undertake their redeployment, and not to extend or prolong the war."

This amendment is borne from my deeply held belief that we must commend our military for their exemplary performance and success in Iraq. As lawmakers continue to debate U.S. policy in Iraq, our heroic young men and women continue to willingly sacrifice life and limb on the battlefield. Our troops in Iraq did everything we asked them to do. We sent them overseas to fight an army; they are now caught in the midst of an insurgent civil war and continuing political upheaval. The United States will not and should not permanently prop up the Iraqi government and military. U.S. military involvement in Iraq will come to an end, and, when U.S. forces leave, the responsibility for securing their nation will fall to Iraqis themselves. However, whether or not my colleagues agree that the time has come to withdraw our American forces from Iraq, I believe that all of us in Congress should be of one accord that our troops deserve our sincere thanks and congratulations.

I very strongly believe that our Nation has a moral obligation to ensure that our veterans are treated with the respect and dignity that they deserve. One reason we are the greatest Nation in the world is because of the brave young men and women fighting for us in Iraq and Afghanistan. They deserve honor, they deserve dignity, and they deserve to know that a grateful Nation cares about them.

The second amendment that I offered explicitly states that the goals laid out by the Authorization for Use of Military Force Against Iraq Resolution of 2002, AUMF, have all been achieved by our troops in Iraq.

As my amendment describes, the brave men and women of our military have done everything we asked them to do. The United States Armed Forces successfully toppled the regime of Saddam Hussein and captured the key cities of Iraq in only 21 days. Because of the skill and dedication of the members of the Armed Forces, the entire world has now been assured that Iraq does not possess weapons

of mass destruction that could threaten the United States or any member nation of the international community. The Armed Forces performed magnificently in conducting military operations designed to ensure that the people of Iraq would enjoy the benefits of a democratically-elected government governing a country that is capable of sustaining itself economically and politically and defending itself militarily. In June 2004, the Armed Forces facilitated the transfer of sovereignty from the Coalition Provisional Authority to the interim Government of Iraq, which governed Iraq until December 2005 when national elections were held in which more than 8 million Iraqi men and women voted in elections that were free and fair.

While our troops have achieved the objectives for which they were sent to Iraq, they are now caught in the midst of a sectarian conflict. Unfortunately, there is no military solution to Iraq's ongoing political and sectarian conflicts. This is a war without end. Though President Bush continues to rely on a strategy that seeks to stabilize and reconcile Iraq by force, only the Iraqi government can secure a lasting peace. Thus far, the Iraqi government has demonstrated an inability or an unwillingness to deliver on the political benchmarks that they themselves agreed were essential to achieving national reconciliation, which was the rationale and stated objective of the recent troop surge. Continuing to put the lives of our soldiers and our national treasury in the hands of what by most informed accounts—even by members of the Bush Administration—is an ineffective central Iraqi government is irresponsible and contrary to the wishes of the overwhelming majority of the American people.

The third amendment that I offered would provide funds for summer youth employment and training activities under the Workforce Investment Act. Unfortunately, many of our youth have to help out their families in these troubling economic times. Many of the youth who could obtain skills and training in their summer jobs state that they would either be sitting around watching television or getting into trouble if they were not in their communities working.

For more than 30 years, beginning in the 1960s, the Federal Government saw the enormous benefit of providing summer jobs to millions of disadvantaged youth across America. But since 2000, the Summer Youth Employment and Training Program, SYETP, has lost its direct funding, and is now effectively buried among 10 competing programs within the Workforce Investment Act, WIA. With unemployment soaring and the summer heat approaching, there is an urgent need to bring back summer jobs for youth. We need to be cognizant of the fact that many families count on their children working during the summer to raise money for college.

Families are facing a foreclosure crisis, the rising cost of gas, and health care; this amendment provides more money for workforce preparedness among our youth. When we invest in our youth and foster a sense of responsibility it will last a lifetime, aiding not only them, but their families, and our communities. This amendment would give our youth the skills and training they need to enter the workforce, and the money they and their families need to make it in these tough economic times.

However, the legislation we are considering today contains many important provisions, but, unfortunately, the first amendment continues funding for a war that I strongly oppose. I oppose amendment No. 1 because I stand with the American taxpayers who have paid over $600 billion to finance the misadventure in Iraq. I stand with the 4076 fallen heroes who stand even taller in death because they gave the last full measure of devotion to their country. Last May, I was proud to vote for H.R. 1591, a supplemental spending bill that would have provided funds for our troops in Iraq and Afghanistan, which included a timetable for the redeployment of U.S. troops. Though this bill passed the House by a clear majority, the President opted to veto this legislation.

Mr. Speaker, I must oppose Amendment No. 1. This amendment provides a total of $162.9 billion for the Department of Defense for FY 2008 and FY 2009, funds that are handed over without any strings. The amendment does not withhold funding for the Iraq war, a war that so many of my colleagues in Congress oppose, and which only 32 percent of Americans now support. The amendment does not require that war funds can only be used for the responsible redeployment of American troops home from Iraq.

Mr. Speaker, I voted against the 2002 Iraq War Resolution. I am proud of that vote. I have consistently voted against the Administration's practice of submitting a request for war funding through an emergency supplemental rather than the regular appropriations process which would subject the funding request to more rigorous scrutiny and require it to be balanced against other pressing national priorities. I cannot support legislation that provides the President with the resources to prolong his ill-advised war effort unrestrained.

I rise today in strong support of Amendment No. 2. This amendment lays out a responsible U.S. policy toward Iraq, requiring that troops begin redeployment from Iraq within 30 days, with a goal of completing the withdrawal of combat troops by December 2009. As a Member of both the Out of Iraq and the Progressive Caucuses, I am proud to vote for legislation that, like other measures passed by this Congress, begins the process of withdrawing U.S. men and women from Iraq.

In addition, Mr. Speaker, this legislation specifically requires that any agreement between the United States and the Government of Iraq committing future U.S. forces must be specifically authorized by Congress. The governments of Iraq and the United States announced their intention to forge a strategic framework agreement, a long-term, bilateral pact, to be completed by July 31, 2008. This negotiated agreement is to be based on the Declaration of Principles for a Long-Term Relationship of Cooperation and Friendship Between the Republic of Iraq and the United States of America, signed November 26, 2007, by Iraqi Prime Minister Nuri al-Maliki and President Bush.

Under the Declaration of Principles, the parties will negotiate a security agreement, under which the United States will support the Iraqi government and Security Forces in providing security and stability and fighting al-Qaeda and other terrorist groups. The Declaration of Principles envisions an agreement setting forth a wide-ranging set of commitments, which will cover issues including politics, economics, and security. In hearings before the Committee on Foreign Affairs, administration officials have indicated that the President intends to negotiate this agreement as an executive agreement, not subject to Congressional approval. It is essential that any agreement which commits future U.S. troops to the defense of Iraq is outside the purview of existing authorizations, and such an agreement must be submitted to the Congress for approval. This legislation also prohibits the establishment of permanent bases in Iraq.

Mr. Speaker, amendment No. 2 requires that the Iraqi government step up and pay its share of Iraqi reconstruction efforts. I am concerned that the United States has paid and continues to pay a disproportionate amount for Iraq reconstruction, especially when the Iraqi government reportedly has a $25–30 billion budget surplus this year. To date the United States has appropriated more than $45 billion for Iraq reconstruction.

American funded reconstruction programs have included: the training and equipping of Iraqi security forces.

Iraq is a resource-rich nation. Though still facing problems including a lack of technology, damage from previous mismanagement, the effects of looting, and water intrusion, Iraqi oil production is currently at around 2 million barrels per day. The price of oil has skyrocketed to over $100 a barrel and Iraqi oil exports are generating an estimated $56.4 billion this year alone, according to the GAO, yet it is U.S. taxpayers who continue to foot the bill for Iraqi reconstruction. The government of Iraq is stashing its money in global banks, including a reported $30 billion in the U.S., instead of investing this money in the development of crucial Iraqi infrastructure. This legislation requires the Iraqi government to take responsibility for the future of its own nation.

There are a number of other key provisions in this amendment. It requires the President to reach an agreement with Iraq to subsidize fuel costs for U.S. Armed Forces operating in Iraq so that our military pays what Iraqis pay. It requires that troop's meet the Pentagon's definition of combat ready before they are deployed to Iraq; Prohibits troops from being deployed longer than Pentagon guidelines recommend; and requires that troops spend adequate time at home between deployments. This legislation makes substantial strides toward cleaning up contracting in Iraq, expanding current law to make all contractors working in war zones subject to prosecution for offenses that would otherwise be in violation of U.S. law; extending the statute of limitations for fraud cases during wartime; and amending the federal criminal code to prohibit profiteering and fraud involving contractors overseas. In addition, it prohibits interrogation techniques not authorized in the Army Field Manual, a provision necessary in eliminating torture.

AMENDMENT NO. 3

Mr. Speaker, the third amendment to H.R. 2642 provides over $21.2 billion for much needed domestic programs and foreign aid. By extending unemployment benefits, expanded veterans' education benefits, and placing a moratorium on the Bush Administrations' seven Medicaid regulations; this amendment gets us closer to where the Economic Stimulus package should have taken us.

This amendment will provide increased funds for food aid, military hospitals, and the reconstruction of the Louisiana levees.

INTERNATIONAL FOOD AID

As many of you know, we are facing an international food crisis. According to the International Monetary Fund, IMF, global food

prices have increased an average of 43 percent. In fact since March 2007, wheat has increased by 146 percent, soybean has increased by 71 percent, corn by 41 percent, and rice prices have increased by 29 percent, according to the U.S. Department of Agriculture.

Many factors have played into this crisis. In China, India, and other emerging markets experiencing rapid economic growth, consumers are increasing their demand for food, oil, and energy supplies. Rising energy costs have directly raised the cost of agricultural production. Adverse weather-related events have lowered crop yields, particularly affecting wheat harvests. Depreciation of the U.S. dollar accounts for part of the increase in U.S. food prices, while increased production of biofuel has raised the price of corn.

Sadly, approximately 1 billion people—or one sixth of the world's population—subsist on less than $1 per day. Of this population, 162 million survive on less than $0.50 per day. Overall, increased food prices particularly affect developing countries, and the poorest people within those countries, where populations spend a larger proportional share of income on basic food commodities.

That is why I, along with other Hunger Caucus members, hosted a forum on the Food Crisis and what it is doing to our children. We met with leaders of the international aid community to come up with pragmatic solutions to the global hunger crisis, both in the short term and the long term.

In my district I submitted an appropriations request for the Houston Food Bank to expand their collection and distribution of food to the good people of Houston. We each have to do our part, not only in our district by supporting much needed programs and organizations, but across this great Nation and the rest of the world.

This amendment would give $9.9 billion, $496 million above the President's request, for the State Department, USAID and International Food Assistance. It is simply unacceptable in this day and age that children are going hungry. We have millions of dollars to bail out Bear Stearns, let's find that same money to help our families and our children.

EXPANDED GI BENEFITS FOR VETERANS EDUCATION

As champion for veterans, I am especially pleased to see the expansion of education benefits to veterans under the GI bill.

EXTENDED UNEMPLOYMENT COMPENSATION

The number of Americans looking for work has grown by 800,000 over the last year, and the number of American jobs has declined by 260,000 since the beginning of 2008. This supplemental would extend unemployment benefits for workers who have exhausted their benefits by up to 13 weeks in every State as well as an additional 13 weeks in States with high unemployment.

PROTECTING THE MEDICAID SAFETY NET ACT OF 2008 (H.R. 5613)

The Bush Administration sought to cut services and payments to American families by adding seven different Medicaid regulations to the stimulus. This amendment places a much needed moratorium on those regulations, giving back to our seniors, families, and those with disabilities as well as cut payments to safety net providers.

REFUGEE ASSISTANCE

$675 million, $454 million above the President's request, to address the refugee crisis in Iraq and elsewhere.

MERIDA

This amendment would give $461.5 million, $88.5 million below the President's request, for the initiative to provide counternarcotics and law enforcement assistance in Mexico, $400 million, and Central America, $61.5 million.

MILITARY CONSTRUCTION

The $4.6 billion for military construction, $2.2 billion over the President's request, including $939 million for BRAC, over $210 million for the military child care centers that the President announced in the State of the Union but never funded, and $992 million for military hospitals, to prevent the types of problems that faced Walter Reed.

BUREAU OF PRISONS

This $178 million urgently needed to meet rising incarceration costs and growing inmate population. The administration would have paid for these costs with cuts to State and local law enforcement funding.

CLEANING UP CONTRACTING (H.R. 3928 & H.R. 5712)

Increases accountability and transparency in federal contracting by requiring companies that receive more than 80 percent of their revenue from the federal government to disclose the names and salaries of their top officers, and requires federal contractors to report violations of federal criminal law and over-payments on contracts over $5 million.

Mr. LEWIS of California. Mr. Speaker, I recognize the minority leader of the Republican side of the aisle, my colleague, JOHN BOEHNER, for 1 minute.

Mr. OBEY. I want to make sure the gentleman's rights are protected. You indicated to me that you wanted the minority leader to close debate on your side?

Mr. LEWIS of California. No. I indicated I was recognizing him for 1 minute. I may have a few seconds myself at the end.

Mr. BOEHNER. Let me thank my colleague for yielding and ask my colleagues what is it that we are doing here? We got 1 week before we break for the Memorial Day recess. Admiral Mullen, Chairman of the Joint Chiefs, has said we have to have the funding for our troops in Iraq and Afghanistan.

We know that come early June, layoff notices go out to contract employees who work at the Pentagon. Why? Because we can't seem to get this bill finished. And why can't we get it finished? Because we have a bill in front of us that has all types of unrelated spending beyond what is needed to fund our troops.

The gentleman from California (Mr. LEWIS) earlier this week, introduced a clean troop funding bill, a bill that the President called for with the changes that were made up here to make sure that we got funding to the troops as quickly as possible. That is the bill that ought to be on the floor today, not a bill that handcuffs our generals, starves our troops and puts them in a position where they can't succeed in their mission in Iraq and Afghanistan.

The bill also includes a $54 billion tax hike on small businesses around the country. And if there is a time when we don't need to be raising taxes on small businesses, it is now. They are the engine of new job growth in our country. And what are we going to do? We are going to put more taxes on them.

I think that what we are doing here is that we are playing political games on the backs of our troops. You know it. All this bill is going to do is delay the process for weeks and weeks and weeks while we play political games because you know the President is not going to sign this bill.

Why don't we move Mr. LEWIS' bill? We can do it today. We can do it early next week. It is a clean troop funding bill that takes care of our troops and honors them on the eve of Memorial Day instead of playing political games on their backs.

Mr. OBEY. How many speakers does the gentleman have remaining?

Mr. LEWIS of California. I will just have a few seconds. I will reserve the balance of my time.

Mr. OBEY. I'm sorry. I couldn't hear you.

Mr. LEWIS of California. I will have a few seconds, but at the end of it, if you are at the end.

Mr. OBEY. I guess by default I am the last remaining speaker. The majority leader is otherwise occupied and so I would ask the gentleman to proceed.

Mr. LEWIS of California. With that, Mr. Speaker, I have enjoyed in many ways this discussion today. But most particularly, I have enjoyed having a chance to review the comments, sometimes even the lectures, of my colleague, the chairman of the committee, over the years. It wasn't that long ago that I had the chance to be the chairman myself. And earlier today, I used a quote from the then-ranking member of the committee in which he, in part, said, ''The American people know that, once again, Congress is putting partisan political considerations ahead of the needs of the American people.''

He protested so much. In that same conversation, Mr. OBEY went on to say, ''In my view, the quickest way to end this political nonsense is to vote 'no' on this bill so that we can send the President a bill which is respectable, responsible and can be signed.''

I must say that serving in the ranking member position at this point in time, I couldn't more heartily adopt the words of my colleague when he formerly had a position like mine.

In the meantime, this bill goes forward. The chairman knows full well that the bill that was written in the corner of this building by a couple of hands is going nowhere. It is very likely to be vetoed. In turn, he is repeating that very process he was protesting against so strongly not so long ago.

With that, Mr. Speaker, I yield back the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself the remainder of the time.

Mr. Speaker, first of all, I want Members to understand this bill was not written in the Speaker's office or any other leadership office. Virtually every appropriation issue of this bill was

written in the Appropriations Committee. We did not, obviously, write language that has previously passed the House under the control of other committees. The Energy and Commerce Committee produced the language, for instance, on the Medicaid rules. And the authorizing committee produced the language on unemployment compensation. That's normal.

In fact, the Speaker herself was joking the other day and teasing me, indicating that there were three items that she had wanted in the bill that the committee had turned down. So I would suggest this is not quite the dictatorship that the myth-makers on the other side of the aisle are trying to portray.

Having said that, let me explain what it is we are doing here today, since the minority leader was courteous enough to ask. What we are trying to do is to recognize a sad fact, which is that as long as George Bush is President of the United States, we are not going to be able to shut down the war. So what we are trying to do is proceed in the most responsible possible manner in order to assure that the next President, whoever he or she is, has at least 3 or 4 months to think through how he or she would get us out of this god-awful mess in Iraq, which I regard to be the most misguided foreign policy decision in my lifetime.

What we are trying to do is to recognize that we do not have a majority in the United States Senate to shut down this war. And so we are looking at ways to provide Members with an opportunity to speak out on whether they want to see that war funding go ahead or not, a straight up-or-down vote. No coercion, at least on this side of the aisle, no whipping that question on this side of the aisle. Members were told, ''Vote your conscience.''

We are also trying to do two other things. We are trying, once again, to attach conditions to the use of this money. Now I myself will vote against the first amendment because I have no guarantee that the conditions in the second amendment will survive Senate action. If they did, I would be perfectly comfortable with the first amendment because I think the first amendment is a straight effort to do what I just described a minute ago.

But the reason we want to pursue the second amendment is because we think it is about time that the Iraqis, now that they are generating oil surpluses and budget surpluses, we believe it is about time that they begin to assume the costs of their own reconstruction, at least 50 percent of it. This is why we have a 50–50, dollar-for-dollar match requirement which we are imposing on the Iraqis if we are to be expected to spend any more money in reconstructing Iraq. We think that's eminently sensible.

We also think it is about time that Iraq quit overcharging the U.S. military for the price of gasoline. There is no reason why we should be paying through the nose at a much higher price than Iraqis are paying for gasoline.

And then thirdly, we are asking the President of the United States to remember that the United States of America still exists, too, and that there are some problems that we need to address here. In fact, the administration itself has recognized some of them because the administration sent down a reprogramming request to deal with the problem of the Bureau of Prisons. They sent down a reprogramming request to deal with the census. We didn't think we ought to fix those problems by cutting even more deeply into local law enforcement funding, because those budgets have already been cut far too much. So we rejected the way that the administration wanted to pay for those items. And instead we have included them in this bill fully, fully paid for.

We also have the temerity to believe that if we are going to fight this war, then we ought to also provide a thank you note, a healthy thank you note, for the people who fought the war on our behalf. That is why we are insistent that we pass the expansion of the GI Bill so that you can take people whose lives have been turned upside-down for years, military families from the east coast to the west coast, their lives have been disrupted for years. We want to say ''we want to at least partially compensate you by giving you the opportunity for a full, 4-year college education at any State university in your State.'' And we have provisions that will even expand beyond that if they go to other schools that also participate in helping finance their education. We make no apology for including that.

We have heard from at least three speakers on that side of the aisle that we are providing $51 billion for that on the backs of the soldiers.

□ 1500

It isn't on their backs. It's an effort to help them. I would point out in the previous GI Bill in World War II, this country got a return of $7 for every dollar that it invested in the GI Bill. We recognize the value of doing that again. We recognize the moral obligation of doing that again, and we make no apology in going forward with it.

We also make no apology for recognizing that when we have millions of Americans unemployed, that there is no harm done by providing to those who have been unemployed the longest and have exhausted their benefits, with 13 weeks of additional assistance as those people look for jobs. This Congress sits here in a comfortable room making $160,000 a year, nickel nursing about our efforts to provide a few additional benefits to people who have been unemployed that long.

If we don't vote for that provision, we ought to be ashamed of ourselves. I ask each and every Member to vote your conscience. I am not going to tell you how to vote on any of the amendments. I will be voting against the first, for the second and the third.

But I urge us to get on with it. This is the only way that we can get the problem dealt with.

Mr. OBEY. Mr. Speaker, following is an explanation of the amendments of the House of Representatives (relating to supplemental appropriations for fiscal years 2008 and 2009) to the amendment of the Senate to H.R. 2642, the Military Construction and Veterans Affairs Appropriations Act, 2008.

In this statement, the provisions of the House amendments to the Senate amendment are generally referred to as ''the amended bill''.

House Amendment 1 strikes lines 1 through 3 on page 60 of the Senate amendment and inserts language providing supplemental appropriations for the Department of Defense for fiscal year 2008, and additional supplemental funds for fiscal year 2009 for operations in Iraq and Afghanistan.

House Amendment 2 inserts after line 3 on page 60 of the Senate amendment language regarding policy for operations in Iraq and reforms relating to war profiteering and contractors.

House Amendment 3 strikes line 1 on page 1 of the Senate amendment and all that follows through line 21 on page 59, and inserts language providing supplemental appropriations for military construction, international affairs, and other security-related and domestic needs, as well as language providing for improved veterans education benefits, temporary extended unemployment compensation, and a moratorium on certain Medicaid regulations, and establishing a surtax on high income taxpayers to offset the cost of the veterans benefit provision.

The texts of the amendments are printed in the Rules Committee report (H. Rpt. 110–636) to accompany House Resolution 1197.

Unless otherwise noted, all appropriations in the amendments are designated as emergency requirements and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21, the congressional budget resolution for fiscal year 2008.

AMENDMENT NO. 1

TITLE IX—DEFENSE MATTERS

CHAPTER 1—SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008

DEPARTMENT OF DEFENSE—MILITARY

OVERVIEW

RECOMMENDATION

In title IX, chapter 1, total new appropriations of $96,622,127,000 are recommended. A detailed review of the recommendations for programs funded in this chapter is provided in the following pages.

The recommended supplemental appropriations for the Department of Defense are intended for ongoing military and intelligence operations in support of Operation Iraqi Freedom (OIF), Operation Enduring Freedom (OEF), and the larger Global War on Terror (GWOT). The recommendations in this chapter are based on the initial budget request, an update to that request, formal hearings, and numerous briefings and are intended to address emergency, high-priority needs of the United States military and intelligence community. In some cases, funding has been reduced or eliminated for certain activities that are either not emergency in nature; that cannot be obligated and/or executed in a timely fashion; or which involve new policy

and program decisions that should be addressed in the regular authorization and appropriations bills for fiscal year 2009.

The following table summarizes by appropriation account or general provision, the recommendation:

(Amounts in thousands)

	Bill
CHAPTER 1	
DEFENSE SUPPLEMENTAL APPROPRIATIONS FOR FY 2008	
DEPARTMENT OF DEFENSE--MILITARY	
Military Personnel	
Military Personnel, Army (emergency)	11,807,655
Military Personnel, Navy (emergency)	866,753
Military Personnel, Marine Corps (emergency)	1,820,571
Military Personnel, Air Force (emergency)	1,286,153
Reserve Personnel, Army (emergency)	304,200
Reserve Personnel, Navy (emergency)	72,800
Res rve Personnel, Marine Corps (emergency)	16,720
Reserve Personnel, Air Force (emergency)	5,000
National Guard Personnel, Army (emergency)	1,369,747
National Guard Personnel, Air Force (emergency)	4,000
Total, Military Personnel	17,553,599
Operation and Maintenance	
Operation & Maintenance, Army (emergency)	16,343,512
Operation & Maintenance, Navy (emergency)	2,952,864
(Transfer out) (emergency)	(-112,607)
Coast Guard (By transfer) (emergency)	(112,607)
Operation & Maintenance, Marine Corps (emergency)	159,900
Operation & Maintenance, Air Force (emergency)	5,922,520
Operation & Maintenance, Defense-Wide (emergency)	3,387,562
Operation & Maintenance, Army Reserve (emergency)	164,839
Operation & Maintenance, Navy Reserve (emergency)	109,876
Operation & Maintenance, Marine Corps Reserve (emergency)	70,256
Operation & Maintenance, Air Force Reserve (emergency)	165,994
Operation & Maintenance, Army National Guard (emergency)	685,644
Operation & Maintenance, Air National Guard (emergency)	287,369
Subtotal, Operation and Maintenance	30,250,336
Iraq Freedom Fund (emergency)	50,000
Afghanistan Security Forces Fund (emergency)	1,400,000
Iraq Security Forces Fund (emergency)	1,500,000
Subtotal, Other	2,950,000
Grand total, Operation and Maintenance	33,200,336
Procurement	
Aircraft Procurement, Army (emergency)	954,111
Missile Procurement, Army (emergency)	561,656
Procurement of Weapons and Tracked Combat Vehicles, Army (emerg ncy)	5,393,471
Procur m nt of Ammunition, Army (emergency)	344,900
Other Procurement, Army (emergency)	15,967,340
Aircraft Procurement, Navy (emergency)	3,411,254
Weapons Procurement, Navy (emergency)	317,456
Procurement of Ammunition, Navy and Marine Corps (emergency)	304,945

(Amounts in thousands)

	Bill
Other Procurement, Navy (emergency)	1,260,135
Procurement, Marine Corps (emergency)	2,153,390
Aircraft Procurement, Air Force (emergency)	7,028,563
Missile Procurement, Air Force (emergency)	66,943
Procurement of Ammunition, Air Force (emergency)	205,455
Other Procurement, Air Force (emergency)	1,903,167
Procurement, Defense-Wide (emergency)	408,209
National Guard and Reserve Equipment (emergency)	750,000
Total, Procurement	41,030,995
Research, Development, Test and Evaluation	
Research, Development, Test & Evaluation, Army (emergency)	162,958
Research, Development, Test & Evaluation, Navy (emergency)	366,110
Research, Development, Test & Evaluation, Air Force (emergency)	278,427
Research, Development, Test and Evaluation, Defense-Wide (emergency)	816,598
Total, Research, Development, Test and Evaluation	1,624,093
Revolving and Management Funds	
Defense Working Capital Funds (emergency)	1,837,450
National Defense Sealift Fund (emergency)	5,110
Total, Revolving and Management Funds	1,842,560
Other Department of Defense Programs	
Defense Health Program (emergency)	1,363,864
Operation and maintenance (emergency)	(907,064)
Procurement (emergency)	(91,900)
Research, development, test and evaluation (emergency)	(364,900)
Psychological health & traumatic brain injury (emerg)	75,000
Total, Defense Health Program (emergency)	1,438,864
Drug Interdiction and Counter-Drug Activities, Defense (emergency)	65,317
Office of the Inspector General (emergency)	6,394
Total, Other Department of Defense Programs	1,510,575
General Provisions--Chapter 1	
Special transfer authority (emergency)	(2,500,000)
Defense Cooperation Account (transfer authority) (emergency)	6,500
Rescissions (emergency)	-146,531
Total, General Provisions	-140,031
Total, Chapter 1	96,622,127

Additionally, a number of needs were identified that were not adequately addressed by the Department of Defense. Major initiatives in the recommendation include:

Facilities Sustainment, Restoration and Modernization (FSRM): The recommendation includes an additional $500,000,000 for FSRM at Army and Marine Corps facilities;

Department of Defense Identified Operation & Maintenance Shortfalls: The recommendation includes $3,617,308,000 to address the increasing price of fuel and other petroleum products;

Yellow Ribbon Reintegration Program: The recommendation includes $65,400,000 to support the Yellow Ribbon Reintegration program to help members of the National Guard and Reserve transition from combat to civilian life. The recommendation is summarized as follows:

FY 2008 YELLOW RIBBON

[In thousands of dollars]

Military Personnel:	
Reserve Personnel, Army	5,000
Reserve Personnel, Navy	2,800
Reserve Personnel, Marine Corps	1,300
Reserve Personnel, Air Force	2,000
National Guard Personnel, Army	15,000
National Guard Personnel, Air Force	4,000
Total, Military Personnel	30,100
Operation and Maintenance:	
Operation and Maintenance, Army Reserve	8,300
Operation and Maintenance, Navy Reserve	2,200
Operation and Maintenance, Marine Corps Reserve	1,300
Operation and Maintenance, Air Force Reserve	3,500
Operation and Maintenance, Army National Guard	18,000
Operation and Maintenance, Air National Guard	2,000
Total, Operation and Maintenance	35,300

Contract Management: The recommendation includes $52,000,000 for the Defense Contract Management Agency to hire more than 200 additional contract managers to prevent waste, fraud and abuse in Department of Defense contracting in Iraq and Afghanistan;

Land Warrior: The recommendation includes $102,000,000 to outfit one ''next to deploy'' brigade combat team with Land Warrior equipment sets;

C–17 Procurement: The recommendation includes $3,604,500,000 to procure 15 C–17 aircraft;

C–130 Procurement: The recommendation includes $2,469,700,000 for the procurement of 34 C–130 aircraft including Air Force, Marine Corps and Special Operations variants; and

Department of Defense Identified Acquisition Shortfalls: The recommendation includes over $1,200,000,000 for a variety of military service Joint Urgent Operational Needs identified by the Department of Defense; and

Overall, the recommendations total $96,622,127,000 and are structured to maximize support to our men and women in uniform. They meet important force protection, equipment and personnel needs, while fully funding the operational requirements to conduct the Global War on Terror.

CLASSIFIED ANNEX

The recommendations for intelligence activities are published in a separate and detailed classified annex. The intelligence community, Department of Defense and other organizations are expected to fully comply with the recommendations and direction in the classified annex accompanying this Act.

REPORTING REQUIREMENTS

The Secretary of Defense is directed to provide a report to the congressional defense committees within 30 days of enactment of this Act on the allocation of the funds within the accounts listed in this chapter. The Secretary shall submit updated reports 30 days after the end of each fiscal quarter until funds listed in this chapter are no longer available for obligation. These reports shall include: a detailed accounting of obligations and expenditures of appropriations provided in this chapter by program and subactivity group for the continuation of military operations in Iraq and Afghanistan and a listing of equipment procured using funds provided in this chapter. It is expected that, in order to meet unanticipated requirements, the Department of Defense may need to transfer funds within these appropriation accounts for purposes other than those specified in this statement. The Department of Defense is directed to follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriations accounts in this chapter.

Additionally, the Department of Defense is directed to submit monthly supplemental execution reports to the congressional defense committees that include the following information by appropriation: funding appropriated, funding allocated, monthly obligations, monthly disbursements, cumulative fiscal year obligations, and cumulative fiscal year disbursements.

CIVIL SUPPORT RESPONSIBILITIES REPORT

The Secretary of Defense, in consultation with the Secretary of Homeland Security, shall provide a report on the progress of the Department of Defense efforts to plan for and provide support to civil authorities during incidents of national significance as required by sections 1814 and 1815 of Public Law 110–181. The report shall be provided to the Committees on Appropriations and other congressional defense committees no later than 60 days after enactment of this Act. Specifically the report shall provide a projected timeframe for completing the determination of requirements requested in sections 1814 and 1815, milestones for implementation of planning and readiness improvements, and any available information on the Department of Defense's current state of readiness and gaps in readiness for each of the National Planning Scenarios. In addition, the Secretary of Defense shall include in the report an explanation on how the Department's civil support and homeland defense responsibilities are incorporated into the validation and prioritization of the services' equipment requirements.

CONTRACTING

There is concern over the numerous instances of waste, fraud, and abuse that have occurred in Department of Defense contracting activities in support of contingency operations. The Department and the military services did not properly address the necessary personnel, training, and technology requirements over the years, but are now taking steps to improve their capabilities. This recommendation includes additional funds to further many of the initiatives and increased personnel requirements identified by the Department of Defense and outside reviews such as the Gansler report. The recommendation also calls for enhanced reporting requirements to ensure improved oversight over the Iraq and Afghanistan Security Forces Funds, and the Commander's Emergency Response Program. Finally, it provides funding for the Department of Defense Inspector General to improve its antiquated tracking system for the Criminal Investigation Service.

OPERATION ENDURING FREEDOM

The recommendation provides additional resources to aid U.S. military operations in Afghanistan and to strengthen the Afghanistan Security Forces. Afghanistan Security Forces are critical to the stability of Afghanistan and essential to our fight against al Qaeda and other terrorist organizations. To increase our efforts to train and equip these forces, the recommendation funds additional trainers for the Afghan National Army and the Afghan National Police. It also doubles the Commander's Emergency Response Program (CERP) in Afghanistan from fiscal year 2007 levels to address critical small scale humanitarian efforts. Included in this amount are the necessary resources to support the CERP program for the additional Marines in Afghanistan. These and other efforts related to Afghanistan are discussed elsewhere in this report and in the classified annex.

CASE MANAGEMENT AND DISABILITY EVALUATION FOR WOUNDED WARRIORS

The recommendation includes $94,900,000 in the Operation and Maintenance, Defense-Wide; Procurement, Defense-Wide; Research, Development, Test and Evaluation, Defense-Wide; and the Defense Health Program appropriation accounts to address gaps identified by the President's Commission on Care for America's Returning Wounded Warriors. The funding will enable improvements in case management, data sharing, and the disability evaluation system (DES). Additionally, the funding will support the on-going DES Pilot program, information technology development, support for case management, and improvement of Department of Defense and Department of Veterans Affairs data sharing gateways, and distribution of wounded warrior care and benefits informational handbooks.

DEFENSE HEALTH PROGRAM OVERVIEW

The recommendation includes a total appropriation of $1,438,864,000 for the Defense Health Program. This funding will provide medical and dental services to active forces and mobilized Reserve Components, as they support Operation Iraqi Freedom and Operation Enduring Freedom, and their family members. The funding also provides for costs associated with the treatment of combat-related injuries.

The recommendation also provides $293,023,000 for facilities sustainment, restoration and modernization; $1,000,000 for the Center of Excellence for Eye Injuries; $70,000,000 for the Center for Neuroscience and Regenerative Medicine and $47,100,000, in various budget activities for disability evaluation system and case management.

FUNDING FOR RESEARCH, DEVELOPMENT, TEST AND EVALUATION

Research, Development, Test and Evaluation has historically not been funded in large amounts in emergency supplemental appropriations. Generally, funding has been provided for items that have been funded in prior supplemental appropriations, or that can be developed and fielded in a timely manner to impact the Global War on Terror.

MILITARY PERSONNEL

An appropriation of $17,553,599,000 is recommended for Military Personnel. The recommendations for each military personnel account are shown below:

[In thousands of dollars]

Account	Recommendation
MILITARY PERSONNEL, ARMY	
ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS	
BASIC PAY	1,142,768
RETIRED PAY ACCRUAL	230,280
BASIC ALLOWANCE FOR HOUSING	286,673
BASIC ALLOWANCE FOR SUBSISTENCE	38,324
SPECIAL PAYS	517,490
SOCIAL SECURITY TAX	87,416
TOTAL, BUDGET ACTIVITY 1	2,302,951
ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	
BASIC PAY	2,747,209
RETIRED PAY ACCRUAL	598,216
BASIC ALLOWANCE FOR HOUSING	902,271
SPECIAL PAYS	2,507,642
SOCIAL SECURITY TAX	210,161
TOTAL, BUDGET ACTIVITY 2	6,965,499
ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL	
BASIC ALLOWANCE FOR SUBSISTENCE	300,904
SUBSISTENCE-IN-KIND	1,365,832
TOTAL, BUDGET ACTIVITY 4	1,666,736
ACTIVITY 5: PERMANENT CHANGE OF STATION TRAVEL	
ACCESSION TRAVEL	11,472
TRAINING TRAVEL	9,537
OPERATIONAL TRAVEL	101,482
ROTATIONAL TRAVEL	126,759
SEPARATION TRAVEL	14,826
TRAVEL OF ORGANIZED UNITS	1,344
TOTAL, BUDGET ACTIVITY 5	265,420
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
INTEREST ON SOLDIERS DEPOSITS	21,780
RESERVE INCOME REPLACEMENT PROGRAM	8,200
UNEMPLOYMENT COMPENSATION	142,364
DEATH GRATUITIES	72,900
SGLI EXTRA HAZARD PAYMENTS	116,805
TOTAL, BUDGET ACTIVITY 6	362,049
UNDISTRIBUTED ADJUSTMENTS	
ACCELERATION OF GROW THE FORCE	100,000
CHANGE IN RESERVE AND GUARD MOBILIZATION LEVELS	-101,000
YEAR OF EXECUTION/RATE CHANGES	246,000
TOTAL, UNDISTRIBUTED ADJUSTMENTS	245,000
TOTAL, MILITARY PERSONNEL, ARMY	11,807,655

[In thousands of dollars]

Account	Recommendation
MILITARY PERSONNEL, NAVY	
ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS	
BASIC PAY	119,911
RETIRED PAY ACCRUAL	22,902
BASIC ALLOWANCE FOR HOUSING	32,930
BASIC ALLOWANCE FOR SUBSISTENCE	3,663
SPECIAL PAYS	31,433
SOCIAL SECURITY TAX	9,173
TOTAL, BUDGET ACTIVITY 1	220,012
ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	
BASIC PAY	139,495
RETIRED PAY ACCRUAL	26,643
BASIC ALLOWANCE FOR HOUSING	60,550
SPECIAL PAYS	132,692
SOCIAL SECURITY TAX	10,671
TOTAL, BUDGET ACTIVITY 2	370,051
ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL	
BASIC ALLOWANCE FOR SUBSISTENCE	14,855
SUBSISTENCE-IN-KIND	14,727
TOTAL, BUDGET ACTIVITY 4	29,582
ACTIVITY 5: PERMANENT CHANGE OF STATION TRAVEL	
ACCESSION TRAVEL	7,291
OPERATIONAL TRAVEL	12,660
ROTATIONAL TRAVEL	14,073
SEPARATION TRAVEL	5,724
TOTAL, BUDGET ACTIVITY 5	39,748
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
RESERVE INCOME REPLACEMENT PROGRAM	3,000
UNEMPLOYMENT COMPENSATION	28,200
DEATH GRATUITIES	1,500
SGLI EXTRA HAZARD PAYMENTS	10,060
TOTAL, BUDGET ACTIVITY 6	42,760
UNDISTRIBUTED ADJUSTMENTS	
CHANGE IN RESERVE MOBILIZATION LEVELS	21,600
YEAR OF EXECUTION/RATE CHANGES	143,000
TOTAL, UNDISTRIBUTED ADJUSTMENTS	164,600
TOTAL, MILITARY PERSONNEL, NAVY	866,753

[In thousands of dollars]

Account	Recommendation
MILITARY PERSONNEL, MARINE CORPS	
ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS	
BASIC PAY	197,261
RETIRED PAY ACCRUAL	45,947
BASIC ALLOWANCE FOR HOUSING	64,464
BASIC ALLOWANCE FOR SUBSISTENCE	7,260
SPECIAL PAYS	33,269
SOCIAL SECURITY TAX	15,089
TOTAL, BUDGET ACTIVITY 1	363,290
ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	
BASIC PAY	487,327
RETIRED PAY ACCRUAL	116,280
BASIC ALLOWANCE FOR HOUSING	121,093
SPECIAL PAYS	552,658
SOCIAL SECURITY TAX	37,281
TOTAL, BUDGET ACTIVITY 2	1,314,639
ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL	
BASIC ALLOWANCE FOR SUBSISTENCE	53,848
TOTAL, BUDGET ACTIVITY 4	53,848
ACTIVITY 5: PERMANENT CHANGE OF STATION TRAVEL	
ACCESSION TRAVEL	3,583
OPERATIONAL TRAVEL	50,195
TOTAL, BUDGET ACTIVITY 5	53,778
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
UNEMPLOYMENT COMPENSATION	500
DEATH GRATUITIES	23,700
SGLI EXTRA HAZARD PAYMENTS	20,616
TOTAL, BUDGET ACTIVITY 6	44,816
UNDISTRIBUTED ADJUSTMENTS	
ACCELERATION OF GROW THE FORCE	93,600
CHANGE IN RESERVE MOBILIZATION LEVELS	-103,400
TOTAL, UNDISTRIBUTED ADJUSTMENTS	-9,800
TOTAL, MILITARY PERSONNEL, MARINE CORPS	1,820,571
MILITARY PERSONNEL, AIR FORCE	
ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS	
BASIC PAY	187,704
RETIRED PAY ACCRUAL	35,851
BASIC ALLOWANCE FOR HOUSING	56,600
BASIC ALLOWANCE FOR SUBSISTENCE	6,416
SPECIAL PAYS	27,247
SOCIAL SECURITY TAX	14,359
TOTAL, BUDGET ACTIVITY 1	328,177

[In thousands of dollars]

Account	R commendation
ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	
BASIC PAY	468,692
RETIRED PAY ACCRUAL	89,520
BASIC ALLOWANCE FOR HOUSING	127,850
SPECIAL PAYS	86,304
SOCIAL SECURITY TAX	35,855
TOTAL, BUDGET ACTIVITY 2	808,221
ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL	
BASIC ALLOWANCE FOR SUBSISTENCE	35,749
SUBSISTENCE-IN-KIND	68,793
TOTAL, BUDGET ACTIVITY 4	104,542
ACTIVITY 5: PERMANENT CHANGE OF STATION TRAVEL	
OPERATIONAL TRAVEL	5,621
TOTAL, BUDGET ACTIVITY 5	5,621
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
UNEMPLOYMENT COMPENSATION	16,200
DEATH GRATUITIES	2,200
SGLI EXTRA HAZARD PAYMENTS	21,192
TOTAL, BUDGET ACTIVITY 6	39,592
TOTAL, MILITARY PERSONNEL, AIR FORCE	1,286,153
RESERVE PERSONNEL, ARMY	
ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
SCHOOL TRAINING	56,100
SPECIAL TRAINING	56,400
RECRUITING AND RETENTION	186,700
YELLOW RIBBON REINTEGRATION PROGRAM	5,000
TOTAL, BUDGET ACTIVITY 1	304,200
TOTAL, RESERVE PERSONNEL, ARMY	304,200
RESERVE PERSONNEL, NAVY	
ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/28)	35,000
SPECIAL TRAINING	22,000
SCHOOL TRAINING	13,000
YELLOW RIBBON REINTEGRATION PROGRAM	2,800
TOTAL, BUDGET ACTIVITY 1	72,800
TOTAL, RESERVE PERSONNEL, NAVY	72,800

[In thousands of d llars]

Account	R comm ndation
RESERVE PERSONNEL, MARINE CORPS	
ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
SCHOOL TRAINING	15,420
YELLOW RIBBON REINTEGRATION PROGRAM	1,300
TOTAL, BUDGET ACTIVITY 1	16,720
TOTAL, RESERVE PERSONNEL, MARINE CORPS	16,720
RESERVE PERSONNEL, AIR FORCE	
ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
SPECIAL TRAINING	3,000
YELLOW RIBBON REINTEGRATION PROGRAM	2,000
TOTAL, BUDGET ACTIVITY 1	5,000
TOTAL, RESERVE PERSONNEL, AIR FORCE	5,000
NATIONAL GUARD PERSONNEL, ARMY	
ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/28)	124,400
SPECIAL TRAINING	190,298
SCHOOL TRAINING	441,663
ADMINISTRATION AND SUPPORT	380,386
RECRUITING EFFORTS	75,000
RETENTION EFFORTS	143,000
YELLOW RIBBON REINTEGRATION PROGRAM	15,000
TOTAL, BUDGET ACTIVITY 1	1,369,747
TOTAL, NATIONAL GUARD PERSONNEL, ARMY	1,369,747
NATIONAL GUARD PERSONNEL, AIR FORCE	
ACTIVITY 1: RESERVE COMPONENT TRAINING AND SUPPORT	
YELLOW RIBBON REINTEGRATION PROGRAM	4,000
TOTAL, BUDGET ACTIVITY 1	4,000
TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	4,000

GROW THE FORCE

The recommendation includes funding to support the Army and Marine Corps plans to grow their end strength in an effort to better sustain operational tempo and relieve strain on current units.

WOUNDED WARRIOR PROGRAMS

The recommendation fully funds the identified requirements for enhanced Traumatic Servicemembers' Group Life Insurance (TSGLI) benefits and wounded service members' separation pay, and provides additional funding for health care professional bonuses to support the recruitment of additional medical personnel.

COST AND RATE INCREASES

The recommendation includes funding for recent increases for Basic Allowance for Housing, Basic Allowance for Subsistence, Permanent Change of Station, Unemployment Compensation, and Cost of Living Adjustments.

OPERATION AND MAINTENANCE

An appropriation of $33,200,336,000 is recommended for Operation and Maintenance.

The recommendations for each operation and maintenance account are shown below:

[In thousands of dollars]

Account	Recommendation
OPERATION & MAINTENANCE, ARMY	
MANEUVER UNITS	28,089
MODULAR SUPPORT BRIGADES	1,315
ECHELONS ABOVE BRIGADE	29,670
THEATER LEVEL ASSETS	24,466
LAND FORCES OPERATIONS SUPPORT	916
AVIATION ASSETS	59,466
FORCE READINESS OPERATIONS SUPPORT	16,257
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	408,000
BASE OPERATIONS SUPPORT	41,282
ADDITIONAL ACTIVITIES	14,551,866
COMMANDER'S EMERGENCY RESPONSE PROGRAM	1,026,841
FLIGHT TRAINING	33,214
SUBTOTAL BA-1	16,221,382
SECURITY PROGRAMS	102,130
SERVICEWIDE TRANSPORTATION	700,000
SUBTOTAL BA-4	802,130
CONTRACT EFFICIENCIES	-300,000
UNDISTRIBUTED REDUCTION	-380,000
TOTAL, OPERATION AND MAINTENANCE, ARMY	16,343,512
OPERATION & MAINTENANCE, NAVY	
MISSION AND OTHER FLIGHT OPERATIONS	753,193
FLEET AIR TRAINING	81,238
AVIATION TECHNICAL DATA & ENGINEERING SERVICES	1,221
AIR OPERATIONS AND SAFETY SUPPORT	26,586
AIR SYSTEMS SUPPORT	11,279
AIRCRAFT DEPOT MAINTENANCE	118,287
MISSION AND OTHER SHIP OPERATIONS	568,841
SHIP OPERATIONS SUPPORT & TRAINING	4,134
SHIP DEPOT MAINTENANCE	219,268
SHIP DEPOT OPERATIONS SUPPORT	11,618
COMBAT COMMUNICATIONS	4,839
ELECTRONIC WARFARE	4,262
SPACE SYSTEMS AND SURVEILLANCE	12
WARFARE TACTICS	5,657
OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	774
COMBAT SUPPORT FORCES	573,811
EQUIPMENT MAINTENANCE	23,470
IN-SERVICE WEAPONS SYSTEMS SUPPORT	13,500
WEAPONS MAINTENANCE	28,162
OTHER WEAPON SYSTEMS SUPPORT	1,058
SUSTAINMENT, RESTORATION AND MODERNIZATION	2,912
BASE OPERATING SUPPORT	193,072
SUBTOTAL BA-1	2,647,194
SHIP PREPOSITIONING AND SURGE	94,140
FLEET HOSPITAL PROGRAM	7
SUBTOTAL BA-2	94,147

[In thousands of dollars]

Account	Recommendation
OFFICER ACQUISITION	136
SPECIALIZED SKILL TRAINING	35,340
FLIGHT TRAINING	24,003
RECRUITING AND ADVERTISING	3,887
SUBTOTAL BA-3	63,366
ADMINISTRATION	1,422
EXTERNAL RELATIONS	139
MILITARY MANPOWER AND PERSONNEL MANAGEMENT	523
OTHER PERSONNEL SUPPORT	2,544
SERVICEWIDE COMMUNICATIONS	11,566
SERVICEWIDE TRANSPORTATION	6,985
ACQUISITION AND PROGRAM MANAGEMENT	540
COMBAT/WEAPONS SYSTEMS	155
NAVAL INVESTIGATIVE SERVICE	4,081
SUBTOTAL BA-4	27,955
OTHER PROGRAMS	32,595
COAST GUARD SUPPORT	112,607
CONTRACT EFFICIENCIES	-25,000
TOTAL, OPERATIONS & MAINTENANCE, NAVY	2,952,864
OPERATION & MAINTENANCE, MARINE CORPS	
OPERATIONAL FORCES	104,772
MARITIME PREPOSITIONING	2
SUSTAINMENT, RESTORATION, & MODERNIZATION	46,040
BASE OPERATING SUPPORT	6,787
SUBTOTAL BA-1	157,601
RECRUIT TRAINING	333
OFFICER ACQUISITION	7
SPECIALIZED SKILL TRAINING	88
TRAINING SUPPORT	1,293
BASE OPERATING SUPPORT	578
SUBTOTAL BA-3	2,299
TOTAL, OPERATION & MAINTENANCE, MARINE CORPS	159,900
OPERATION & MAINTENANCE, AIR FORCE	
OPERATION & MAINTENANCE, AIR FORCE	1,620,673
PRIMARY COMBAT FORCES	9,309
COMBAT ENHANCEMENT FORCES	72,599
AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	10,992
COMBAT COMMUNICATIONS	576,665
DEPOT MAINTENANCE	190,117
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	72,424
BASE SUPPORT	860,101

[In thousands of dollars]

Account	Recommendation
NAVIGATION/WEATHER SUPPORT	2,160
OTHER COMBAT OPS SPT PROGRAMS	64,297
MANAGEMENT/OPERATIONAL HQ	66,518
TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	666
LAUNCH VEHICLES	4
BASE SUPPORT	2,583
SUBTOTAL BA-1	3,549,108
AIRLIFT OPERATIONS	1,843,258
DEPOT MAINTENANCE	63,772
BASE SUPPORT	67,530
SUBTOTAL BA-2	1,974,560
BASE SUPPORT	1,229
SPECIALIZED SKILL TRAINING	98,851
FLIGHT TRAINING	60,135
PROFESSIONAL DEVELOPMENT EDUCATION	174
TRAINING SUPPORT	966
FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	2,414
BASE SUPPORT	6,767
RECRUITING AND ADVERTISING	50
SUBTOTAL BA-3	170,586
LOGISTICS OPERATIONS	72,179
BASE SUPPORT	5,027
OTHER SERVICEWIDE ACTIVITIES	8,129
OTHER PERSONNEL SUPPORT	1,455
SECURITY PROGRAMS	170,431
INTERNATIONAL SUPPORT	21,045
SUBTOTAL BA-4	278,266
CONTRACT EFFICIENCIES	-50,000
TOTAL, OPERATION & MAINTENANCE, AIR FORCE	5,922,520
OPERATION & MAINTENANCE, DEFENSE-WIDE	
JOINT CHIEFS OF STAFF	26,216
SPECIAL OPERATIONS COMMAND	760,811
SUBTOTAL BA-1	787,027
AMERICAN FORCES INFORMATION SERVICE	7,109
DEFENSE CONTRACT AUDIT AGENCY	8,245
DEFENSE INFORMATION SYSTEMS AGENCY	106,078
DEFENSE LOGISTICS AGENCY	105,815
DEFENSE THREAT REDUCTION AGENCY	2,636
DEPARTMENT OF DEFENSE EDUCATION AGENCY	196,927
DOD HUMAN RESOURCES ACTIVITY	36,670
DEFENSE CONTRACT MANAGEMENT AGENCY	52,000

[In thousands of dollars]

Account	Recommendation
DEFENSE LEGAL SERVICES AGENCY (DLSA)	12,962
DEFENSE SECURITY COOPERATION AGENCY (DSCA)	950,000
OFFICE OF THE SECRETARY OF DEFENSE	27,322
WASHINGTON HEADQUARTERS SERVICES (WHS)	7,210
OTHER PROGRAMS	1,087,561
SUBTOTAL BA-4	2,600,535
TOTAL, OPERATION & MAINTENANCE, DEFENSE-WIDE	3,387,562
OPERATION & MAINTENANCE, ARMY RESERVE	
AVIATION ASSETS	37,581
ADDITIONAL ACTIVITIES	127,258
TOTAL, OPERATION & MAINTENANCE, ARMY RESERVE	164,839
OPERATION & MAINTENANCE, NAVY RESERVE	
MISSION AND OTHER FLIGHT OPERATIONS	91,495
INTERMEDIATE MAINTENANCE	48
MISSION AND OTHER SHIP OPERATIONS	6,388
COMBAT COMMUNICATIONS	3,354
COMBAT SUPPORT FORCES	8,372
BASE OPERATING SUPPORT (BOS)	219
TOTAL, OPERATION & MAINTENANCE, NAVY RESERVE	109,876
OPERATION & MAINTENANCE, MARINE CORPS RESERVE	
OPERATING FORCES	23,149
TRAINING SUPPORT	950
BASE OPERATING SUPPORT	157
FACILITIES, SUSTAINMENT, RESTORATION & MODERNIZATION	46,000
TOTAL, OPERATION & MAINTENANCE, MARINE CORPS RESERVE	70,256
OPERATION & MAINTENANCE, AIR FORCE RESERVE	
PRIMARY COMBAT FORCES	165,994
TOTAL, OPERATION & MAINTENANCE, AIR FORCE RESERVE	165,994
OPERATION & MAINTENANCE, ARMY NATIONAL GUARD	
AVIATION ASSETS	102,394
ADDITIONAL ACTIVITIES	583,250
TOTAL, OPERATION & MAINTENANCE, ARMY NATIONAL GUARD	685,644

[In thousands of dollars]

Account	Recommendation
OPERATION & MAINTENANCE, AIR NATIONAL GUARD	
AIRCRAFT OPERATIONS	
MISSION SUPPORT OPERATIONS	287,369
TOTAL, OPERATION & MAINTENANCE, AIR NATIONAL GUARD	287,369
IRAQ FREEDOM FUND	50,000
AFGHANISTAN SECURITY FORCES FUND	
MINISTRY OF DEFENSE (MOD) EQUIPMENT AND TRANSPORTATION	54,326
MOD TRAINING	71,182
MOD SUSTAINMENT	513,515
MINISTRY OF INTERIOR (MOI) EQUIPMENT AND TRANSPORTATION	67,328
MOI TRAINING	422,509
MOI SUSTAINMENT	271,140
TOTAL, AFGHANISTAN SECURITY FORCES FUND	1,400,000
IRAQ SECURITY FORCES FUND	
MINISTRY OF DEFENSE (MOD) EQUIPMENT AND TRANSPORTATION	522,500
MOD TRAINING	66,400
MOD SUSTAINMENT	154,700
MINISTRY OF INTERIOR (MOI) EQUIPMENT AND TRANSPORTATION	332,000
MOI TRAINING	185,000
MOI SUSTAINMENT	86,000
RELATED ACTIVITIES	153,400
TOTAL, IRAQ SECURITY FORCES FUND	1,500,000

COMMANDER'S EMERGENCY RESPONSE PROGRAM

The recommendation includes $1,026,841,000 for the Commander's Emergency Response Program (CERP). Included in this amount is $479,900,000 for CERP in Afghanistan and $2,000,000 to support our ongoing efforts in the Global War on Terror in the Philippines. Small scale, humanitarian projects led by the Joint Interagency Task Force—Philippines should have a tremendous impact on combating the spread of terrorist cells in the Philippines. However, the provision of these funds does not represent an invitation to expand CERP beyond its current mission and application.

CERP projects are also currently benefiting the 2.7 million internally-displaced Iraqis. The Iraqi government should devote more of its own resources to returning them to their homes, or resettling them permanently in functioning communities. However, recognizing that CERP is an effective tool for meeting urgent humanitarian needs, the Secretary of Defense is urged to encourage commanders to give priority to humanitarian and reconstruction projects that respond to the needs of internally-displaced Iraqis who have settled in their area of responsibility.

CERP has proven beneficial to both U.S. commanders and the Iraqi people, but there is concern over the Department's growing requests for these funds. Since its inception in 2004, this program has grown exponentially, from $180,000,000 in fiscal year 2004 to $956,400,000 in fiscal year 2007. Congress provided $500,000,000 in the fiscal year 2008 supplemental bridge appropriation but the Department is obligating funds for this program at a rate that would exceed the authorized level of $977,441,000 before the end of the fiscal year.

While there is a need to maintain commanders' flexibility and control in administering CERP funds, there is concern that, in the absence of any minimum standards for project monitoring or specific performance indicators, commanders exercise varying levels of oversight and typically compile only anecdotal evidence on the impact of projects. Furthermore, CERP funds are administered at the battalion level, often by troops whose Military Operational Specialty has little or no connection to program or acquisition management. The limited information provided to Congress about CERP projects makes it difficult to conduct thorough oversight over how this program is administered, what its actual impact is on the Iraqi people, and how it fits into our overall strategy for Iraq.

To provide Congress sufficient visibility over the use of funding provided for CERP, the Department is directed to: (1) establish minimum guidelines for commanders to follow in monitoring project status and performance indicators to assess the impact of CERP projects, (2) provide more complete information in its quarterly reports to Congress, including: listings of projects by province; project status, such as completed and being used, completed but not sustained, destroyed, vandalized, or not found; the source of each individual initiative, whether it was generated by a local national or the command; the name of the authority or organization who serves as the primary local partner for each project; and the number of local citizens who will benefit from the project, including the number who will be employed in implementing it, and if it directly benefits internally-displaced Iraqis. In addition, the report should include information on the nature of the Government of Iraq's commitment to sustain projects requiring government support, and on the impact of CERP projects, individually and collectively, in assisting the U.S. to carry out its strategy in Iraq.

So Congress may better understand how troops are trained to administer CERP funds, the Secretary of Defense is directed to submit to the congressional defense committees, within 45 days of enactment of this Act, a detailed report on the training provided to troops authorized to manage or disperse CERP funds. The report should include the duration of the training, its primary objectives, and a syllabus of the training course.

For greater clarity on how commanders incorporate the use of CERP funds into their operational planning, the Secretary of Defense is directed to provide a report to the congressional defense committees, no later than September 4, 2008, on operational planning for the use of CERP. The report should include plans from each of the current Multinational Division (MND) commands in Iraq and each of the current Task Force commands in Afghanistan, to include information on the criteria used for prioritizing individual CERP projects and how the use of CERP funds is intended to advance the tactical and strategic objectives.

CONTRACT SERVICES

The continued lack of transparency and accountability with regard to contracts and contractors serving in both theaters of operation (Iraq and Afghanistan) is concerning. The Department of Defense has indicated a need for approximately $40,000,000,000 of operation and maintenance funding for contracted services in this supplemental appropriation. This includes $6,000,000,000 for the Army-managed Logistics Civil Augmentation Program (LOGCAP), which provides for a spectrum of services to include power generation, management of facilities, dining operations, latrines, water systems, fire protection and laundry services. Approximately $5,400,000,000 was expended by the Army on LOGCAP contracts in 2007. Within 90 days of enactment of this Act, the Secretary of Defense is directed to submit a comprehensive report to the House and the Senate Committees on Appropriations that provides the following information for each existing operations and maintenance contract in excess of $1,000,000:

— contractor name;
— amount;
— purpose;
— start and end date;
— type of contract; and
— amount of awards per fiscal year, if applicable.

This report should also identify the Department of Defense organization responsible for oversight of the contracts and should reflect the type of services provided, such as vehicle maintenance, food service, security, information technology support, reconstruction, analysis, and other relevant information.

This report should also include a discussion of the roles and responsibilities of the following organizations and how they work collaboratively to ensure appropriate contract oversight in theaters of operation for Iraq and Afghanistan:

— LOGCAP;
— AFCAP;
— Defense Reconstruction Support Office;
— Joint Contracting Command Iraq/Afghanistan;
— Deputy Assistant Secretary—Army (Policy and Procurement)—Iraq and Afghanistan; and
— Project and Contracting Office, Washington.

Further, the report should include the number of Department of Defense military and federal civilian personnel assigned to each of these offices, the number of contractors assigned to each office and the roles the contractors perform. As part of this report, should the Department of Defense determine that it has insufficient in-house capability to effectively monitor these contracts, it should then develop a robust staffing proposal and submit it to the House and the Senate Committees on Appropriations for consideration in the fiscal year 2009 Defense Appropriations Act. The report shall be submitted in unclassified form, but may contain a classified annex.

The recommendation includes contract service efficiencies in the amount of $375,000,000 as follows: Army $300,000,000; Navy $25,000,000 and Air Force $50,000,000.

SUBSISTENCE CONTRACTS

The Army requested $987,000,000 to fund purchases of subsistence items in support of Department of Defense civilian employees and contractors deployed to the Iraq and Afghanistan areas of operations. This also includes subsistence that is provided to these individuals within the Department of Defense dining facilities.

The Army estimates that 5,000 Department of Defense civilians and 73,000 contractor personnel constitute the population of ''Department of Defense authorized personnel''. This is an average cost for subsistence of nearly $13,000 per individual per year.

There are significant unanswered questions regarding the management of this overall process, as well as the absence of appropriate internal control procedures. For example, how the Department manages access to the dining facilities; the number of civilian employees and contractors who dine in Department of Defense dining facilities; why the cost per person is so high; and the number of contractors and subcontractors who provide subsistence to the Department of Defense in this theater of operations.

Based on these unresolved issues, the recommendation includes a ten percent reduction to the nearly $1,000,000,000 request for this program to encourage better management and accountability of subsistence funds. Currently the Department's Cost of War Report does not account for obligation of funds for subsistence. The Secretary of Defense is directed to, within 90 days of enactment of this Act, submit a comprehensive report to the Committees on Appropriations of the House and the Senate which: 1) Identifies the number of contractors dining in the Department of Defense facilities in and around the Iraq and Afghanistan theaters of operations and a description of the method for charging the subsistence cost back to the contractor; 2) Lists the total cost and the cost elements in the prior and current years for subsistence for Department of Defense civilians and contractors deployed to the Iraq and Afghanistan areas of operations and dining in Department of Defense facilities; 3) Cites the Department's policy on the movement of freight in general and subsistence items specifically in and around the Iraq and Afghanistan theaters of operation; the method for ensuring the best value subsistence contracts are awarded; and describes the method for ensuring the most fuel efficient and effective mode of transportation is used; 4) Identifies the number of contractors and subcontractors supplying subsistence items to contractors and civilians deployed to the Iraq and Afghanistan areas of operations (by location); the number and types of subsistence contracts from local vendors in Iraq and Afghanistan, and the method and factors used to determine local vs. non local purchase of these items in and around the Iraq and Afghanistan theaters of operation; and 5) Provides the Department's policy on access to dining facilities in the theaters of operations and associated internal control procedures.

DEPARTMENT OF DEFENSE PUBLIC-PRIVATE COMPETITIONS

The Office of Management and Budget's (OMB) influence over the Department of Defense's public-private competitions is concerning. Section 325 of the 2008 National Defense Authorization Act (Public Law 110–181) prohibits OMB from directing or requiring any initiation, continuation, or completion of a public-private competition or the Department taking action based on such an OMB direction or requirement. Questions have been raised as to whether this provision is being implemented. If OMB continues to influence public-private competitions and contracting out of federal employees at the Department of Defense stronger provisions may be warranted.

SUPPORT TO GLOBAL REPOSITIONING OF GROUND FORCES

The impact to the Army and Marine Corps of rebasing activities, particularly as large numbers of service members return from overseas bases to the Continental United States (CONUS), must be addressed. The recommendation provides $408,000,000 to the Army's Facilities Sustainment, Restoration, and Modernization program and $92,000,000 to the Marine Corps' Facilities Sustainment, Restoration, and Modernization program to offset the growing infrastructure costs associated with the global repositioning of forces. These funds will be used to repair barracks, improve child care facilities, and enhance community services at Army and Marine Corps bases throughout the United States.

OPERATING TEMPO

The supplemental funding requested in the operation and maintenance accounts is largely a function of anticipating operating tempo for continuation of military operations in Afghanistan and Iraq through September 2008. The actual operating tempo in fiscal years 2007 and 2008 has differed from the estimated levels. Therefore, the recommendation provides operation and maintenance funding to account for the actual operating tempo.

DIRECTED REPROGRAMMING

The recommendation directs a reprogramming of funds totaling $380,000,000 from substantial unobligated balances in Department of Defense investment accounts to otherwise unfunded operation and maintenance requirements in support of Iraq and the Global War on Terror.

THE JOINT STAFF

The recommendation includes no funding for the Combating Terrorism Readiness Fund because the requirement was funded through the Department of Defense Appropriations Act, 2008 (Public Law 110–116).

SPECIAL OPERATIONS COMMAND INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE (ISR) ACCELERATION

The recommendation includes an additional $76,450,000 in Operation and Maintenance, Defense-wide to accelerate the fielding of ISR capabilities to Special Operations Command for use in missions pertaining to high value targets. The Secretary of Defense is urged to include sustainment costs for these items in future budget requests.

DEFENSE LOGISTICS AGENCY: LITHIUM BATTERIES SUPPLIES

Primary lithium batteries have been and remain a critical consumable warfighting asset for our military. A reliable and sustainable U.S. manufacturing source for these supplies is critical to maintaining the full warfighting capability of our military forces. The Defense Logistics Agency is encouraged to take the necessary actions to ensure that at least one supplier of LiSO2 batteries and one supplier of LiMnO2 batteries continue manufacturing in the U.S. with a reasonable sustaining rate of production.

DEFENSE THREAT REDUCTION AGENCY

The recommendation includes no funding for NIMBLE ELDER because the requirement was funded through the Department of Defense Appropriations Act, 2008 (Public Law 110–116).

FAMILY ADVOCACY PROGRAM

The recommendation includes $50,000,000 for family advocacy programs to provide counseling and family assistance including child psychologists, Parents as Teachers and other intervention efforts. This funding will enhance the activities of the Family Advocacy Program (FAP) and provide for children and families managing the difficult challenges of military service. There is concern about the growing need for family members to have access to professional counseling to help alleviate the mental stresses associated with deployments. These activities provide programs, products and services to help mitigate the disruption and stress in the military family when a service member is deployed, killed or seriously wounded.

DEFENSE HUMAN RESOURCES ACTIVITY

The recommendation includes no funding for Homeland Security Presidential Directive 12 because the requirement was funded through the Department of Defense Appropriations Act, 2008 (Public Law 110–116).

DEFENSE SECURITY COOPERATION AGENCY

The recommendation includes $600,000,000 for coalition support funds and $200,000,000 for lift and sustainment in Iraq and Afghanistan. It also includes an additional $150,000,000 for the Global Train and Equip Program. The Department of State is tasked to train and equip allied nations for counterterrorism operations, yet the Department of Defense continues to request funds to augment these efforts due to the Global War on Terror. Training allied nations is primarily the responsibility of the Department of State. As such, the Administration is urged to request the appropriate level of funding for the Global Train and Equip Program entirely within the Department of State in the next fiscal year.

OFFICE OF THE SECRETARY OF DEFENSE

There is deep concern over the waste, fraud, and abuse that has occurred in the Department's contracting activities that support contingency operations overseas. The Office of the Undersecretary of Defense for Acquisition, Technology and Logistics (USD(AT&L)) is tasked with contractor oversight in forward areas of operations. In an effort to further many of the initiatives developed by USD(AT&L), the recommendation includes additional resources to fully fund these requirements, including: $8,000,000 for the Synchronized Predeployment and Operational Tracker (SPOT), $2,500,000 for the Joint Contingency Contract Support Office (JCCSO), $2,000,000 for Military Non Contracting Officer Training, and $400,000 for the Materiel Readiness Board (MRB). The recommendation also includes $3,000,000 for the Wartime Contracting Commission, established by the National Defense Authorization Act for Fiscal Year 2008 (P.L. 110-181), and directs that $1,200,000 would be available for the WMD Commission.

IRAQ FREEDOM FUND

The recommendation includes $50,000,000 for the Iraq Freedom Fund only for the Task Force to Improve Business and Stability Operations—Iraq to execute the Factory Restart Program.

AFGHANISTAN AND IRAQ SECURITY FORCES

Reprogramming: The Department of Defense has been provided significant flexibility in executing this program in the past but new reprogramming procedures are required at this juncture. With respect to the Iraq Security Forces Fund and the Afghanistan Security Forces Fund, the Department is directed to submit prior approval reprogramming requests to the congressional defense committees for proposed transfers of funds in excess of $20,000,000, to the Infrastructure subactivity groups or other construction related projects.

Infrastructure: The Department of Defense is directed to provide the congressional defense committees with a detailed report by August 1, 2008 on current and future infrastructure requirements for the Iraq and Afghanistan Security Forces. The report shall detail all infrastructure projects that have been previously funded, projects that are planned, and projects that require future funding from either the U.S. or the Governments of Iraq or Afghanistan. The projects shall be broken out by Ministry of Defense and Ministry of Interior requirements, year or projected year of funding, source of funding, and current status of project.

Logistics: The Iraq Security forces will not be able to operate independent of coalition support unless they have an organic logistics capability of their own. The Department of Defense is directed to provide the congressional defense committees with a report no later than 30 days after enactment of this Act, on the plan for an independent logistics capability within the Iraq Security Forces. The plan should address required support facilities at the national, regional, and base levels, motor transport capabilities, life support self sufficiency, logistics training, mechanics training, ammunition re-supply (decentralization, distribution, and security), fuel (decentralization, distribution, and security), medical supply and services, and depot warehousing, maintenance, and capacity. The report should also include a resource plan to reach these goals.

Trainers: There is deep concern that the Department of Defense has only been able to resource 44% of the required trainers for the Afghan National Army and only 39% for the Afghan National Police. While progress is being made on training and equipping these forces, the shortfall of capable trainers severely hampers our ability to further this momentum. There are enormous demands for this low density skill to support this mission, and the recommendation provides the Department $50,000,000 for additional contract personnel to address this shortfall, including: $25,000,000 for the training of the Afghanistan National Army for mentors at the corps and brigade levels for intelligence, communications, operations, and force protection, for contract mobile training teams, and for contract Counter Insurgency Academy instructors; and $25,000,000 for the training of the Afghanistan National Police to include contract logistics system mentors, and contractors for the Afghanistan National Police National Training Center.

PISTOLS FOR AFGHAN ARMY AND AFGHAN NATIONAL POLICE

Poor quality pistols were provided to the Afghan National Police and the Afghan National Army in 2005 and 2006. While they have no record of manufacturing defects in service, the 5,000 pistols purchased for the Afghan National Army, and the 51,175 purchased for the Afghan National Police, under the U.S. Foreign Military Sales program, through the U.S. Army Security Assistance Command, lack important features desired in a quality service pistol. A key missing feature is a positive external safety mechanism, although the pistol does have a trigger safety. It appears that there were two prominent motivations for selection of the current

9mm pistol. The first was cost, and for the Afghan National police, the second key consideration was the fact that the pistol already was in service with the Afghan National Army. Based on concerns expressed by U.S. trainers, ongoing procurements of pistols under 2007 and 2008 contracts are delivering a pistol manufactured with the desired features that were lacking in the pistols procured in 2005 and 2006. Future purchases will be made by competitive bid and the requirements will specify features consistent with the U.S. M9 service pistol. The government agencies of the United States and Afghanistan are commended for having made these appropriate adjustments in the acquisition of pistols for the Afghan National Army and Afghan National Police. They are cautioned that haste and incomplete definition of requirements, and inadequate testing, can lead to acquisition of military equipment that once in use by the military may prove to be inadequate in performance, reliability and safety. Finally, the Department of Defense and the Department of State are urged to work cooperatively to ensure that programs for the provision of equipment to the Afghan National Army and Afghan National Police employ rigorous requirements definition and disciplined contracting procedures, and that the Secretary of Defense initiate a review of the utility of pistols provided to the Afghan National Army and Afghan National Police under U.S. Foreign Military Sales transactions and assist where necessary in the replacement and demilitarization of inferior pistols.

PROCUREMENT

An appropriation of $41,030,995,000 is recommended for Procurement. The recommendations for each procurement account are shown below:

[In thousands of dollars]

Account	Recommendation
AIRCRAFT PROCUREMENT, ARMY	
UTILITY FIXED WING CARGO AIRCRAFT	7,500
GUARDRAIL MODS (TIARA)	33,000
ARL MODS (TIARA) (Note: Includes $3,000,000 for Airborne ISR Sensor Reset)	28,000
AH-64 MODS	70,000
CH-47 CARGO HELICOPTER MODS	311,107
UH-60 MODS (Note: Includes $30,000,000 for A to L Initiative, and $14,650,000 for Aircraft Safety Enhancements)	44,650
KIOWA WARRIOR	38,000
ASE INFRARED CM	403,535
COMMON GROUND EQUIPMENT	356
AIRCREW INTEGRATED SYSTEMS	10,200
AIR TRAFFIC CONTROL	7,763
TOTAL, AIRCRAFT PROCUREMENT, ARMY	954,111
MISSILE PROCUREMENT, ARMY	
HELLFIRE MSL (BASIC/IHW/HFII)	228,426
JAVELIN	121,210
GUIDED MLRS ROCKET (GMLRS)	67,200
ARMY TACTICAL MISSILE SYSTEM (ATACMS) BLK IA (Note: Funds 84 unitary missiles)	92,000
PATRIOT MODS	25,000
ITAS/TOW MODIFICATIONS	27,820
TOTAL, MISSILE PROCUREMENT, ARMY	561,656
PROCUREMENT OF W&TCV, ARMY	
BRADLEY BASE SUSTAINMENT	921,000
STRYKER VEHICLE	1,989,581
FIST VEHICLE (MOD)	65,000
BRADLEY FIGHTING VEHICLE SYSTEMS SERIES (MOD)	84,900
HOWITZER, MED SP FT 155MM M109A6 (MOD)	41,211
M1 ABRAMS TANK (MOD)	388,585
HOWITZER, LIGHT, TOWED, 105MM, M119	17,600
IMPROVED RECOVERY VEHICLE (M88 MOD)	25,000
ABRAMS UPGRADE PROGRAM (M1A2 SEP)	1,030,000
M240 MEDIUM MACHINE GUN (7.62mm)	61,541
MACHINE GUN, CAL .50 M2 ROLL	27,327
M249 SAW MACHINE GUN, 5.56MM (SAW)	1,784
MK-19 GRENADE MACHINE GUN (40mm)	30,614
MORTAR SYSTEMS (Note: Includes $15,000,000 for Expanded Organic Mortar Capability)	48,459
M107, CAL 50, SNIPER RIFLE	402
XM320 GRENADE LAUNCHER MODULE (GLM)	3,500
M4 CARBINE	79,469
SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	2,400
COMMON REMOTELY OPERATED WEAPONS STATION (CROWS)	210,000
HOWITZER, LT WT 155MM	52,000
M4 CARBINE MODS	125,115
M2 50 CAL MACHINE GUN MODS	5,000

[In thousands of dollars]

Account	Recommendation
M249 SAW MACHINE GUN MODS	7,056
M240 SAW MACHINE GUN MODS	3,271
PHALANX MODS	150,000
MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	14,454
SMALL ARMS EQUIPMENT (SOLDIER ENHANCEMENT PROGRAM)	8,202
TOTAL, PROCUREMENT OF W&TCV, ARMY	5,393,471
PROCUREMENT OF AMMUNITION, ARMY	
7.62MM ALL TYPES	10,000
CTG, .50 CAL, ALL TYPES	13,500
40MM ALL TYPES	9,300
MODULAR ARTILLERY CHARGE SYSTEM, ALL TYPES	2,000
SHOULDER FIRED ROCKETS ALL TYPES	20,000
ROCKET, HYDRA 70, ALL TYPES	8,000
DEMOLITION MUNITIONS ALL TYPES	8,000
GRENADES ALL TYPES	10,000
SIMULATORS ALL TYPES	8,000
NON-LETHAL AMMUNITION ALL TYPES	54,000
ITEMS LESS THAN $5M	1,500
PROVISION OF INDUSTRIAL FACILITIES	200,600
TOTAL, PROCUREMENT OF AMMUNITION, ARMY	344,900
OTHER PROCUREMENT, ARMY	
TACTICAL TRAILERS/DOLLY SETS	232,316
SEMITRAILERS, FLATBED	37,840
SEMITRAILERS, TANKERS	67,318
HI MOB MULTI-PURP WHEELED VEHICLE (HMMWV) (Note: Includes $23,500,000 for Roll Over Trainers for Home Station, Mob Station, and Theater)	1,521,530
FAMILY OF MEDIUM TACTICAL VEH (FMTV)	673,600
FIRE TRUCKS & ASSOCIATED FIREFIGHTING EQUIPMENT	45,524
FAMILY OF HEAVY TACTICAL VEH (FHTV) (Note: Includes $185,000,000 for HEMTT Wrecker)	2,274,519
ARMORED SECURITY VEHICLES (ASV)	309,354
MINE PROTECTION VEHICLE FAMILY	179,440
TRUCK, TRACTOR, LINE HAUL, M915/M916	520,302
HEAVY EXPANDED MOBILE TACTICAL TRUCK EXTENDED SERVICE	273,148
HMMWV RECAPITALIZATION PROGRAM	325,000
MODIFICATION OF IN-SERVICE EQUIPMENT (Note: Includes $13,000,000 for Kevlar Overhead Protective Gunners Kits, and $7,000,000 for Spark Mine Rollers)	909,599
HEAVY ARMORED SEDAN	3,500
PASSENGER CARRYING VEHICLES	5,000
NONTACTICAL VEHICLES, OTHER	600
SHF TERM	22,822
SAT TERM, EMUT (SPACE)	9,800
NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	28,000
SMART-T (SPACE)	2,041
MOD OF IN-SVC EQUIP (TAC SAT) (Note: Funds additional communications links (SIPR/NIPR))	38,100
ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	2,510

[In thousands of dollars]

Account	Recommendation
ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	23,540
SINCGARS FAMILY	500,347
BRIDGE TO FUTURE NETWORKS	1,698,371
COMMS-ELEC EQUIP FIELDING	4,000
COMBAT SURVIVOR EVADER LOCATOR (CSEL) (Note: Includes $35,000,000 for CSEL Radios for ARNG and SOF)	120,000
RADIO, IMPROVED HF (COTS) FAMILY	455,000
MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	74,655
CI AUTOMATION ARCHITECTURE	7,410
TSEC - ARMY KEY MGT SYS (AKMS)	75,600
INFORMATION SYSTEM SECURITY PROGRAM-ISSP (Note: Includes $10,500,000 for Biometric Automated Tool Sets)	143,891
INFORMATION SYSTEMS	9,546
ALL SOURCE ANALYSIS SYS (ASAS) (MIP)	103,500
PROPHET GROUND (MIP)	23,000
TACTICAL UNMANNED AERIAL SYS (TUAS) MIP	233,245
SMALL UNMANNED AERIAL SYSTEM (SUAS)	24,174
DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP)	3,800
TACTICAL EXPLOITATION SYSTEM (MIP)	19,500
DCGS-A (MIP)	62,331
ITEMS LESS THAN $5.0M (MIP)	15,300
LIGHTWEIGHT COUNTER MORTAR RADAR	10,470
COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	149,937
NIGHT VISION DEVICES (Note: Includes $30,000,000 for Mini-Thermal Binoculars)	435,394
NIGHT VISION, THERMAL WEAPON SIGHT	50,000
RADIATION MONITORING SYSTEMS	1,554
COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM)	245,000
ARTILLERY ACCURACY EQUIP	2,800
ENHANCED PORTABLE INDUCTIVE ARTILLERY FUZE SETTER	87
PROFILER	75,483
MOD OF IN-SVC EQUIP (Firefinder Radars)	21,500
FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	425,110
LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (LLDR)	57,000
COMPUTER BALLISTICS: LHMBC XM32	10,550
MORTAR FIRE CONTROL SYSTEM	6,192
COUNTERFIRE RADARS	174,000
INTEGRATED MET SYS SENSORS (IMETS) - MIP	1,400
TACTICAL OPERATIONS CENTERS	263,709
FIRE SUPPORT CMD & CONTROL C2 FAMILY	19,248
FAAD C2	21,500
AIR & MSL DEFENSE PLANNING & CONTROL SYS (AMD PCS)	45,200
KNIGHT FAMILY	18,077
AUTOMATIC IDENTIFICATION TECHNOLOGY	71,030
TC AIMS II	56,290
TACTICAL INTERNET MANAGER	12,400
MANEUVER CONTROL SYSTEM (MCS)	57,905
SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	77,681
AUTOMATED DATA PROCESSING EQUIPMENT	9,949
CSS COMMUNICATIONS	227,879
SEQUOYAH FOREIGN LANGUAGE TRANSLATION SYSTEM	12,813
RECONNAISSANCE SYSTEMS, NUCLEAR BIOLOGICAL	72,000
CBRN SOLDIER PROTECTION	83,065
SMOKE & OBSCURANT FAMILY: SOF	1,098

[In thousands of dollars]

Account	Recommendation
TACTICAL BRIDGING	60,000
TACTICAL BRIDGE, FLOAT-RIBBON	42,500
GRND STANDOFF MINE DETECTION SYSTEM (GSTAMIDS) (Note: Funds Explosive Detection Equipment - FLIR)	19,500
EXPLOSIVE ORDNANCE DISPOSAL EQUIP	7,650
HEATERS AND ENVIRONMENTAL CONTROL UNITS	13,512
LAUNDRIES, SHOWERS, AND LATRINES	5,200
SOLDIER ENHANCEMENT (Note: Includes $102,000,000 for Land Warrior)	110,757
FORCE PROVIDER	9,000
FIELD FEEDING EQUIPMENT	12,060
CARGO AERIAL DELIVERY PROGRAM	49,150
QUALITY SURVEILLANCE EQUIPMENT	65,364
DISTRIBUTION SYSTEMS, PETROLEUM & WATER	64,549
WATER PURIFICATION SYSTEMS	8,135
COMBAT SUPPORT MEDICAL	8,078
MOBILE MAINTENANCE	265,625
GRADER, MTZD, HVY	788
SCRAPERS, EARTHMOVING	1,438
LOADERS	9,502
HYDRAULIC EXCAVATOR	400
CRANES	30,000
HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) FOS	14,609
CONST EQUIP ESP	9,500
GENERATORS AND ASSOCIATED EQUIPMENT	152,258
ROUGH TERRAIN CONTAINER HANDLER	109,414
ALL TERRAIN LIFTING ARMY SYSTEM	33,381
TRAINING DEVICES, NONSYSTEM	342
CALIBRATION SETS EQUIPMENT	57,307
INTEGRATED FAMILY OF TEST EQUIPMENT	133,918
TEST EQUIPMENT MODERNIZATION (TEMOD)	10,840
RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	50,592
PHYSICAL SECURITY SYSTEMS (OPA3) (Note: Funds Unattended Sensors for Situational Awareness)	2,791
MODIFICATION OF IN-SVC EQUIP (OPA3)	23,007
BUILDING PRE-FAB RELOCATABLE	134,469
CLASSIFIED PROGRAMS	570
AMC CRITICAL ITEMS	131,740
WARLOCKS	34,000
BASE EXPEDITIONARY TARGETING SURVEILLANCE SYSTEMS- COMBINED (BETSS-C)	490,000
TOTAL, OTHER PROCUREMENT, ARMY	15,967,340

[In thousands of dollars]

Account	Recommendation
AIRCRAFT PROCUREMENT, NAVY	
EA-18G (Note: Provides 2 aircraft)	150,000
F/A-18E/F (FIGHTER) HORNET (MYP) (Note: Provides 13 aircraft)	768,040
V-22 (MEDIUM LIFT) (Note: Provides 2 aircraft)	140,500
MH-60S (MYP) (Note: Provides 2 aircraft)	68,200
MH-60R (Note: Provides 2 aircraft)	70,400
KC-130J (Note: Provides 9 aircraft)	602,400
EA-6 SERIES	192,500
AV-8 SERIES (Note: Funding for Litening Pods)	3,200
F-18 SERIES	60,264
H-46 SERIES	18,200
AH-1W SERIES	33,974
H-53 SERIES (Note: No funding for AMARC or IMDS)	63,700
SH-60 SERIES	6,696
H-1 SERIES	42,134
P-3 SERIES	313,900
C-130 SERIES	28,100
EA-6 SERIES	1,000
EXECUTIVE HELICOPTERS SERIES	3,360
SPECIAL PROJECT AIRCRAFT	5,610
POWER PLANT CHANGES	6,300
COMMON ECM EQUIPMENT	136,000
COMMON DEFENSIVE WEAPON SYSTEM (Note: Funds Marine Corps Helicopter Defensive Weapons)	3,500
V-22 (TILT/ROTOR ACFT) OSPREY SERIES (Note: Includes funding for Defensive Weapon System)	45,992
SPARES AND REPAIR PARTS (Note: Includes funding for UH-1Y first deployment)	412,412
COMMON GROUND EQUIPMENT	9,800
WAR CONSUMABLES	16,072
SPECIAL SUPPORT EQUIPMENT	209,000
TOTAL, AIRCRAFT PROCUREMENT, NAVY	3,411,254
WEAPONS PROCUREMENT, NAVY	
TOMAHAWK (Note: Provides 123 missiles)	103,460
SLAM-ER (Note: Provides 9 missile kits)	13,500
HELLFIRE (Note: Provides 525 missiles)	44,000
SMALL ARMS AND WEAPONS	22,196
CIWS MODS	67,000
MARINE CORPS TACTICAL UNMANNED AERIAL SYSTEM	67,300
TOTAL, WEAPONS PROCUREMENT, NAVY	317,456

[In thousands of dollars]

Account	Recommendation
PROCUREMENT OF AMMUNITION, NAVY & MARINE CORPS	
JOINT DIRECT ATTACK MUNITION (JDAM)	5,000
AIR EXPENDABLE COUNTERMEASURES	6,625
OTHER SHIP GUN AMMUNITION	42
SMALL ARMS AND LANDING PARTY AMMUNITION	32,928
PYROTECHNIC AND DEMOLITION	63
SMALL ARMS AMMUNITION	27,644
LINEAR CHARGES, ALL TYPES	3,874
40 MM, ALL TYPES	23,096
60 MM, ALL TYPES	30,252
81 MM, ALL TYPES	35,002
120 MM, ALL TYPES	59,021
CTG 25 MM, ALL TYPES	671
GRENADES, ALL TYPES	9,384
ROCKETS, ALL TYPES	8,273
ARTILLERY, ALL TYPES	51,033
DEMOLITION MUNITIONS, ALL TYPES	3,538
FUZE, ALL TYPES	881
NON LETHALS	5,615
AMMO MODERNIZATION	2,002
ITEMS LESS THAN $5 MILLION	1
TOTAL, PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS	304,945
OTHER PROCUREMENT, NAVY	
POLLUTION CONTROL EQUIPMENT	11,000
STANDARD BOATS	19,396
TACTICAL SUPPORT CENTER	3,060
SHIPBOARD IW EXPLOIT (Note: No funding for DDG-51 equipment)	28,000
SUBMARINE SUPPORT EQUIPMENT PROGRAM (Note: No funding for antenna upgrades)	17,100
GCCS-M EQUIPMENT	920
MATCALS	26,890
COMMON IMAGERY GROUND SURFACE SYSTEM	38,000
SHIP COMMUNICATIONS AUTOMATION	12,021
EXPEDITIONARY AIRFIELDS	29,750
METEOROLOGICAL EQUIPMENT (Note: No funding for NITES upgrades)	5,300
EXPLOSIVE ORDNANCE DISPOSAL EQUIPMENT	73,400
PASSENGER CARRYING VEHICLES	4,530
CONSTRUCTION & MAINTENANCE EQUIPMENT	111,100
TACTICAL VEHICLES	104,615
AMPHIBIOUS EQUIPMENT	350

[In thousands of dollars]

Account	Recommendation
ITEMS UNDER $5 MILLION (Note: Includes $3,600,000 for Rugged Deployable Satellite Communications)	126,331
MATERIALS HANDLING EQUIPMENT	832
SPECIAL PURPOSE SUPPLY SYSTEMS	556,000
COMMAND SUPPORT EQUIPMENT	40,109
C4ISR EQUIPMENT	16,900
PHYSICAL SECURITY EQUIPMENT	34,306
SPARES AND REPAIR PARTS	225
TOTAL, OTHER PROCUREMENT, NAVY	1,260,135
PROCUREMENT, MARINE CORPS	
AAV7A1 PRODUCT IMPROVEMENT PROGRAM (PIP)	26,567
LIGHT ARMORED VEHICLE (LAV) PIP	43,901
IMPROVED RECOVERY VEHICLE (IRV)	8,247
M1A1 FIREPOWER ENHANCEMENTS	90
155MM LIGHTWEIGHT TOWED HOWITZER	62,400
WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	16,695
MODULAR WEAPON SYSTEM	17,098
MODIFICATION KITS(BA2)	14,706
WEAPONS ENHANCEMENT PROGRAM	34,223
JAVELIN	10,000
MODIFICATION KITS (BA3)	949
UNIT OPERATIONS CENTER (Note: Includes one year logistics support)	84,700
REPAIR AND TEST EQUIPMENT	7,638
COMBAT SUPPORT SYSTEM	8,435
MODIFICATION KITS (BA4)	15,584
ITEMS UNDER $5M (COMM & ELEC INFRASTRUCTURE SUPPORT)	2,409
AIR OPERATIONS C2 SYSTEMS	78,593
RADAR SYSTEMS	22,900
FIRE SUPPORT SYSTEM	18,075
INTELLIGENCE SUPPORT EQUIPMENT	26,348
NIGHT VISION EQUIPMENT	153,631
COMMON COMPUTER RESOURCES	87,410
COMMAND POST SYSTEMS	43,416
RADIO SYSTEMS (Note: No funding for Enhanced Land Mobile Radios)	359,765
COMMUNICATIONS SWITCHING & CONTROL SYSTEMS	22,913
5/4T TRUCK HMMWV (MYP)	153,683
MOTOR TRANSPORT MODIFICATIONS	377,962
MEDIUM TACTICAL VEH REPLACEMENT	13,676
TRAILERS	43,000
FAMILY OF TACTICAL TRAILERS	4,402
ITEMS LESS THAN $5 MILLION (BA5)	8,048
ENVIRONMENTAL CONTROL EQUIPMENT ASSORTED	2,829
BULK LIQUID EQUIPMENT	13,189
TACTICAL FUEL SYSTEMS	21,702
POWER EQUIPMENT ASSORTED	76,080
AMPHIBIOUS SUPPORT EQUIPMENT	6,343
EOD SYSTEMS	124,563
MATERIAL HANDLING EQUIPMENT	17,242
TRAINING DEVICES	30,300
CONTAINER FAMILY	18,032
FAMILY OF CONSTRUCTION EQUIPMENT	37,383

[In thousands of dollars]

Account	Recommendation
FAMILY OF INTERNALLY TRANSPORTED VEHICLE (ITV)	18,000
BRIDGE BOATS	13,195
RAPID DEPLOYABLE KITCHEN	68
ITEMS LESS THAN $5 MILLION (BA6)	4,007
SPARES AND REPAIR PARTS	2,993
TOTAL, PROCUREMENT, MARINE CORPS	2,153,390
AIRCRAFT PROCUREMENT, AIR FORCE	
C-17 (Note: Includes funding for 15 C-17 aircraft)	3,604,500
C-130J (Note: Includes funding for 18 C-130J aircraft and 7 MC-130J aircraft)	1,802,300
CV-22 OSPREY (Note: deletes funding for initial spares)	300,540
REAPER UAV (Note: Includes funding for 18 Reaper systems)	340,700
B-1 (Note: No funding included for Digital Mission Recorder)	40,100
B-52	10,395
F-15 (Note: Funding not included for BLOS, Tactical Targeting Network and 56 JHMCS)	139,158
F-16 (Note: Includes no less than $50,000,000 for the Air National Guard SLOS/BLOS radios and targeting pods upgrades)	72,900
C-5 (Note: Fully funds aft crown skin project)	27,400
C-17	72,000
C-32	43,000
C-37	11,000
C-40	39,000
C-130 (Note: Includes radar upgrades for LC-130 aircraft)	152,640
COMPASS CALL	6,500
DARP	40,000
E-3	25,000
HH-60	6,900
INITIAL SPARES/REPAIR PARTS	36,900
AIRCRAFT REPLACEMENT SUPPORT EQUIPMENT	100,000
OTHER WAR CONSUMABLES	68,900
OTHER PRODUCTION CHARGES	88,730
TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	7,028,563
MISSILE PROCUREMENT, AIR FORCE	
PREDATOR HELLFIRE MISSILE	65,143
ADVANCED CRUISE MISSILE MODS	600
INITIAL SPARES/REPAIR PARTS	1,200
TOTAL, MISSILE PROCUREMENT, AIR FORCE	66,943
PROCUREMENT OF AMMUNITION, AIR FORCE	
SMALL ARMS	25,400
CARTRIDGES	33,954
GENERAL PURPOSE BOMBS	7,887
JOINT DIRECT ATTACK MUNITIONS	13,094

[In thousands of dollars]

Account	Recommendation
ITEMS LESS THAN $5 MILLION	12,100
FLARES	112,545
FUZES	475
TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE	205,455
OTHER PROCUREMENT, AIR FORCE	
PASSENGER CARRYING VEHICLES	23,396
MEDIUM TACTICAL VEHICLE	34,939
SECURITY AND TACTICAL VEHICLES (Note: Includes MRAP adjustment)	66,124
FIRE FIGHTING/CRASH RESCUE VEHICLES	15,200
HALVORSEN LOADER	19,500
RUNWAY SNOW REMOVAL AND CLEANING EQUIPMENT	6,987
ITEMS LESS THAN $5 MILLION (VEHICLES)	12,500
NATIONAL AIRSPACE SYSTEM	4,200
GENERAL INFORMATION TECHNOLOGY	7,776
AIR FORCE PHYSICAL SECURITY SYSTEM (Note: Funding not included for C-RAM and CROWS)	4,500
GLOBAL COMBAT SUPPORT SYSTEM--AF FAMILY OF SYSTEMS	7,500
DEFENSE MESSAGE SYSTEM	400
BASE INFORMATION INFRASTRUCTURE (Note: only for ANG installations)	52,000
SPACELIFT RANGE SYSTEM SPACE	10,000
CONTINGENCY OPERATIONS	9,200
ITEMS LESS THAN $5 MILLION (BASE SUPPORT) (Note: Includes $12,000,000 for Intelligence Communications Equipment and no funding for Senior Leader in Transit Conference Capsules)	61,000
DISTRIBUTED GROUND SYSTEMS	56,000
CLASSIFIED PROGRAMS	1,511,945
TOTAL, OTHER PROCUREMENT, AIR FORCE	1,903,167
PROCUREMENT, DEFENSE-WIDE	
MAJOR EQUIPMENT, DHRA	7,800
CV-22	173,800
C-130 MODS	65,000
SMALL ARMS AND WEAPONS	1,365
UNMANNED VEHICLES	14,550
SOF OPERATIONAL ENHANCEMENTS	59,000
CLASSIFIED PROGRAMS	86,694
TOTAL, PROCUREMENT, DEFENSE-WIDE	408,209
NATIONAL GUARD AND RESERVE EQUIPMENT	
ARMY RESERVE	125,000
ARMY NATIONAL GUARD	625,000
TOTAL, NATIONAL GUARD & RESERVE EQUIPMENT	750,000

ARMY AVIATION

Urgent needs have been identified in certain Army aviation programs. Accordingly, the recommendation provides additional funding as follows: $30,000,000 for UH–60A to UH–60L modifications, to remanufacture 30 aircraft; $14,650,000 for UH–60 aircraft safety enhancements; $38,000,000 for Kiowa Warrior Safety Enhancement program; and $196,100,000 for Army fixed and rotary wing aircraft survivability enhancements in infrared countermeasures.

There is strong support for the Army plan to replace the aging Kiowa Warrior fleet with Armed Reconnaissance Helicopters (ARH) as soon as possible. However, the funding provided in the Department of Defense Appropriations Act, 2008 fully funded the ARH production capacity for fiscal year 2008. Accordingly, the recommendation includes no additional funding for the Armed Reconnaissance Helicopter program.

M4 CARBINE

Numerous concerns have been raised about continued procurement of the M4 carbine. These concerns range from performance issues (such as jamming in dusty environments) to the current sole source contract. The Army recently conducted tests on the M4 and similar weapons in the same class to assess its performance. The Army is also evaluating the capability of the M4 and other weapons to determine if a new performance requirement is needed. To allay the concerns regarding performance and competition in contracting, the Secretary of the Army is directed to provide a report to the congressional defense committees no later than June 15, 2008, on the findings of the recent comparative capability assessment and with a determination as to whether a change in the acquisition strategy is needed.

FAMILY OF MEDIUM TACTICAL VEHICLES

The recommendation includes $673,600,000 for the Family of Medium Tactical Vehicles program. This funding level includes $94,000,000 to reimburse the program for funds that were used under rapid acquisition authority to procure Sky Warrior intelligence, surveillance and reconnaissance assets.

SINGLE CHANNEL GROUND AND AIRBORNE RADIO SYSTEM (SINCGARS)

The recommendation includes $500,347,000 for the procurement of SINCGARS radios, which will fully fund Army SINCGARS radio requirements for fiscal year 2008. However, the Army has yet to fully address certain issues including concerns of the Army Science Board regarding SINCGARS compatibility with the Joint Tactical Radio System (JTRS), encryption modernization, and compatibility with local first responder radios. The Army is urged to move forward with a plan that addresses these and other urgent tactical radio issues.

The Army has recently updated the acquisition strategy for the SINCGARS family of radios and has released a market survey seeking sources of supply that are compliant with the operational requirements. The Army is encouraged to implement ''best value'' selection criteria in any upcoming competition where the operational requirements are stated as the minimum needed and advanced capabilities and features would be evaluated according to the value they bring above that minimum functionality level. Not more than 60 days after enactment of this Act, the Secretary of the Army shall provide a report and briefing to the Committees on Appropriations of the House of Representatives and the Senate addressing the acquisition objective; encryption modernization and capability enhancement; alignment with the JTRS program; and a procurement plan that includes a strategy for full, fair and open competition.

MARITIME PATROL AIRCRAFT

The Navy has recently grounded 39 P–3 Orion Maritime Patrol Aircraft due to wing cracking discovered during inspections. These aircraft have logged significant hours flying in support of the Global War on Terror. To keep these aircraft flying until the replacement Multi-Mission Aircraft (P–8A Poseidon) is fielded, $313,900,000 is provided for the procurement and installation of wing repair kits.

MARINE CORPS AIRCRAFT DEFENSIVE WEAPONS

Marine Corps aircraft deployed in theater should have a capable self defense system. Some of the deployed Marine Corps aircraft have less than capable or outdated defensive systems. To improve the capability of deployed Marine Corps aircraft, $15,000,000 is provided for the procurement of defensive weapons for V–22 aircraft and $3,500,000 is provided for the procurement of defensive weapons for CH–46 aircraft.

GROW THE FORCE—MARINE CORPS

The recommendation provides funds identified by the Marine Corps associated with growing the size of its force, to include $26,400,000 for lightweight 155mm howitzers, $12,000,000 for weapons, $43,000,000 for trailers and $100,000,000 for armored vehicle sets.

MARINE CORPS GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM (G-BOSS)

The fiscal year 2008 supplemental request included $640,000,000 for G-BOSS, a capability that will provide updated base security for the Marine Corps. Public Law 110–161 provided $340,000,000 of that total program requirement. Briefings with the Marine Corps and the Joint Improvised Explosive Device Defeat Organization (JIEDDO) indicate that JIEDDO will fund the remaining G-BOSS requirement of $300,000,000.

C–17 GLOBEMASTER

In light of increases to both the Army and Marine Corps end-strength and the emerging lift needs of the Future Combat System, the Department of Defense has not adequately assessed strategic lift requirements. The need for an accurate assessment is critical because the C–17 aircraft production line is facing shut-down in the very near-term. As a prudent course of action to avoid plant shutdown before the requirement is fully assessed, the recommendation provides $3,604,500,000 to procure 15 C–17 aircraft.

C/KC/MC–130J PROCUREMENT

An appropriation of $2,469,700,000 is recommended for the procurement of 34 C/KC/MC–130J aircraft. Given the age and usage of the C–130, KC–130 and MC–130 fleets, it is justifiable to acquire replacement aircraft faster and in higher quantities in order to drive down unit acquisition costs and operating costs. Therefore, the recommendation fully funds 18 C–130J aircraft, seven MC-130J aircraft and nine KC–130J aircraft. These funds are provided with the expectation that the Department of Defense will proceed expeditiously with negotiations to enter into a follow-on joint multi-year procurement contract in order to lock in lower acquisition prices. It is anticipated that the savings achieved with a multi-year procurement contract will be applied to the associated economic order quantity requirement.

LARGE AIRCRAFT INFRARED COUNTERMEASURES (LAIRCM)

The fiscal year 2007 supplemental provided $112,400,000 to install LAIRCM on C–37 aircraft at an estimated cost of $11,200,000 per aircraft. Due to discounts offered by the vendor and installer for subsequent aircraft, each additional aircraft modification was approximately 50% of the original estimate, resulting in a savings of $55,000,000. The Secretary of the Air Force is directed to use the savings to fund the LAIRCM modification for C–20B and C–20H aircraft. These aircraft are not currently tasked for missions into areas defensive countermeasures are required. Passengers are transferred to combat aircraft such as the C–130 and C–17 that are equipped with countermeasure equipment. These modifications will allow the C–20B/H aircraft to be tasked for missions directly into areas where countermeasures are required and, thus, negate the need for combat aircraft to be diverted for these missions.

HANDGUN REPLACEMENT

The recommendation includes no funding for the Air Force to replace its handgun. $5,000,000 was provided in fiscal year 2007 to perform a study on replacing the handgun that was not executed because there was no validated requirement for a new handgun. This remains an unsubstantiated need for fiscal year 2008 supplemental funds and the Air Force is urged to request funds in the baseline account if it intends to pursue this program in the future.

NATIONAL GUARD AND RESERVE EQUIPMENT

The recommendation for the National Guard and Reserve Equipment Account is $750,000,000. Of this amount, $625,000,000 is for the Army National Guard and $125,000,000 is for the U.S. Army Reserve to meet urgent equipment needs that may arise this fiscal year. This funding will allow the Army Guard and Army Reserve to procure high priority items such as: AH–64 helicopter modifications from A model to D model for the Army Guard; HH–60 Blackhawk medical evacuation helicopters for the Army Reserve; UH–60 helicopter model A to L conversions; HMMWV utility vehicles; Heavy Expanded Mobile Tactical Trucks; Liquid Logistics Storage and Distribution Systems; sniper detection devices; MILSATCOM, NAVSTAR GPS, and other communications equipment; Night Vision equipment; psychological operations equipment; Water Purification Systems; Air Traffic Control Simulator Systems; Light Medium and Medium Tactical Vehicles; trucks, tractors, and line haul equipment; Armored Security Vehicles; Joint Service Transportable Decontamination Systems—Small Scale (JSTDS–SS); Logistics Automation Systems (SAMS–E, CAISI, and VSAT); and tactical bridging and power generating equipment.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

An appropriation of $1,624,093,000 is recommended for Research, Development, Test and Evaluation.

The recommendations for each research, development, test and evaluation account are shown below:

[In thousands of dollars]

Account	Recommendation
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY	
MILITARY ENGINEERING ADVANCED TECHNOLOGY (Note: Includes development of surveillance technology)	5,000
SOLDIER SUPPORT AND SURVIVABILITY	10,000
INFANTRY SUPPORT WEAPONS	8,158
FAMILY OF HEAVY TACTICAL WHEELS (Note: Adapt SPARK Mine Rollers to OEF)	3,400
LIGHT TACTICAL WHEELED VEHICLES	10,000
AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE	38,900
AUTOMATIC TEST EQUIPMENT DEVELOPMENT	2,000
INFORMATION TECHNOLOGY DEVELOPMENT (Note: Includes $16,000,000 for Enhanced DIHMRS Capability)	21,000
INFORMATION SYSTEMS SECURITY PROGRAM	23,300
WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	3,800
JOINT COMMAND AND CONTROL PROGRAM	6,200
DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,000
BASE EXPEDITIONARY TARGETING SURVEILLANCE SYSTEMS- COMBINED (BETSS-C)	10,000
FUEL PRICE INCREASE - KWAJALEIN	6,000
LIGHT WEIGHT MISSILE LAUNCHER	9,200
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY	162,958
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY	
USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) (Note: Includes funding f r IED Detection Program)	17,000
RETRACT LARCH	18,800
RETRACT MAPLE	3,400
LINK EVERGREEN	47,200
NON-LETHAL WEAPONS (Note: Funds only for ADS and Silent Guardian)	7,000
OTHER HELICOPTER DEVELOPMENT (Note: Includes funding for CH-53 VDE)	5,000
AV-8B AIRCRAFT--ENGINE DEVELOPMENT	6,406
V-22A (Note: Funding for Defensive Weapons System)	14,000
ELECTRONIC WARFARE (EW) DEVELOPMENT	8,676
MEDICAL DEVELOPMENT (Note: Includes funding for wound care research)	10,000
INFORMATION TECHNOLOGY DEVELOPMENT	800
SHIP AND AIRCRAFT SUPPORT	8,952
MARINE CORPS COMMS SYSTEMS (Note: Funds only for GBOSS, CREW, CESAS, and TPS-59)	55,500
MARINE CORPS GROUND COMBAT /SUPPORTING ARMS SYSTEMS (Note: No funds for PERM)	10,600
MARINE CORPS CMBT SERVICES SUPT (Note: Funds only for M1A1 Crew Weapon and Test Equipment)	1,075
AIRBORNE RECONNAISSANCE SYSTEMS	11,000
MANNED RECONNAISSANCE SYS	32,000
CLASSIFIED PROGRAMS	108,701
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY	366,110

[In thousands of dollars]

Account	Recommendation
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE	
MATERIALS	3,700
ADVANCED MATERIALS FOR WEAPON SYSTEMS	5,900
AEROSPACE TECHNOLOGY DEV/DEMO	300
B-1B	40,000
SMALL DIAMETER BOMB	7,900
ARMAMENT/ORDNANCE DEVELOPMENT	4,200
TEST AND EVALUATION SUPPORT (Note: Includes $300,000 for deployed civilians and $18,818,000 for fuel cost increase)	19,118
FACILITY RESTORATION AND MODERNIZATION-T&E	1,610
CLASSIFIED PROGRAMS	7,700
NIGHT FIST USSTRATCOM	1,640
F-16 SQUADRONS (Note: Only for BLOS for SINCGARS)	7,700
COMPASS CALL	5,600
AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROG (CIP)	16,000
JOINT SURVEILLANCE/TARGET ATTACK RADAR SYS (JSTARS)	64,109
DRAGON U-2 (JMIP)	660
AIRBORNE RECONNAISSANCE SYSTEMS	1,520
GLOBAL HAWK UAV (Note: Only for fixing imagery and shading issues)	800
CLASSIFIED PROGRAMS	89,970
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE	278,427
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE	
AEGIS BALLISTIC MISSILE DEFENSE (Note: Only for activities associated with the February 2008 satellite intercept)	112,360
GENERAL SUPPORT TO USD	26,374
CLASSIFIED PROGRAMS USD (P)	15,000
DHRA - WOUNDED WARRIOR	20,300
CRITICAL INFRASTRUCTURE PROGRAM (CIP)	4,500
DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,170
SOF OPERATIONAL ENHANCEMENTS	2,270
MANAGEMENT HEADQUARTERS (JCS)	1,028
UNMANNED VEHICLES (Note: Only for Global Observer)	38,000
CLASSIFIED PROGRAMS	593,596
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE	816,598

JOINT STARS

An appropriation of $64,109,000 is recommended for the Joint Stars aircraft program. $22,600,000 is for the Primary Mission Equipment and Diminishing Manufacturing Source (PME/DMS) development program, $1,409,000 is for the Surface Warfare Joint Capability Technology Demonstration, $36,000,000 is for increased bandwidth and beyond line of site capability for the aircraft, $4,100,000 is for Single Channel Ground to Air Radio System (SINCGARS) voice initial capability insertion.

C–17 HEADS-UP DISPLAY

Beginning in fiscal year 2012 the current C–17 Heads-Up Display (HUD) will no longer be supportable due to problems associated with parts obsolescence. Given this timeline, the Air Force may use C–17 research, development, test and evaluation funds already appropriated in fiscal year 2008 to start a replacement program for the HUD.

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

An appropriation of $1,837,450,000 is recommended for the Defense Working Capital Funds.

The recommendations for each Defense Working Capital Fund account are shown below:

[In thousands of dollars]

Account	Recommendation
DEFENSE WORKING CAPITAL FUNDS	
DEFENSE WORKING CAPITAL FUND, ARMY	
PREPOSITIONED WAR RESERVE STOCKS	511,100
SPARES AUGMENTATION--COMBAT LOSSES	62,000
SPARES AUGMENTATION--OIF DEMANDS	70,000
FUEL COSTS	7,471
TOTAL, DEFENSE WORKING CAPITAL FUND, ARMY	650,571
DEFENSE WORKING CAPITAL FUND, NAVY	
FUEL COSTS	272,020
TOTAL, DEFENSE WORKING CAPITAL FUND, NAVY	272,020
DEFENSE WORKING CAPITAL FUND, AIR FORCE	
FUEL COSTS	594,784
TOTAL, DEFENSE WORKING CAPITAL FUND, AIR FORCE	594,784
DEFENSE WORKING CAPITAL FUND, DEFENSE-WIDE	
THEATER DISTRIBUTION CENTER, KUWAIT	13,000
COMBAT FUEL LOSSES	43,400
FUEL TRANSPORTATION	96,100
DEFENSE REUTILIZATION AND MARKETING OPTIONS	5,275
DLA FUEL TERMINAL OPERATIONS	16,100
FUEL COSTS	146,200
TOTAL, DEFENSE WORKING CAPITAL FUND, DEFENSE-WIDE	320,075
TOTAL, DEFENSE WORKING CAPITAL FUNDS	1,837,450

NATIONAL DEFENSE SEALIFT FUND

An appropriation of $5,110,000 is recommended for the National Defense Sealift Fund.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

An appropriation of $1,438,864,000 is recommended for the Defense Health Program.

The recommendations for operation and maintenance, procurement and research, development, test and evaluation are shown below:

[In thousands of dollars]

Account	Recommendation
OPERATION AND MAINTENANCE	**907,064**
IN-HOUSE CARE	**38,700**
Navy Personnel Backfill	37,700
Medical Care of Former Members w/ Severe Injuries	1,000
PRIVATE SECTOR CARE	**491,164**
Respite Care for Active Duty Members	10,000
Medical Care for Families of Seriously Injured Members	1,000
CONSOLIDATED HEALTH CARE SUPPORT	**43,311**
Notification of Combat Wounded	2,000
Center of Excellence for Eye Injuries	1,000
Establish Office for Interoperable Electronic Health Record	2,500
Disability Evaluation System & Case Management	7,600
INFORMATION MANAGEMENT	**19,393**
Joint Medical Communications Infrastructure	5,000
Navy Civilian Hires	300
Disability Evaluation System & Case Management	13,500
MANAGEMENT ACTIVITIES	**773**
EDUCATION AND TRAINING	**20,700**
Enhanced Recruiting/Retention of HC Professionals	18,500
Navy Civilian Hires	2,200
BASE OPERATIONS/COMMUNICATIONS	**293,023**
Army FSRM	140,200
Navy FSRM	93,211
Air Force FSRM	59,612
PROCUREMENT	**91,900**
Disability Evaluation System & Case Management	4,900
Joint Medical Communications Infrastructure	25,000
Army Medical Procurement	35,000
Navy Medical Procurement	27,000
RESEARCH, DEVELOPMENT, TEST AND EVALUATION	**364,900**
Disability Evaluation System & Case Management	21,100
Battle Casualty and Psychological Health Research	273,800
Center for Neuroscience and Regenerative Medicine	70,000
PSYCHOLOGICAL HEALTH AND TRAUMATIC BRAIN INJURY	**75,000**
TOTAL, DEFENSE HEALTH PROGRAM	1,438,864

FACILITIES SUSTAINMENT, RESTORATION AND MODERNIZATION

The recommendation includes an additional $293,023,000 for sustainment, restoration and modernization of military medical projects for the Army, Navy and Air Force. The average ''recapitalization rate'' (aggregate investment in infrastructure) for civilian hospitals is 21 years and the current Department of Defense medical facility recapitalization rate exceeds 75 years. This funding is only a temporary band-aid for certain facilities and the Department is urged to request the necessary military construction funds.

UNFUNDED FISCAL YEAR 2008 PROCUREMENT REQUIREMENTS

The recommendation includes an additional $62,000,000 for unfunded procurement requirements for the Army and Navy. The Air Force does not have any unfunded procurement requirements for fiscal year 2008. Providing the most advanced medical equipment is essential for the care of our service members and their families and the Services have a limited ability to procure critical medical technology because of the exponential cost growth for medical equipment and the restrictions on the service medical accounts. Additional procurement resources have been provided to the Services for the past two years and the Department must make a concerted effort to reflect these requirements in future budget submissions for the Defense Health Program.

BATTLE CASUALTY AND PSYCHOLOGICAL HEALTH RESEARCH

The recommendation includes an additional $273,800,000 to address prevention, diagnosis, treatment, and mitigation of deployment-related injuries and psychological health concerns. These funds are targeted to accelerate ongoing programs and are for peer reviewed research into emergent approaches and technologies. These funds are directed towards the following research areas: final development of medical devices for use in theater (including portable suction machines and EKGs for theater hospitals); blood safety and blood products; burns (including tissue viability and fluid resuscitation); orthopedic and other trauma treatment and rehabilitation (including face, visual/ocular and nerve damage, dental, and auditory systems); suicide prevention and counseling (including reducing nurse stress and fatigue at military treatment facilities); traumatic brain injury and psychological health (including Post Traumatic Stress Disorder); injury prevention; wound infection and healing; treatment for severe cutaneous leishmaniasis; and wound infection vaccines. These funds shall be executed through the Army's Medical Research and Materiel Command. The Army is directed to work in conjunction with the Navy and the Air Force to augment all Department of Defense research efforts in these areas. The Department is directed to provide a report with a detailed plan for the use of these funds and timeline for execution by August 1, 2008.

CENTER FOR NEUROSCIENCE AND REGENERATIVE MEDICINE

The recommendation includes an additional $70,000,000 to increase investigators and research capabilities in Traumatic Brain Injury and regenerative medicine across the Armed Forces. The focus of this initiative is an intramural start-up for the study of blast injury to the brain and post traumatic stress by studying actual combat casualties cared for at Walter Reed Army Medical Center and the National Naval Medical Center and using sophisticated neuroimaging technology at the National Institute of Health's Clinical Center.

POST TRAUMATIC STRESS DISORDER AND TRAUMATIC BRAIN INJURY

In addition to amounts otherwise available to the Defense Health Program, $75,000,000 is available to continue work for traumatic brain injury and psychological health.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

An appropriation of $65,317,000 is recommended for Drug Interdiction and Counter-Drug Activities, Defense for operations in Afghanistan, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Thailand and Turkmenistan.

OFFICE OF THE INSPECTOR GENERAL

An appropriation of $6,394,000 is recommended for the Office of the Inspector General. This is an increase of $2,000,000 in research, development, test and evaluation funding for the development of an Investigative Data System for the Defense Criminal Investigative Service.

GENERAL PROVISIONS, THIS CHAPTER

The amended bill includes the following general provisions for this chapter:

Section 9101 establishes the period of availability for obligation of appropriations provided in this chapter.

Section 9102 provides that funds made available in this chapter are in addition to amounts provided elsewhere for the Department of Defense for fiscal year 2008.

Section 9103 provides for special transfer authority of up to $2,500,000,000 of funds in this chapter, subject to the terms and conditions in section 8005 of the Department of Defense Appropriations Act, 2008.

Section 9104 provides that of the funds made available for the Department of Defense, $1,026,841,000 may be used to execute programs under the Commander's Emergency Response Program for Iraq, Afghanistan, and the Philippines.

Section 9105 provides for transfer of funds to the Defense Cooperation Account to appropriations or funds as determined by the Secretary of Defense.

Section 9106 provides that not to exceed $20,000,000 of funds made available under ''Drug Interdiction and Counter-Drug Activities, Defense'' may be used to support counter-drug activities of certain governments, and that such support is in addition to support provided under any other provision of law.

Section 9107 provides for up to 20 heavy and light armored vehicles for force protection purposes in Iraq and Afghanistan and up to 21 vehicles from funds previously appropriated.

Section 9108 provides for the transfer of funds to the Mine Resistant Ambush Protected Vehicle Fund.

Section 9109 provides up to $150,000,000 to support the development of foreign national counterterrorism capabilities.

CHAPTER 2—BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009

DEPARTMENT OF DEFENSE—MILITARY

OVERVIEW

RECOMMENDATION

On May 2, the Administration presented a request of $66,062,936,000 for supplemental appropriations for the Department of Defense, not including military construction. The recommendation in title IX, chapter 2, is $65,921,157,000.

The following table summarizes by appropriation account or general provision, the recommendation:

(Amounts in thousands)

B111

CHAPTER 2

DEFENSE BRIDGE FUND APPROPRIATIONS FOR FY 2009

DEPARTMENT OF DEFENSE--MILITARY

Military Personnel

Military Personnel, Army (emergency)	839,000
Military Personnel, Navy (emergency)	75,000
Military Personnel, Marine Corps (emergency)	55,000
Military Personnel, Air Force (emergency)	75,000
National Guard Personnel, Army (emergency)	150,000
Total, Military Personnel	1,194,000

Operation and Maintenance

Operation & Maintenance, Army (emergency)	37,300,000
Operation & Maintenance, Navy (emergency)	3,500,000
(Transfer out) (emergency)	(-112,000)
Coast Guard (By transfer) (emergency)	(112,000)
Operation & Maintenance, Marine Corps (emergency)	2,900,000
Operation & Maintenance, Air Force (emergency)	5,000,000
Operation & Maintenance, Defense-Wide (emergency)	2,648,569
Operation & Maintenance, Army Reserve (emergency)	79,291
Operation & Maintenance, Navy Reserve (emergency)	42,490
Operation & Maintenance, Marine Corps Reserve (emergency)	47,076
Operati n & Maintenance, Air Force Reserve (emergency)	12,376
Operation & Maintenance, Army National Guard (emergency)	333,540
Operation & Maintenance, Air National Guard (emergency)	52,667
Subtotal, Operation and Maintenance	51,916,009
Afghanistan Security Forces Fund (emergency)	2,000,000
Iraq Security Forces Fund (emergency)	1,000,000
Subtotal, Other	3,000,000
Grand total, Operation and Maintenance	54,916,009

Procurement

Aircraft Procurement, Army (emergency)	84,000
Procurement of Weapons and Tracked Combat Vehicles, Army (emergency)	822,674
Procurement of Ammunition, Army (emergency)	46,500
Other Procurement, Army (emergency)	1,009,050
Other Procurement, Navy (emergency)	27,948
Procurement, Marine Corps (emergency)	565,425
Aircraft Procurement, Air Force (emergency)	201,842
Other Procurement, Air Force (emergency)	1,500,644
Procurement, Defense-Wide (emergency)	177,237
Total, Procurement	4,435,320

(Amounts in thousands)

	Bill
Research, Development, Test and Evaluation	
Research, Development, Test & Evaluation, Navy (emergency)	113,228
Research, Development, Test & Evaluation, Air Force (emergency)	72,041
Research, Development, Test and Evaluation, Defense-Wide (emergency)	202,559
Total, Research, Development, Test and Evaluation	387,828
Other Department of Defense Programs	
Defense Health Program (emergency)	1,100,000
Operation and maintenance (emergency)	(1,100,000)
Drug Interdiction and Counter-Drug Activities, Defense (emergency)	188,000
Joint IED Defeat Fund (emergency)	2,000,000
Total, Other Department of Defense Programs	3,288,000
General Provisions--Chapter 2	
Special transfer authority (emergency)	(4,000,000)
Mine Resistant Ambush Protected Vehicle Fund (emerg.)	1,700,000
Total, Chapter 2	65,921,157

CLASSIFIED ANNEX

The recommendations for intelligence activities are published in a separate and detailed classified annex. The intelligence community, Department of Defense and other organizations are expected to fully comply with the recommendations and direction in the classified annex accompanying this Act.

REPORTING REQUIREMENTS

The Secretary of Defense is directed to provide a report to the congressional defense committees within 30 days of enactment of this Act on the allocation of the funds within the accounts listed in this chapter. The Secretary shall submit updated reports 30 days after the end of each fiscal quarter until funds listed in this chapter are no longer available for obligation. The Secretary is directed that these reports shall include: a detailed accounting of obligations and expenditures of appropriations provided in this chapter by program and subactivity group for the continuation of military operations in Iraq and Afghanistan and a listing of equipment procured using funds provided in this chapter. It is expected that, in order to meet unanticipated requirements, the Department of Defense may need to transfer funds within these appropriation accounts for purposes other than those specified in this report. The Department of Defense is directed to follow normal prior approval reprogramming procedures should it be necessary to transfer funding between different appropriation accounts in this chapter.

Additionally, the Department of Defense is directed to submit monthly supplemental execution reports to the congressional defense committees that include the following information by appropriation: funding appropriated, funding allocated, monthly obligations, monthly disbursements, cumulative fiscal year obligations, and cumulative fiscal year disbursements.

MINE RESISTANT AMBUSH PROTECTED VEHICLES

The recommendation includes $1,700,000,000 for the Mine Resistant Ambush Protected Vehicle Fund. This funds requirements for ballistic testing, sustainment and transportation of Mine Resistant Ambush Protected Vehicles, as identified by the Department. The Department shall continue to adhere to the execution and reporting requirements contained in section 8122 of Public Law 110–116. Additionally, the Secretary of Defense is directed to include future requests for Mine Resistant Ambush Protected Vehicle sustainment in the base budget starting with the fiscal year 2010 President's budget request submission.

MILITARY PERSONNEL

An appropriation of $1,194,000,000 is recommended for Military Personnel. The recommendations for each military personnel account are shown below:

[In thousands of dollars]

Account	Recommendation
MILITARY PERSONNEL, ARMY	
ACTIVITY 1: PAY AND ALLOWANCES OF OFFICERS	
BASIC PAY	85,298
RETIRED PAY ACCRUAL	24,906
BASIC ALLOWANCE FOR HOUSING	25,374
BASIC ALLOWANCE FOR SUBSISTENCE	3,322
SOCIAL SECURITY TAX	6,516
TOTAL, BUDGET ACTIVITY 1	145,416
ACTIVITY 2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL	
BASIC PAY	190,920
RETIRED PAY ACCRUAL	55,748
BASIC ALLOWANCE FOR HOUSING	58,173
SOCIAL SECURITY TAX	14,605
TOTAL, BUDGET ACTIVITY 2	319,446
ACTIVITY 4: SUBSISTENCE OF ENLISTED PERSONNEL	
BASIC ALLOWANCE FOR SUBSISTENCE	17,563
SUBSISTENCE-IN-KIND	251,700
TOTAL, BUDGET ACTIVITY 3	269,263
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
DEATH GRATUITIES	10,488
SGLI AND TSGLI PAYMENTS	94,387
TOTAL, BUDGET ACTIVITY 6	104,875
TOTAL MILITARY PERSONNEL, ARMY	839,000
MILITARY PERSONNEL, NAVY	
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
DEATH GRATUITIES	13,000
SGLI AND TSGLI PAYMENTS	62,000
TOTAL, BUDGET ACTIVITY 6	75,000
TOTAL MILITARY PERSONNEL, NAVY	75,000
MILITARY PERSONNEL, MARINE CORPS	
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
DEATH GRATUITIES	22,000
SGLI AND TSGLI PAYMENTS	33,000
TOTAL, BUDGET ACTIVITY 6	55,000
TOTAL MILITARY PERSONNEL, MARINE CORPS	55,000
MILITARY PERSONNEL, AIR FORCE	

[In thousands of dollars]

Account	Recommendation
ACTIVITY 6: OTHER MILITARY PERSONNEL COST	
DEATH GRATUITIES	12,000
SGLI AND TSGLI PAYMENTS	63,000
TOTAL, BUDGET ACTIVITY 6	75,000
TOTAL MILITARY PERSONNEL, AIR FORCE	75,000
NATIONAL GUARD PERSONNEL, ARMY	
PAY GROUP A TRAINING (15 DAYS & DRILLS 24/28)	16,500
SCHOOL TRAINING	58,500
SPECIAL TRAINING	24,000
ADMINISTRATION AND SUPPORT	51,000
TOTAL NATIONAL GUARD PERSONNEL, ARMY	150,000

OPERATION AND MAINTENANCE

An appropriation of $54,916,009,000 is recommended for Operation and Maintenance.

The recommendations for each operation and maintenance account are shown below:

[In thousands of dollars]

Account	Recommendation
OPERATION AND MAINTENANCE, ARMY	
INCREMENTAL WARTIME OPERATING COSTS	23,343,665
DEPOT MAINTENANCE/RESET	7,886,730
FACILITIES/BASE SUPPORT	5,205,036
TRANSPORTATION	778,198
CLASSIFIED PROGRAMS	86,371
TOTAL, OPERATION AND MAINTENANCE, ARMY	37,300,000
OPERATION AND MAINTENANCE, NAVY	
INCREMENTAL WARTIME OPERATING COSTS	2,517,826
DEPOT MAINTENANCE/RESET	236,829
TRANSPORTATION	594,906
COAST GUARD SUPPORT	112,000
CLASSIFIED PROGRAMS	38,439
TOTAL, OPERATION AND MAINTENANCE, NAVY	3,500,000
OPERATION AND MAINTENANCE, MARINE CORPS	
INCREMENTAL WARTIME OPERATING COSTS	2,109,788
DEPOT MAINTENANCE/RESET	430,660
TRANSPORTATION	359,552
TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	2,900,000
OPERATION AND MAINTENANCE, AIR FORCE	
INCREMENTAL WARTIME OPERATING COSTS	2,689,203
DEPOT MAINTENANCE/RESET	238,347
AIRLIFT OPERATIONS	2,031,723
CLASSIFIED PROGRAMS	40,727
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	5,000,000
OPERATION AND MAINTENANCE, DEFENSE-WIDE	
THE JOINT STAFF	22,500
SPECIAL OPERATIONS COMMAND	
OPERATING EXPENSES	901,550
ISR SUSTAINMENT	123,450
AMERICAN FORCES INFORMATION SERVICE	6,500
DEFENSE CONTRACT AUDIT AGENCY (DCAA)	5,000
DEFENSE CONTRACT MANAGEMENT AGENCY (DCMA)	2,100
DEFENSE HUMAN RESOURCE ACTIVITY (DHRA)	2,900
DEFENSE INFORMATION SYSTEMS AGENCY (DISA)	31,100
DEFENSE LOGISTICS AGENCY	34,000

[In thousands of dollars]

Account	Recommendation
DEFENSE LEGAL SERVICES AGENCY (DLSA)	7,000
DEPARTMENT OF DEFENSE EDUCATION ACTIVITY (DODEA)	102,460
DEFENSE SECURITY COOPERATION AGENCY (DSCA)	300,000
DEFENSE THREAT REDUCTION AGENCY (DTRA)	1,440
OFFICE OF THE SECRETARY OF DEFENSE	30,000
WASHINGTON HEADQUARTERS SERVICES	5,000
CLASSIFIED PROGRAMS	1,073,569
TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	2,648,569
OPERATION AND MAINTENANCE, ARMY RESERVE	
OPERATING EXPENSES	79,291
TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	79,291
OPERATION AND MAINTENANCE, NAVY RESERVE	
OPERATING EXPENSES	42,490
TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	42,490
OPERATION AND MAINTENANCE, MARINE CORPS RESERVE	
OPERATING EXPENSES	47,076
TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS RESERVE	47,076
OPERATION AND MAINTENANCE, AIR FORCE RESERVE	
OPERATING EXPENSES	12,376
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE	12,376
OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD	
OPERATING EXPENSES	333,540
TOTAL, OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD	333,540
OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	
OPERATING EXPENSES	52,667
TOTAL, OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	52,667

[In thousands of dollars]

Account	Recommendation
AFGHANISTAN SECURITY FORCES FUND	
MINISTRY OF DEFENSE (MOD) INFRASTRUCTURE	300,510
MOD EQUIPMENT AND TRANSPORTATION	234,558
MOD TRAINING	138,271
MOD SUSTAINMENT	480,340
MINSTRY OF INTERIOR (MOI) INFRASTRUCTURE	210,276
MOI EQUIPMENT AND TRANSPORTATION	42,727
MOI TRAINING	313,803
MOI SUSTAINMENT	275,515
RELATED ACTIVITIES	
DETAINEE OPERATIONS – TRAINING	1,000
DETAINEE OPERATIONS – SUSTAINMENT	3,000
TOTAL, AFGHANISTAN SECURITY FORCES FUND	2,000,000
IRAQ SECURITY FORCES FUND	
MINISTRY OF DEFENSE (MOD) EQUIPMENT AND TRANSPORTATION	300,000
MOD TRAINING	60,000
MOD SUSTAINMENT	100,000
MINISTRY OF INTERIOR (MOI) EQUIPMENT AND TRANSPORTATION	200,000
MOI TRAINING	300,000
MOI SUSTAINMENT	40,000
TOTAL, IRAQ SECURITY FORCES FUND	1,000,000

DEFENSE SECURITY COOPERATION AGENCY

The recommendation includes $200,000,000 for coalition support funds and $100,000,000 for lift and sustainment of coalition partners in Iraq and Afghanistan.

AFGHANISTAN AND IRAQ SECURITY FORCES

Reprogramming. The Depatment of Defense has been provided significant flexibility in executing this program in the past but new reprogramming procedures are required at this juncture. With respect to the Iraq Security Forces Fund and the Afghanistan Security Forces Fund, the Department is directed to submit prior approval reprogramming requests to the congressional defense committees for proposed transfers of funds in excess of $20,000,000, to the Infrastructure subactivity groups or other construction related projects.

PROCUREMENT

An appropriation of $4,435,320,000 is recommended for Procurement. The recommendations for each procurement account are shown below:

[In thousands of dollars]

Account	Recommendation
AIRCRAFT PROCUREMENT, ARMY	
COMMON GROUND EQUIPMENT	5,000
AIRCRAFT SURVIVABILITY INFRARED COUNTERMEASURES	20,000
KIOWA WARRIOR	59,000
TOTAL, AIRCRAFT PROCUREMENT, ARMY	84,000
PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY	
BRADLEY BASE SUSTAINMENT	394,800
M1 ABRAMS TANK MOD	47,900
ABRAMS UPGRADE PROGRAM	130,400
STRYKER VEHICLE	248,053
MORTAR WEAPON SYSTEM	1,521
TOTAL, PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY	822,674
PROCUREMENT OF AMMUNITION, ARMY	
NON-LETHAL AMMUNITION, ALL TYPES	46,500
TOTAL, PROCUREMENT OF AMMUNITION, ARMY	46,500
OTHER PROCUREMENT, ARMY	
HMMWV RECAP PROGRAM	390,219
HEMTT EXTENDED SERVICE PROGRAM	15,000
SEMI TRAILER, FLATBED	58,014
SEMI TRAILER, TANKER	26,941
TACTICAL BRIDGING, FLOAT-RIBBON	14,000
DRY SUPPORT BRIDGE	76,000
FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	90,000
TACTICAL TRAILER/DOLLY SETS	40,000
TACTICAL RADIOS	4,855
GROUND STANDOFF MINE DETECTION SYSTEM	5,000
MEDICAL COMMUNICATIONS FOR COMBAT CASUALTY CARE	12,109
NIGHT VISION DEVICES	20,000
NIGHT VISION THERMAL WEAPONS SIGHT	20,000
ALL TERRAIN LIFTING ARMY SYSTEM	5,000
LOADERS	15,000
TRACTORS	20,000
GENERATORS AND ASSOCIATED EQUIPMENT	20,000
DIGITAL TOPOGRAPHIC SUPPORT SYSTEM	9,000
TRUCK, TRACTOR, LINE HAUL, M915/M921	110,000
PROPHET GROUND	2,500
TACTICAL UNMANNED AERIAL SYSTEMS	9,876
MODIFICATION OF IN-SERVICE EQUIPMENT	15,000
ROUGH TERRAIN CONTAINER HANDLER (RTCH)	30,000
CLASSIFIED PROGRAMS	536
TOTAL, OTHER PROCUREMENT, ARMY	1,009,050

[In thousands of dollars]

Account	Recommendation
OTHER PROCUREMENT, NAVY	
CONSTRUCTION AND MAINTENANCE EQUIPMENT	3,142
TACTICAL VEHICLES	5,554
ITEMS UNDER $5 MILLION	5,687
PHYSICAL SECURITY EQUIPMENT	13,565
TOTAL, OTHER PROCUREMENT, NAVY	27,948
PROCUREMENT, MARINE CORPS	
LIGHT ARMORED VEHICLE (LAV)-PRODUCT IMPROVEMENT PROGRAM (PIP)	30,000
WEAPONS & COMBAT SYSTEMS UNDER $5M	8,000
MODULAR WEAPONS SYSTEM (Note: Includes FK4 Underbody Armor, M1114 Frag Kits, M1A1 IED Survivability Enhancements)	101,500
UNIT OPERATIONS CENTER	16,000
REPAIR AND TEST EQUIPMENT (Note: Includes Blue Force Tracking Support, Platf rm Devices, Spares and Vehicles)	105,175
RADAR SYSTEMS	8,000
INTELLIGENCE SUPPORT EQUIPMENT	21,500
COMMON COMPUTER RESOURCES	5,000
5/4T TRUCK HMMWV (RESET)	25,000
EOD SYSTEMS (Note: Including CREW Upgrades)	211,750
PHYSICAL SECURITY EQUIPMENT (Note: Includes Electronic Security Systems and G-BOSS)	9,000
FIELD MEDICAL EQUIPMENT	8,000
COUNTER RC IED WARFARE	1,500
FAMILY OF CONSTRUCTION EQUIPMENT	15,000
TOTAL, PROCUREMENT, MARINE CORPS	565,425
AIRCRAFT PROCUREMENT, AIR FORCE	
LAIRCM (Note: Includes funds for EC130/C-17 LAIRCM)	26,000
F-16 MODIFICATIONS (Note: Only for the National Guard $34,200,000 for F-16 Advanced Identification Friend/Foe (AIFF))	34,200
F-15 MODIFICATIONS (Note: $34,000,000 only for National Guard AESA Systems)	34,000
MQ-9 REAPER (Note: Includes 5 UAVs)	87,642
PREDATOR/REAPER GCS RETROFIT	20,000
TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE	201,842

[In thousands of dollars]

Account	Recommendation
OTHER PROCUREMENT, AIR FORCE	
HALVORSEN	13,500
CLASSIFIED PROGRAMS	1,487,144
TOTAL, OTHER PROCUREMENT, AIR FORCE	1,500,644
PROCUREMENT, DEFENSE-WIDE	
C-130 MODIFICATIONS (Note: Funds are provided for the Special Operations Command Gunship Multispectral Sensor 2 Readiness Spares)	17,000
SOF ORDNANCE REPLENISHMENT	43,640
SOF OPERATIONAL ENHANCEMENT (Note: $20,750,000 is for Special Operations Command ISR Mission Equipment Package and $13,000,000 for Sensors for Additional Leased ISR Aircraft)	33,750
SMALL ARMS AND WEAPONS (Note: For SOF Soldier Protection and Survival System)	16,250
CLASSIFIED PROGRAMS	66,597
TOTAL, PROCUREMENT, DEFENSE-WIDE	177,237

FORCE PROTECTION AND RESET

The recommendation provides funding for critical force protection and reset initiatives identified by the Marine Corps, to include $30,000,000 for Light Armored Vehicle survivability upgrades; $97,500,000 for Frag Kit 4 underbody armor and M1114 Frag Kits; $105,175,000 for Blue Force Tracker platform devices; and $201,750,000 for jammer upgrades.

SPECIAL OPERATIONS PSYCHOLOGICAL OPERATIONS

The Special Operations Command is encouraged to use funds provided in fiscal year 2009 for the Department of Defense to fund psychological operations equipment for C–130 aircraft.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

An appropriation of $387,828,000 is recommended for Research, Development, Test and Evaluation only for classified programs.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

An appropriation of $1,100,000,000 is recommended for the Defense Health Program. The recommendations for the Defense Health Program are shown below:

[In thousands of dollars]

	Recommendation
OPERATION AND MAINTENANCE	1,100,000
IN-HOUSE CARE	740,052
CONSOLIDATED HEALTH CARE SUPPORT	220,147
INFORMATION MANAGEMENT	78,219
MANAGEMENT ACTIVITIES	1,159
EDUCATION AND TRAINING	51,157
BASE OPERATIONS/COMMUNICATIONS	9,266
TOTAL, DEFENSE HEALTH PROGRAM	1,100,000

TRAUMATIC BRAIN INJURY AND PSYCHOLOGICAL HEALTH

The recommendation includes $300,000,000 to support programs and activities relating to the treatment, care, rehabilitation, recovery and support of the Armed Forces for traumatic brain injury and psychological health issues. Of the funds provided, $200,000,000 is in In-House Care, $75,000,000 is in Consolidated Health, and $25,000,000 is in Education and Training. The Assistant Secretary of Defense for Health Affairs, in coordination with the Service Surgeons General and the Deputy Assistant Secretary of Defense for Force Health Protection and Readiness, is directed to provide a report to the congressional defense committees no later than August 1, 2008 with a detailed spend plan including funding requirements, sources of funding, and a break out of initiatives.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

An appropriation of $188,000,000 is recommended for Drug Interdiction and Counter-Drug Activities, Defense for operations in Afghanistan, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan and Turkmenistan.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

An appropriation of $2,000,000,000 is recommended for the Joint Improvised Explosive Device Defeat Fund.

[In thousands of dollars]

Account	Recommendation
JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND	
ATTACK THE NETWORK	725,000
DEFEAT THE DEVICE	950,000
TRAIN THE FORCE	250,000
STAFF AND INFRASTRUCTURE	75,000
TOTAL, JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND	2,000,000

GENERAL PROVISIONS, THIS CHAPTER

The amended bill includes the following general provisions for this chapter:

Section 9201 establishes that the funds made available in this chapter are not available until October 1, 2008.

Section 9202 establishes the period of availability for obligation for appropriations provided in this chapter.

Section 9203 provides for special transfer authority up to $4,000,000,000 of funds in this chapter.

Section 9204 provides that the Secretary of Defense continue to provide quarterly reports to Congress on a comprehensive set of indicators and measures for progress towards military and political stability in Iraq.

Section 9205 provides that the Director of the Office of Management and Budget, (in consultation with the Secretary of Defense; the Commander, Multi-National Security Transition Command-Iraq; and the Commander, Combined Security Transition Command-Afghanistan), shall submit a report detailing, among other assessments, the total cost of training and equipping the Iraq and Afghanistan security forces.

Section 9206 provides that funds available to the Department of Defense for operation and maintenance may be used to provide supplies, services and transportation to coalition forces in Iraq and Afghanistan.

Section 9207 provides that supervision and administrative costs associated with a construction project funded through operation and maintenance, Afghanistan Security Forces Fund, or Iraq Security Forces Fund may be obligated at the time a construction contract is awarded.

Section 9208 provides $1,700,000,000 in emergency funding for the Mine Resistant Ambush Protected Vehicle Fund.

Section 9209 defines the Congressional Defense Committees as being the Armed Services Committees and the Subcommittees on Defense of the Committees on Appropriations of the House and the Senate.

CHAPTER 3—GENERAL PROVISIONS, THIS TITLE

The amended bill includes the following general provisions for this title:

Section 9301 provides that the amounts recommended under this title are designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

Section 9302 provides for the obligation and expenditure of funds related to activities pursuant to section 504(a)(1) of the National Security Act of 1947.

Section 9303 prohibits the use of funds to contravene laws or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Section 9304 requires a report on the United States global strategy to combat and defeat Al Qaeda and its affiliates.

Section 9305 provides that none of the funds appropriated in this title may be obligated and expended to finance programs or activities denied by Congress in fiscal year 2007 or 2008 appropriations for the Department of Defense or to initiate a new start without prior approval.

Section 9306 provides for an increase in the amount authorized for the United States contribution to NATO to $435,259,000.

Section 9307 prohibits award fees to any defense contractor in contravention to provisions of section 814 of the National Defense Authorization Act, 2007.

RESCISSIONS

Section 9308 provides that: (a) of the funds made available for ''Defense Health Program'' in Public Law 110–28, $75,000,000 is rescinded and, (b) of the funds made available for ''Joint Improvised Explosive Device Defeat Fund'' in Division L of the Consolidated Appropriations Act, 2008 (Public Law 110–161), $71,531,000 is rescinded.

Section 9309 provides that of the funding provided in the Readiness, Veterans' Care, Katrina Recovery and Iraq Accountability Appropriations Act, 2007 that remains available for obligation under the Iraq Freedom Fund 2007/2008, $150,000,000 is only for the Joint Rapid Acquisition Cell program and $10,000,000 is only for the transportation of fallen service members.

Section 9310 allows Combatant Commanders to use funds available in this title in operation and maintenance to purchase an investment item of not more than $500,000 to meet operational requirements.

TITLE IX--DEFENSE MATTERS
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
TITLE IX--DEFENSE MATTERS			
CHAPTER 1			
SUPPLEMENTAL APPROPRIATIONS FOR FY 2008			
DEPARTMENT OF DEFENSE--MILITARY			
Military Personnel			
Military Personnel, Army (emergency)	11,535,055	11,807,655	+272,600
Military Personnel, Navy (emergency)	696,053	866,753	+170,700
Military Personnel, Marine Corps (emergency)	1,733,971	1,820,571	+86,600
Military Personnel, Air Force (emergency)	1,277,853	1,286,153	+8,300
Reserve Personnel, Army (emergency)	299,200	304,200	+5,000
Reserve Personnel, Navy (emergency)	70,000	72,800	+2,800
Reserve Personnel, Marine Corps (emergency)	15,420	16,720	+1,300
Reserve Personnel, Air Force (emergency)	3,000	5,000	+2,000
National Guard Personnel, Army (emergency)	1,136,747	1,369,747	+233,000
National Guard Personnel, Air Force (emergency)	---	4,000	+4,000
Total, Military Personnel	16,767,299	17,553,599	+786,300
Operation and Maintenance			
Operation and Maintenance, Army (emergency)	18,720,113	16,343,512	-2,376,601
Operation and Maintenance, Navy (emergency)	2,498,765	2,952,864	+454,099
(Transfer out) (emergency)	(-112,607)	(-112,607)	---
Coast Guard (By transfer) (emergency)	(112,607)	(112,607)	---
Operation and Maintenance, Marine Corps (emergency)	306,050	159,900	-146,150
Operation and Maintenance, Air Force (emergency)	5,927,212	5,922,520	-4,692
Operation and Maintenance, Defense-Wide (emergency)	3,220,388	3,387,562	+167,174
Operation and Maintenance, Army Reserve (emergency)	118,958	164,839	+45,881
Operation and Maintenance, Navy Reserve (emergency)	41,750	109,876	+68,126
Operation and Maintenance, Marine Corps Reserve (emergency)	22,040	70,256	+48,216
Operation and Maintenance, Air Force Reserve (emergency)	12,133	165,994	+153,861
Operation and Maintenance, Army National Guard (emergency)	430,008	685,644	+255,636
Operation and Maintenance, Air National Guard (emergency)	51,633	287,369	+235,736
Subtotal, Operation and Maintenance	31,349,050	30,250,336	-1,098,714
Iraq Freedom Fund (emergency)	103,750	50,000	-53,750
Afghanistan Security Forces Fund (emergency)	1,350,000	1,400,000	+50,000
Iraq Security Forces Fund (emergency)	1,500,000	1,500,000	---
Subtotal, Other	2,953,750	2,950,000	-3,750
Grand total, Operation and Maintenance	34,302,800	33,200,336	-1,102,464
Procurement			
Aircraft Procurement, Army (emergency)	1,181,864	954,111	-227,753
Missile Procurement, Army (emergency)	641,764	561,656	-80,108
Procurement of Weapons and Tracked Combat Vehicles, Army (emergency)	5,860,252	5,393,471	-466,781
Procurement of Ammunition, Army (emergency)	359,600	344,900	-14,700
Other Procurement, Army (emergency)	21,103,261	15,967,340	-5,135,921
Aircraft Procurement, Navy (emergency)	3,859,958	3,411,254	-448,704
Weapons Procurement, Navy (emergency)	318,281	317,456	-825
Procurement of Ammunition, Navy and Marine Corps (emergency)	304,945	304,945	---

TITLE IX--DEFENSE MATTERS
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
Other Procurement, Navy (emergency)	1,515,116	1,260,135	-254,981
Procurement, Marine Corps (emergency)	2,444,490	2,153,390	-291,100
Aircraft Procurement, Air Force (emergency)	3,894,839	7,028,563	+3,133,724
Missile Procurement, Air Force (emergency)	1,800	66,943	+65,143
Procurement of Ammunition, Air Force (emergency)	104,405	205,455	+101,050
Other Procurement, Air Force (emergency)	2,430,034	1,903,167	-526,867
Procurement, Defense-Wide (emergency)	267,440	408,209	+140,769
Rapid Acquisition Fund	150,000	---	-150,000
National Guard and Reserve Equipment (emergency)	---	750,000	+750,000
Total, Procurement	44,438,049	41,030,995	-3,407,054
Research, Development, Test and Evaluation			
Research, Development, Test and Evaluation, Army (emergency)	163,299	162,958	-341
Research, Development, Test and Evaluation, Navy (emergency)	610,567	366,110	-244,457
Research, Development, Test and Evaluation, Air Force (emergency)	1,487,493	278,427	-1,209,066
Research, Development, Test and Evaluation, Defense-Wide (emergency)	684,389	816,598	+132,209
Total, Research, Development, Test and Evaluation	2,945,748	1,624,093	-1,321,655
Revolving and Management Funds			
Defense Working Capital Funds (emergency)	957,675	1,837,450	+879,775
National Defense Sealift Fund (emergency)	5,110	5,110	---
Total, Revolving and Management Funds	962,785	1,842,560	+879,775
Other Department of Defense Programs			
Defense Health Program (emergency)	561,741	1,363,864	+802,123
Operation and maintenance (emergency)	(561,741)	(907,064)	(+345,323)
Procurement (emergency)	---	(91,900)	(+91,900)
Research, development, test and evaluation (emergency)	---	(364,900)	(+364,900)
Psychological health & traumatic brain injury (emerg)	---	75,000	+75,000
Total, Defense Health Program (emergency)	561,741	1,438,864	+877,123
Drug Interdiction and Counter-Drug Activities, Defense (emergency)	65,017	65,317	+300
Office of the Inspector General (emergency)	4,394	6,394	+2,000
Total, Other Department of Defense Programs	631,152	1,510,575	+879,423
General Provisions--Chapters 1 and 3			
Special transfer authority (emergency)	---	(2,500,000)	(+2,500,000)
Defense Cooperation Account (transfer authority) (emergency)	6,500	6,500	---
Rescissions (emergency) (Chapter 3)	---	-146,531	-146,531
Total, General Provisions	6,500	-140,031	-146,531
Total, Chapter 1 and Chapter 3	100,054,333	96,622,127	-3,432,206

TITLE IX--DEFENSE MATTERS
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
CHAPTER 2			
BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FY 2009			
DEPARTMENT OF DEFENSE--MILITARY			
Military Personnel			
Military Personnel, Army (emergency)	3,500,000	839,000	-2,661,000
Military Personnel, Navy (emergency)	95,000	75,000	-20,000
Military Personnel, Marine Corps (emergency)	85,000	55,000	-30,000
Military Personnel, Air Force (emergency)	105,000	75,000	-30,000
National Guard Personnel, Army (emergency)	20,000	150,000	+130,000
Total, Military Personnel	3,805,000	1,194,000	-2,611,000
Operation and Maintenance			
Operation and Maintenance, Army (emergency)	35,560,055	37,300,000	+1,739,945
Operation and Maintenance, Navy (emergency)	238,437	3,500,000	+3,261,563
(Transfer out) (emergency)	(-200,000)	(-112,000)	(+88,000)
Coast Guard (By transfer) (emergency)	(200,000)	(112,000)	(-88,000)
Operation and Maintenance, Marine Corps (emergency)	2,200,000	2,900,000	+700,000
Operation and Maintenance, Air Force (emergency)	3,644,078	5,000,000	+1,355,922
Operation and Maintenance, Defense-Wide (emergency)	3,193,494	2,648,569	-544,925
Operation and Maintenance, Army Reserve (emergency)	---	79,291	+79,291
Operation and Maintenance, Navy Reserve (emergency)	---	42,490	+42,490
Operation and Maintenance, Marine Corps Reserve (emergency)	34,000	47,076	+13,076
Operation and Maintenance, Air Force Reserve (emergency)	---	12,376	+12,376
Operation and Maintenance, Army National Guard (emergency)	---	333,540	+333,540
Operation and Maintenance, Air National Guard (emergency)	---	52,667	+52,667
Subtotal, Operation and Maintenance	44,870,064	51,916,009	+7,045,945
Afghanistan Security Forces Fund (emergency)	3,666,259	2,000,000	-1,666,259
Iraq Security Forces Fund (emergency)	2,000,000	1,000,000	-1,000,000
Subtotal, Other	5,666,259	3,000,000	-2,666,259
Grand total, Operation and Maintenance	50,536,323	54,916,009	+4,379,686
Procurement			
Aircraft Procurement, Army (emergency)	---	84,000	+84,000
Procurement of Weapons and Tracked Combat Vehicles, Army (emergency)	---	822,674	+822,674
Procurement of Ammunition, Army (emergency)	---	46,500	+46,500
Other Procurement, Army (emergency)	80,536	1,009,050	+928,514
Other Procurement, Navy (emergency)	---	27,948	+27,948
Procurement, Marine Corps (emergency)	---	565,425	+565,425
Aircraft Procurement, Air Force (emergency)	1,209,300	201,842	-1,007,458
Other Procurement, Air Force (emergency)	1,467,475	1,500,644	+33,169
Procurement, Defense-Wide (emergency)	72,733	177,237	+104,504
Rapid Acquisition Fund	100,000	---	-100,000
Total, Procurement	2,930,044	4,435,320	+1,505,276

TITLE IX--DEFENSE MATTERS
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
Research, Development, Test and Evaluation			
Research, Development, Test and Evaluation, Navy (emergency)	113,228	113,228	---
Research, Development, Test and Evaluation, Air Force (emergency)	71,741	72,041	+300
Research, Development, Test and Evaluation, Defense-Wide (emergency)	194,156	202,559	+8,403
Total, Research, Development, Test and Evaluation	379,125	387,828	+8,703
Revolving and Management Funds			
Defense Working Capital Funds (emergency)	2,200,000	---	-2,200,000
Total, Revolving and Management Funds	2,200,000	---	-2,200,000
Other Department of Defense Programs			
Defense Health Program (emergency)	400,000	1,100,000	+700,000
Operation and maintenance (emergency)	(400,000)	(1,100,000)	(+700,000)
Psychological health & traumatic brain injury (emerg).	100,000	---	-100,000
Drug Interdiction and Counter-Drug Activities, Defense (emergency)	130,000	188,000	+58,000
Joint IED Defeat Fund (emergency)	2,970,444	2,000,000	-970,444
Total, Other Department of Defense Programs	3,600,444	3,288,000	-312,444
General Provisions--Chapter 2			
Special transfer authority (emergency)	(4,000,000)	(4,000,000)	---
Defense Cooperation Account (transfer authority) (emergency)	2,000	---	-2,000
Mine Resistant Ambush Protected Vehicle Fund (emerg.).	2,610,000	1,700,000	-910,000
Total, General Provisions	2,612,000	1,700,000	-912,000
Total, Chapter 2	66,062,936	65,921,157	-141,779
Grand total, Title IX	166,117,269	162,543,284	-3,573,985

TITLE IX--DEFENSE MATTERS
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
FY 2008 RECAPITULATION			
Military Personnel	16,767,299	17,553,599	+786,300
Operation and Maintenance	31,349,050	30,250,336	-1,098,714
Other	2,953,750	2,950,000	-3,750
Procurement	44,438,049	41,030,995	-3,407,054
Research, Development, Test and Evaluation	2,945,748	1,624,093	-1,321,655
Revolving and Management Funds	962,785	1,842,560	+879,775
Other Department of Defense Programs	631,152	1,510,575	+879,423
General Provisions	6,500	-140,031	-146,531
Total, FY 2008 Department of Defense	100,054,333	96,622,127	-3,432,206
FY 2009 RECAPITULATION			
Military Personnel	3,805,000	1,194,000	-2,611,000
Operation and Maintenance	44,870,064	51,916,009	+7,045,945
Other	5,666,259	3,000,000	-2,666,259
Procurement	2,930,044	4,435,320	+1,505,276
Research, Development, Test and Evaluation	379,125	387,828	+8,703
Revolving and Management Funds	2,200,000	---	-2,200,000
Other Department of Defense Programs	3,600,444	3,288,000	-312,444
General Provisions--Chapter 2	2,612,000	1,700,000	-912,000
Total, FY 2009 Department of Defense	66,062,936	65,921,157	-141,779
Grand Total, Title IX	166,117,269	162,543,284	-3,573,985

AMENDMENT NO. 2

TITLE X—POLICY RELATING TO OPERATIONS IN IRAQ

SENSE OF CONGRESS REGARDING UNITED STATES MILITARY PERSONNEL

Section 10001 includes a sense of the Congress commending the performance, courage, and sacrifice of the United States military personnel.

UNITS DEPLOYED FOR COMBAT TO BE FULLY MISSION CABABLE

Section 10002 prohibits the use of funds to deploy to Iraq any combat unit of the Armed Forces that is not assessed ''fully mission capable'' of performing their assigned mission to the prescribed standards under the conditions expected in the theater of operation, consistent with the guidelines set forth in the Department of Defense's written policies. These readiness standards may be waived on a unit-by-unit basis if the President certifies, in writing, that the deployment of a unit that is not assessed mission capable is required for reasons of national security, and submits along with the certification a report detailing the particular reasons why the unit's deployment is necessary.

TIME LIMIT ON COMBAT DEPLOYMENTS

Section 10003 prohibits the use of funds to initiate or execute any order extending the deployment for Operation Iraqi Freedom of any unit of the Army, Army Reserve or Army National Guard beyond 365 days, and any unit of the Marine Corps or Marine Corps Reserve beyond 210 days. This limitation may be waived on a unit-by-unit basis if the President certifies, in writing, that the extension of a unit's deployment in Iraq beyond the period applicable to the unit is required for reasons of national security, and includes in the certification a report detailing the particular reasons why the unit's extended deployment is necessary.

DWELL TIME BETWEEN COMBAT DEPLOYMENTS

Section 10004 prohibits the use of funds to initiate, continue, or execute any order that has the effect of redeploying for Operation Iraqi Freedom any unit of the Army, Army Reserve or Army National Guard if such unit has been deployed within the previous consecutive 365 days, and any unit of the Marine Corps or Marine Corps Reserve if such unit has been deployed within the previous 210 consecutive days. This limitation may be waived on a unit-by-unit basis if the President certifies, in writing, that the redeployment of a unit in advance of the expiration of the period applicable to the unit is required for reasons of national security, and includes in the certification a report detailing the particular reasons why the unit's early redeployment is necessary.

LIMITATION ON INTERROGATION TECHNIQUES

Section 10005 provides that no person in the custody or under the effective control of an element of the intelligence community, including contractors and subcontractors at any tier of the element of the intelligence community, shall be subject to any treatment or technique of interrogation not authorized by the U.S. Army Field Manual on Human Intelligence Collector Operations.

REGISTRATION WITH THE INTERNATIONAL COMMITTEE OF THE RED CROSS

Section 10006 prohibits the use of funds to detain any individual in the custody or under the effective control of an element of the intelligence community, including contractors and subcontractors at any tier of the element of the intelligence community, unless the International Committee of the Red Cross is provided notification of the detention of and access to such person in a timely manner and consistent with the practices of the Armed Forces of the United States.

PROHIBITION OF PERMANENT BASES IN IRAQ

Section 10007 prohibits the use of funds to establish a permanent base in Iraq or to exercise United States control over any oil resource of Iraq.

LIMITATION ON DEFENSE AGREEMENTS WITH THE GOVERNMENT OF IRAQ

Section 10008 prohibits the use of funds to negotiate, enter into, or implement any agreement with the Government of Iraq that includes security assurances for mutual defense, unless the agreement is in the form of a treaty requiring the advice and consent of the Senate, or is specifically authorized by a law enacted after the date of enactment of this Act.

PROHIBITION ON AGREEMENTS SUBJECTING ARMED FORCES TO IRAQI CRIMINAL JURISDICTION

Section 10009 prohibits the use of funds to negotiate, enter into, or implement an agreement with the Government of Iraq that would subject members of the United States Armed Forces to the jurisdiction of Iraq criminal courts or punishment under Iraq law.

REQUIREMENT FOR MATCHING FUNDS FROM GOVERNMENT OF IRAQ

Section 10010 prohibits the use of funds for assistance for Iraq, including training, capacity building, and construction and repair of infrastructure, unless the funds are matched by the Government of Iraq on a dollar-for-dollar basis. The provision also requires a new report by the Secretary of Defense on the Budget of the Government of Iraq, to be included in the Secretary's quarterly report on Progress Toward Stability in Iraq.

PARTIAL REIMBURSEMENT FROM IRAQ FOR FUEL COSTS

Section 10011 requires that, within 90 days of enactment of this Act, the President shall complete an agreement with the Government of Iraq to subsidize fuel costs for United States Armed Forces operating in Iraq, so that the price of fuel for those forces is equal to the discounted price that is provided for domestic Iraqi consumption. Funds provided under the heading ''Operation and Maintenance, Defense-Wide'' for the Secretary of Defense or Washington Headquarters Services may not be obligated or expended until such agreement is complete and the President transmits a report on that agreement to the House and Senate Committees on Appropriations. This limitation on funding may be waived by the President upon certification that it is in the national security interests of the United States.

TIMETABLE FOR REDEPLOYMENT OF UNITED STATES FORCES FROM IRAQ

Section 10012 provides for the withdrawal of United States Armed Forces from Iraq, beginning within 30 days of enactment of this Act, with a goal of completing such redeployment within 18 months. After completion of the redeployment, U.S. Armed Forces may be deployed to, or maintained in, Iraq only to the extent necessary to carry out the following missions: protecting diplomatic facilities, Armed Forces, and U.S. citizens in Iraq; conducting limited training of, equipping, and providing logistical and intelligence support to Iraqi security forces; and engaging in targeted counterterrorism operations against al-Qaeda, groups affiliated with al-Qaeda, and other terrorist organizations in Iraq.

This section requires the Secretary of Defense to submit to Congress no later than July 1, 2008, and every 90 days thereafter, a report providing a description of current efforts and future plans to reduce and transition U.S. Armed Forces to a limited presence in Iraq. The section also includes a requirement that, within 45 days of enactment of this Act, the Secretary of State shall provide to the House and Senate Committees on Appropriations a strategy for civilian-led post-conflict stabilization and reconstruction assistance for Iraq.

TITLE XI—REFORMS RELATED TO WAR PROFITEERING AND CONTRACTORS

CHAPTER 1—ADJUSTMENT OF WARTIME STATUTE OF LIMITATIONS

This chapter extends current law on the wartime suspension of statutory limitations for military contract fraud prosecutions to the wars in Iraq and Afghanistan. It also extends the statute of limitations to five years after the termination of hostilities, instead of three years as provided in current law.

CHAPTER 2—WAR PROFITEERING AND FRAUD

This chapter establishes a new criminal offense to prohibit profiteering and fraud in Federal contracts associated with military actions, relief, and reconstruction efforts overseas. The penalty is a fine of up to $1,000,000 and/or a prison term not to exceed 20 years.

CHAPTER 3—MILITARY EXTRA-TERRITORIAL JURISDICTION MATTERS

This chapter expands the Military Extraterritorial Jurisdiction Act of 2000 to cover all persons employed under Federal contracts and subcontracts where U.S. Armed Forces are conducting overseas military operations. MEJA provides for the prosecution of an offense that would be punishable by imprisonment for more than one year if committed in the U.S. This chapter also designates the Attorney General as the principal authority for investigation and enforcement of the Act.

AMENDMENT NO. 3

TITLE I—MILITARY CONSTRUCTION, VETERANS, INTERNATIONAL AFFAIRS, AND OTHER SECURITY-RELATED MATTERS

CHAPTER 1—AGRICULTURE

DEPARTMENT OF AGRICULTURE

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 TITLE II GRANTS

The amended bill provides a total of $850,000,000 to remain available until expended for Public Law 480 Title II Grants for fiscal year 2008. The amended bill provides $350,000,000, as requested, for the urgent humanitarian needs identified by the administration. Further, the amended bill provides an additional $500,000,000 for unanticipated cost increases for food and transportation to be made available immediately.

In addition, because the need for urgent humanitarian food assistance and continuing volatility of food and transportation costs are expected to continue into fiscal year 2009, the amended bill provides a total of $395,000,000, as requested, to be made available beginning October 1, 2008.

CHAPTER 2—COMMERCE, JUSTICE, AND SCIENCE

DEPARTMENT OF JUSTICE

OFFICE OF INSPECTOR GENERAL

The amended bill includes $4,000,000 for the Office of Inspector General. The Inspector General is directed to continue its audit and oversight activities of the Federal Bureau of Investigation's use of National Security Letters (NSLs) and orders for business records, pursuant to Section 215 of the USA PATRIOT Act.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The amended bill includes $1,648,000 for General Legal Activities for the Criminal Division to provide litigation support services to the Special Inspector General for Iraq Reconstruction for its ongoing investigations and cases involving corruption in the reconstruction of Iraq. The amended bill does not include funding requested to create Iraq and Afghanistan support units within General Legal Activities, Criminal Division. These worthy activities should be supported through funds made available to the departments of State or Defense.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The amended bill includes $5,000,000 for the U.S. Attorneys for extraordinary litigation expenses associated with terrorism prosecutions in the United States.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

The amended bill includes $18,621,000 for the U.S. Marshals Service. Within this funding level is $7,951,000 to provide security at high-threat terrorist trials in the United States and $3,700,000 to improve court and witness security in Afghanistan.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

The amended bill provides $92,169,000 for the Federal Bureau of Investigation (FBI) for operations in Iraq and Afghanistan and for enhanced counterterrorism activities. The FBI is directed to provide the House and Senate Committees on Appropriations with a detailed plan for the obligation of these funds no later than 30 days after the enactment of this Act and to update this plan on a quarterly basis with actual obligations.

The amended bill also provides $82,600,000 in bridge funding for the FBI to maintain the operations described above into fiscal year 2009.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

The amended bill includes $12,166,000 for the Drug Enforcement Administration to further its narco-terrorism initiative and Operation Breakthrough and to conduct financial investigations.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

The amended bill includes $4,000,000 for the Bureau of Alcohol, Tobacco, Firearms and Explosives for necessary costs of operations in Iraq.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The amended bill provides $9,100,000 for the Bureau of Prisons to monitor communications of incarcerated terrorists, collect intelligence, and disseminate relevant information to other Federal law enforcement agencies.

CHAPTER 3—MILITARY CONSTRUCTION AND VETERANS AFFAIRS

DEPARTMENT OF DEFENSE

Iraq.—Central Command has reiterated its intention eventually to consolidate the U.S. force posture in Iraq into four contingency operating bases at Al Asad Air Base, Balad Air Base/Camp Anaconda, Camp Speicher, and Victory Base, as well as four convoy centers at Camp Adder, Korean Village, Qayyarah West, and Scania. The Administration's request has been reviewed for military construction in Iraq to ensure that the recommended projects are consistent with the consolidation plan. The projects included in the amended bill support current operations pursuant to the consolidation plan, as well as force protection and quality of life projects for deployed personnel. Each project request has also been reviewed to ensure consistency with contingency construction standards. The amended bill therefore does not include $183,000,000 for five power plants to replace expeditionary generator sets. The establishment of permanent bases in Iraq is not supported, and the amended bill does not include any funds to establish any such base, or convert any base in Iraq from a temporary to permanent status. The amended bill includes language prohibiting the obligation or expenditure of $533,700,000 provided for Military Construction, Army, and $58,300,000 provided for Military Construction, Air Force, until the Secretary of Defense certifies that none of the funds are to be used for the purpose of providing facilities for permanent basing of U.S. military personnel in Iraq.

Child Development Centers.—The amended bill recommends a total of $210,258,000 to design and build twenty new child development centers for the Army, Navy, Marine Corps, and Air Force as requested by the Department. The Department should be commended for following the lead of Congress by requesting funds for additional child development centers. The projects included in the amended bill will provide additional space to serve 4,900 children, in addition to the facilities for approximately 3,500 children provided by Congress in the enacted fiscal year 2008 appropriation.

Trainee and Recruit Facilities.—The amended bill recommends a total of $299,600,000 for eight projects providing barracks and other facilities for Army and Marine Corps trainees and recruits. These projects are included to further the eventual elimination of a large backlog of needed recapitalization for trainee and recruit facilities, and to assist the Army and Marine Corps with their efforts to grow and revitalize the force to continue the global war on terrorism.

MILITARY CONSTRUCTION, ARMY

The amended bill recommends $1,432,700,000 for Military Construction, Army. The funds are provided as follows:

[dollars in thousands]

Location	Project description	Request	Amended Bill
AK: Fort Wainwright	Child Development Center (1/)	17,000	17,000
CA: Fort Irwin	Child Development Center (1/)	11,800	11,800
CO: Fort Carson	Child Development Center (1/)	8,400	8,400
CO: Fort Carson	Soldier Family Assistance Center	8,100	8,100
GA: Fort Benning	Classrooms & Battalion Dining Facilities	2/	30,500
GA: Fort Gordon	AIT Complex 1, Phase 1	2/	32,000
GA: Fort Gordon	Child Development Center (1/)	7,800	7,800
GA: Fort Stewart	Soldier Family Assistance Center	6,000	6,000
HI: Schofield Barracks	Child Development Center (1/)	12,500	12,500
KS: Fort Riley	Transitioning Warrior Support Complex	50,000	50,000
KY: Fort Campbell	Child Development Center (1/)	9,900	9,900
KY: Fort Campbell	Soldier Family Assistance Center	7,400	7,400
KY: Fort Knox	Child Development Center (1/)	7,400	7,400
LA: Fort Polk	Soldier Family Assistance Center	4,900	4,900
MO: Fort Leonard Wood	Starbase Complex 6, Phase 1	2/	50,000
NC: Fort Bragg	Child Development Center (1/)	8,500	8,500
NY: Fort Drum	Warrior in Transition Facilities	38,000	38,000
OK: Fort Sill	Child Development Center (1/)	9,000	9,000
SC: Fort Jackson	Student Barracks	2/	27,000
TX: Fort Bliss	Child Development Center (1/)	5,700	5,700
TX: Fort Bliss	Child Development Center (1/)	5,900	5,900
TX: Fort Bliss	Child Development Center (1/)	5,700	5,700
TX: Fort Hood	Child Development Center (1/)	7,200	7,200
TX: Fort Hood	Warrior in Transition Unit Ops Facilities	9,100	9,100
TX: Fort Sam Houston	AIT Barracks	2/	47,000
TX: Fort Sam Houston	Child Development Center (1/)	7,000	7,000
VA: Fort Eustis	AIT Complex 1, Phase 1	2/	50,000
VA: Fort Lee	Child Development Center (1/)	7,400	7,400
Afghanistan: Bagram AB	Administrative Building (1/)	13,800	13,800
Afghanistan: Bagram AB	Aircraft Maintenance Hangar	5,100	5,100
Afghanistan: Bagram AB	Ammunition Supply Point	62,000	62,000
Afghanistan: Bagram AB	Bulk Fuel Storage and Supply, Phase 3	23,000	23,000
Afghanistan: Bagram AB	Bulk Fuel Storage and Supply, Phase 4	21,000	21,000
Afghanistan: Bagram AB	New Roads	27,000	27,000
Afghanistan: Bagram AB	Power Plant	41,000	41,000
Afghanistan: Bagram AB	Theater Internment Facility (1/)	60,000	-
Afghanistan: Ghazni	Rotary Wing Parking	5,000	5,000
Afghanistan: Kabul	Consolidated Compound	36,000	36,000
Afghanistan: Various Locations	Counter IED Road - Route Alaska	16,500	16,500
Afghanistan: Various Locations	Counter IED Road - Route Connecticut	54,000	54,000
Iraq: Al Asad AB	Hot Cargo Ramp	18,500	18,500
Iraq: Al Asad AB	Landfill	3,100	3,100
Iraq: Al Asad AB	Power Plant	40,000	-
Iraq: Al Asad AB	South Airfield Apron (India Ramp)	28,000	28,000
Iraq: Al Asad AB	Urban Bypass Road	43,000	-
Iraq: Baghdad	MNF Embassy Compound (1/)	10,500	-
Iraq: Baghdad IAP	Water Supply, Treatment & Storage Ph III	13,000	13,000
Iraq: Camp Adder	Convoy Support Center Relocation, Phase II	39,000	39,000
Iraq: Camp Adder	Corps Support Center, Phase III (1/)	13,200	-
Iraq: Camp Adder	Entry Control Point (1/)	-	-
Iraq: Camp Adder	Multi-Class Storage Warehouse	17,000	17,000
Iraq: Camp Adder	POL Storage Area	10,000	10,000
Iraq: Camp Adder	Power Plant	39,000	-

Location	Project description	Request	Amended Bill
Iraq: Camp Adder	Wastewater Treatment & Collection System	9,800	9,800
Iraq: Camp Anaconda	Hazardous Waste Incinerator	4,300	4,300
Iraq: Camp Anaconda	Landfill	6,200	6,200
Iraq: Camp Anaconda	Power Plant	39,000	-
Iraq: Camp Anaconda	Urban Bypass Road (1/)	-	-
Iraq: Camp Constitution	Juvenile TIFRIC	11,700	11,700
Iraq: Camp Cropper	Brick Factory	9,500	-
Iraq: Camp Marez	Landfill	880	880
Iraq: Camp Ramadi	Incinerator (1/)	6,200	-
Iraq: Camp Ramadi	Landfill	880	880
Iraq: Camp Speicher	Aviation Navigation Facilities	13,400	13,400
Iraq: Camp Speicher	Landfill	5,900	5,900
Iraq: Camp Speicher	Military Control Point	5,800	5,800
Iraq: Camp Speicher	Power Plant	39,000	-
Iraq: Camp Speicher	Rotary Wing Parking Apron	49,000	49,000
Iraq: Camp Speicher	Wastewater Treatment & Collection Sys. (1/)	-	-
Iraq: Camp Taqqadum	Landfill	880	880
Iraq: Camp Warrior	Landfill	880	880
Iraq: Fallujah	Incinerator (1/)	5,500	-
Iraq: Fallujah	Landfill	880	880
Iraq: Mosul	Urban Bypass Road	43,000	-
Iraq: Qayyarah West	North Entry Control Point	11,400	11,400
Iraq: Qayyarah West	Perimeter Security Upgrade	14,600	14,600
Iraq: Qayyarah West	Power Plant	26,000	-
Iraq: Scania	Entry Control Point	5,000	5,000
Iraq: Scania	Water Storage Tanks	9,200	9,200
Iraq: Tikrit	Urban Bypass Road (1/)	-	-
Iraq: Victory Base	Entry Control Point (1/)	-	-
Iraq: Victory Base	Landfill	6,200	6,200
Iraq: Victory Base	Level 3 Hospital	13,400	13,400
Iraq: Victory Base	Wastewater Treatment & Collection System	9,800	9,800
Iraq: Victory Base	Water Treatment & Storage Phase II	18,000	18,000
Iraq: Various Locations	Facilities Replacement	72,000	72,000
Iraq: Various Locations	Overhead Cover - eGlass	135,000	135,000
Kuwait: Camp Arifjan	Communication Center	30,000	30,000
Worldwide: Unspecified	Planning and Design (GWOT)	64,200	52,800
Worldwide: Unspecified	Planning and Design (WIT)	14,600	14,600
Worldwide: Unspecified	Planning and Design (CDC) (1/)	6,000	6,000
	Total	1,581,500	1,432,700

1/ Requested or deleted by the Dept. of Defense in fiscal year 2008 and/or the March 2008 Adjustments package.
2/ The Committee learned through hearings, site visits, and Departmental briefings that trainee and recruit facilities and medical treatment facilities are two high priority areas in dire need of additional funds. The projects included were identified by the Department as high priority projects and were not included at the request of Members of Congress.

Facilities Replacement.—The amended bill recommends $72,000,000 to replace deteriorated expeditionary facilities at a variety of locations throughout Iraq. As CENTCOM has not provided Congress with a final plan for how these funds will be spent, bill language is included prohibiting the obligation or expenditure of these funds until CENTCOM submits a detailed spending plan, including a 1391 form for each project by location.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The amended bill recommends $423,357,000 for Military Construction, Navy and Marine Corps. The funds are provided as follows:

[dollars in thousands]

Location	Project description	Request	Amended Bill
CA: Camp Pendleton	11th Marine Regiment HQ, Amory, BEQ	34,970	34,970
CA: Camp Pendleton	5th Marine Regiment Addition, San Mateo	10,890	10,890
CA: Camp Pendleton	Armory Intelligence Battalion, 16 Area	4,180	4,180
CA: Camp Pendleton	Armory, Regiment & Battalion HQ, 53 Area	5,160	5,160
CA: Camp Pendleton	BEQ & Mess Hall HQ (13) Area	24,390	24,390
CA: Camp Pendleton	EOD Operations Facility	13,090	13,090
CA: Camp Pendleton	ISR Camp - Intelligence Battalion	1,114	1,114
CA: Camp Pendleton	JIEDDO Battle Courses (1/)	9,270	9,270
CA: Camp Pendleton	Military Police Company Facilities	8,240	8,240
CA: Twentynine Palms	Regimental Combat Team HQ Facility	4,440	4,440
CA: China Lake NAWS	JIEDDO Battle Courses (1/)	7,210	7,210
CA: Point Mugu	JIEDDO Battle Courses (1/)	7,250	7,250
CA: San Diego	Child Development Center (1/)	17,930	17,930
CA: San Diego MCRD	Recruit Barracks	2/	43,200
CA: Twentynine Palms	JIEDDO Battle Courses (1/)	11,250	11,250
FL: Whiting Field NAS	JIEDDO Battle Courses (1/)	780	780
MS: Gulfport NCBC	JIEDDO Battle Courses (1/)	6,570	6,570
NC: Camp Lejeune	Child Development Center (1/)	16,000	16,000
NC: Camp Lejeune	JIEDDO Battle Courses (1/)	11,980	11,980
NC: Camp Lejeune	Maintenance/Operations Complex 2/9	43,340	43,340
SC: Parris Island MCRD	Recruit Barracks	2/	19,900
VA: Yorktown NWS	JIEDDO Battle Courses (1/)	8,070	8,070
Djibouti: Camp Lemonier	CJTF-HOA HQ Facility	29,710	29,710
Djibouti: Camp Lemonier	Dining Facility	20,780	20,780
Djibouti: Camp Lemonier	Fuel Farm (1/)	4,000	4,000
Djibouti: Camp Lemonier	Full Length Taxiway (1/)	15,490	15,490
Djibouti: Camp Lemonier	Network Infrastructure Expansion	6,270	6,270
Djibouti: Camp Lemonier	Water Production	19,140	19,140
Djibouti: Camp Lemonier	Western Taxiway (1/)	2,900	2,900
Worldwide: Unspecified	Planning and Design (GTF)	7,491	7,491
Worldwide: Unspecified	Planning and Design (GWOT)	4,300	4,300
Worldwide: Unspecified	Planning and Design (CDC) (1/)	1,101	1,101
Worldwide: Unspecified	Planning and Design (JIEDDO) (1/)	2,951	2,951
	Total	360,257	423,357

1/ Requested by the Department of Defense in fiscal year 2008 and/or the March 2008 Adjustments package.
2/ The Committee learned through hearings, site visits, and Departmental briefings that trainee and recruit facilities and medical treatment facilities are two high priority areas in dire need of additional funds. The projects included were identified by the Department as high priority projects and were not included at the request of Members of Congress.

Joint IED Defeat Organization (JIEDDO) Battle Courses.—The amended bill recommends $65,331,000 to construct facilities for enhanced counter-improvised explosive device training in furtherance of the goals of the Joint IED Defeat Organization. These funds address a technical correction in the Administration's fiscal year 2008 Global War on Terror budget request and are offset by a rescission in title IX.

MILITARY CONSTRUCTION, AIR FORCE

The amended bill recommends $409,627,000 for Military Construction, Air Force. The funds are provided as follows:

[dollars in thousands]

Location	Project description	Request	Amended Bill
CA: Beale AFB	Child Development Center (1/)	17,600	17,600
FL: Eglin AFB	Child Development Center (1/)	11,000	11,000
NJ: McGuire AFB	JIEDDO Battle Courses (1/)	6,200	6,200
NM: Cannon AFB	Child Development Center (1/)	8,000	8,000
Afghanistan: Bagram AB	East Side Helo Ramp	44,400	44,400
Afghanistan: Bagram AB	ISR Ramp	26,300	26,300
Afghanistan: Bagram AB	Parallel Taxiway Phase 2	21,400	21,400
Afghanistan: Bagram AB	Strategic Ramp	43,000	43,000
Iraq: Balad AB	Fighter Ramp	11,000	11,000
Iraq: Balad AB	Foxtrot Taxiway	12,700	12,700
Iraq: Balad AB	Helicopter Maintenance Facilities	34,600	34,600
Kyrgyzstan: Manas AB	Strategic Ramp	30,300	30,300
Oman: Masirah AB	Expeditionary Beddown Site	6,300	6,300
Qatar: Al Udeid AB	Facility Replacements	40,000	40,000
Qatar: Al Udeid AB	Northwest (CAS) Ramp (1/)	60,400	60,400
Worldwide: Unspecified	Planning and Design (GWOT)	35,000	35,000
Worldwide: Unspecified	Planning and Design (CDC) (1/)	1,427	1,427
	Total	409,627	409,627

1/ Requested by the Department of Defense in the March 2008 Adjustments package.

Joint IED Defeat Organization (JIEDDO) Battle Courses.—The amended bill recommends $6,200,000 to construct facilities for enhanced counter-improvised explosive device training in furtherance of the goals of the Joint IED Defeat Organization. These funds address a technical correction in the Administration's fiscal year 2008 Global War on Terror budget request and are offset by a rescission in title IX.

MILITARY CONSTRUCTION, DEFENSE-WIDE

The amended bill recommends $1,009,600,000 for Military Construction, Defense-Wide. The funds are provided as follows:

[dollars in thousands]

Location	Project description	Request	Amended Bill
GA: Fort Benning	Hospital Replacement	1/	350,000
KS: Fort Riley	Hospital Replacement	1/	404,000
NC: Camp Lejuene	Hospital Addition/Alteration	1/	122,000
TX: Fort Sam Houston	Burn Rehabilitation Center	21,000	21,000
Qatar: Al Udeid AB	Logistics Storage Warehouse	6,600	6,600
Worldwide: Unspecified	Planning and Design (MTF)	1/	80,000
Worldwide: Unspecified	Planning and Design (Guam NH)	1/	26,000
	Total	27,600	1,009,600

1/ The Committee learned through hearings, site visits, and Departmental briefings that trainee and recruit facilities and medical treatment facilities are two high priority areas in dire need of additional funds. The projects included were identified by the Department as high priority projects and were not included at the request of Members of Congress.

Medical Treatment Facilities Construction.—There is a great concern with the large backlog of needed recapitalization for medical treatment facilities for military service members and their families. The current Future Years Defense Plan (FYDP) for Tricare Management Activity military construction averages $412,000,000 per year for fiscal years 2009 through 2013, and much of this amount is accounted for by medical research facilities. With the services identifying recapitalization requirements ranging in the several billions of dollars, the current FYDP for medical construction is obviously and severely insufficient. The Department's inventory of medical treatment facilities is riddled with aging hospitals, clinics, and other facilities that do not meet current standards for medical care. Adding to this problem is the fact that several installations are adding thousands of personnel and dependents due to Base Realignment and Closure, the relocation of units from Europe and Korea to the United States, and the Growing the Force initiative that will add 92,000 active duty personnel to the Army and Marine Corps. The amended bill therefore recommends $982,000,000 for additional medical treatment facility construction. These funds will provide for the Army's top two priority hospital replacement projects in the United States as well as a top priority hospital addition/alteration for the Marine Corps. These funds also provide for the planning and design of a new hospital on Guam, the Navy's top priority hospital replacement project.

The Department of Defense is also directed to develop a comprehensive master plan for medical treatment facilities construction, to include both recapitalization and new requirements. This plan shall include a comprehensive priority list of projects for all services, provide a cost estimate for each project, supply data on the current state of facilities and the projected change in demand for services due to growth for each location on the list, indicate the extent to which identified construction requirements are programmed in the FYDP, and indicate the resources required for associated planning and design work. This report shall be submitted to the Committees on Appropriations no later than December 31, 2008.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

The amended bill recommends $11,766,000 for Family Housing Construction, Navy and Marine Corps. The funds are provided as follows:

[dollars in thousands]

Location	Project description	Request	Amended Bill
CA: Camp Pendleton	Public-Private Venture, Phase 6B	10,692	10,692
CA: Twentynine Palms	Public-Private Venture, Phase 2A	1,074	1,074
	Total	11,766	11,766

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

The amended bill recommends $1,354,634,000 for Department of Defense Base Closure Account 2005 instead of $1,202,886,000 as requested by the Administration. The amount provided fully funds the Administration's request to expedite medical facility construction at Bethesda and Fort Belvoir, and in addition provides $938,724,000 to fully fund the fiscal year 2008 budget for BRAC 2005.

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

The amended bill recommends $100,000,000 for General Operating Expenses to implement the provisions of title III of this Act.

INFORMATION TECHNOLOGY SYSTEMS

The amended bill recommends $20,000,000 for Information Technology Systems to implement the provisions of title III of this Act, including support for any personnel increases within the Veterans Benefits Administration.

GENERAL PROVISION, THIS CHAPTER

The amended bill includes a general provision related to the Armed Forces Institute of Pathology.

CHAPTER 4—DEPARTMENT OF STATE AND FOREIGN OPERATIONS

SUBCHAPTER A—SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008

INTRODUCTION

The budget request totals $5,073,608,000 in emergency supplemental funds for fiscal year 2008, and the State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) provided $1,473,800,000 for immediate requirements. The amended bill provides for Department of State and Foreign Operations a total of $5,073,608,000, the same as the pending budget request.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The budget request included $2,283,008,000 for Diplomatic and Consular Programs, of which $575,000,000 was appropriated in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) for operations and security at the United States Embassy in Iraq.

The amended bill includes $1,606,808,000 for Diplomatic and Consular Programs, which is $101,200,000 below the pending request. Within the amount provided, $210,508,000 is for worldwide security protection. Funds for diplomatic and consular programs are to be allocated as follows:

DIPLOMATIC AND CONSULAR PROGRAMS

[$ in thousands]

Activity	Pending request	Amended bill	Change from request
Iraq Diplomatic Operations	1,545,608	1,295,000	−250,608
Afghanistan—Operations and Worldwide Security Protection	162,400	205,200	42,800
Pakistan—Operations	0	7,500	7,500
Western Hemisphere Travel Initiative	0	1,000	1,000
Global Worldwide Security Protection	0	48,108	48,108
Civilian Workforce Initiative	0	50,000	50,000
Total, Diplomatic and Consular Programs	1,708,008	1,606,808	−101,200

Afghanistan.—Within the total, the amended bill includes $205,200,000, which is $42,800,000 above the request, and is for necessary expenses for diplomatic and security operations in Afghanistan. Of this amount, $162,400,000 is for enhanced security operations, including additional high threat protection teams, increased overhead cover and physical security measures, replacement of armored vehicles, and local guard service. In addition, $24,000,000 is for the establishment of a Department of State-managed air transport capability in Afghanistan for Department of State and United States Agency for International Development (USAID) personnel to manage country programs, provide support for medical evacuation and other security-related operations. Finally, $18,800,000 is for support of operations and personnel for Provincial Reconstruction Teams (PRTs) in Afghanistan.

Pakistan.—The amended bill includes $7,500,000 for operations, security, and personnel engaged in diplomatic activities aimed at promoting economic development and political change in the Federally Administered Tribal Areas (FATA) along the Pakistan and Afghanistan border.

Iraq.—Within the total, $1,295,000,000 is for the diplomatic and security operations of the United States Mission in Iraq, which is $250,608,000 below the pending request. The cost of operations of the United States Embassy in Iraq totals $2,286,000,000 for fiscal year 2008 including $1,295,000,000 provided in this Act, $575,000,000 provided as bridge funding in Public Law 110–161 and $416,000,000 in funds carried over from prior year appropriations. Of that amount, nearly $900,000,000 is for supporting security requirements for diplomatic and development personnel in Iraq. The amended bill includes funding for mission operations, security, logistics support, information technology and operations of PRTs. Congress has provided an additional $196,543,000 since fiscal year 2006 for additional facilities requirements identified by the Department of State, as follows: extend the perimeter wall; construct a dining facility; construct additional housing; construct a tactical operations center for Diplomatic Security; construct a static guard camp; and construct overhead cover. The actual cost of building the New Embassy Compound (NEC) has reached a total of $788,543,000 to date.

The number of permanent and temporary personnel assigned to Iraq, with the exception of USAID, should be decreased to accommodate all personnel within the NEC and any improvements can be made with previously appropriated funds. USAID will play a critical role in assisting the Government of Iraq in effectively allocating its budgetary resources.

The additional $43,804,000 requested for follow-on projects for the NEC in Baghdad is not included. At least $77,027,000 in prior year funding programmed for follow-on projects is available for obligation and these funds should be used to provide secure housing for a smaller number of personnel.

None of the funds provided under this heading in this Act shall be made available for follow-on projects, other than the proposed funding for overhead cover. The Department should include a detailed plan for the use of funds for follow-on projects as part of the spending plan required by this Act.

Due to an extended accreditation and verification process and the addition of follow-on projects, occupancy of the NEC offices and housing has been delayed. This rigorous process to address and validate whether the NEC was constructed to code and contract specifications was supported. Now that the process is complete, direct occupancy of the offices and housing should proceed without delay in order to provide the maximum protection to United States personnel.

The benefits of co-location of the Departments of State and Defense in the NEC are recognized. However, the proposed New Office Building (NOB) and the Interim Office Building (IOB) reconfigurations are projected to delay occupancy of NEC offices by up to one year. Given the difficult security environment in Baghdad, this lengthy delay is not acceptable. The Departments of State and Defense are expected to consult with the Committees on Appropriations on options for moving forward with limited co-location plans in the most accelerated, secure, and cost effective manner. Any future construction in Iraq shall be subject to the Capital Security Cost Sharing Program, in the same manner as all other embassy construction projects worldwide.

There is a concern that private security contractors have been relied upon without the necessary authority, oversight, or accountability. The Department of State is directed to provide a report to the Committees on Appropriations not later than 45 days after enactment of this Act on the implementation status of each of the recommendations of the October 2007 report of the Secretary of State's Panel on Personal Protective Services. The Department of State is encouraged to aggressively review security procedures and seek the necessary authority to ensure that increased security is achieved.

Sudan.—The amended bill includes resources to support the diplomatic mission in Sudan including the United States Special Envoy for Sudan.

Local Guard Forces-Worldwide Security Protection.—The amended bill also includes $48,108,000 above the request for global worldwide security protection. The amount provided is available to restore 100 positions in the global diplomatic security guard force that were redirected to Iraq to address urgent security requirements for United States personnel elsewhere in the world.

Civilian Workforce Initiative.—The amended bill includes $50,000,000 to increase the civilian diplomatic capacity of the Department of State to meet the increasing and complex demands of diplomacy in the 21st century. Within the total, $30,000,000 is for the initial development and deployment of a civilian capacity to respond to post-conflict stabilization and reconstruction challenges and $20,000,000 is to strengthen capabilities of the United States diplomatic corps and promote broader engagement with the rest of the world, including expanding training and enhanced interagency collaboration.

The amended bill includes funds to replace Foreign Service positions worldwide which were previously moved to Iraq and to increase the number of positions participating in critical needs foreign language training. The Department of State has transferred approximately 300 Foreign Service positions from embassies around the world to Iraq and to associated language training, leaving key posts understaffed. These funds are to be used to support United States foreign policy in priority, understaffed regions, particularly South and East Asia, the Western Hemisphere, and Africa.

Funds made available for the civilian stabilization initiative are for the Active and Standby Response Corps portion of the initiative and to enhance operations of the Office of the Coordinator for Reconstruction and Stabilization. In addition to the funds provided to the Department of State, $20,000,000 is appropriated in this Act under the heading, ''Operating Expenses of the United States Agency for International Development'' to implement the USAID portion of the civilian stabilization initiative. The funding request for the Civilian Response Corps will be considered as part of the fiscal year 2009 appropriations process and none of the funds provided in this Act are to be used to implement the civilian response corps portion of the initiative.

Middle East Peace Process.—The diplomatic operations that accompany the Middle East peace process are supported in fiscal year 2008. The Department of State should consult with the Committees on Appropriations on the use of funds for this purpose.

Directorate of Defense Trade Controls.— Increased demands on the Directorate of Defense Trade Controls' Office of Defense Trade Controls Licensing have led to delays in license processing. The Secretary of State is directed to review the workload demands and staffing needs of the office and report any recommendations to the Committees on Appropriations not later than 45 days after enactment of this Act.

Western Hemisphere Travel Initiative.—The amended bill includes not less than $1,000,000 to expand public outreach efforts related to implementation of the Western Hemisphere Travel Initiative (WHTI). With WHTI implementation occurring as early as June 2009, there is concern about the lack of a comprehensive, coordinated plan between the Department of State, the Department of Homeland Security, and the United States Postal Service to broadly disseminate information to the traveling public concerning the final WHTI implementation requirements at the nation's land and seaports. The Department of State is encouraged to provide significantly increased outreach to border communities, including through radio, print media, and additional passport fairs.

Buying Power Maintenance Account.—The amended bill includes authority to transfer funds available in this Act, and in a prior Act, to the Buying Power Maintenance Account in accordance with section 24 of the State Department Basic Authorities Act, to manage exchange rate losses in fiscal year 2008.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The amended bill includes an additional $7,500,000 for Office of Inspector General at the Department of State, which is $7,500,000 above the pending request. Of the total, $5,000,000 is to enhance the Department of State Inspector General's oversight of programs in Iraq and Afghanistan, and $2,500,000 is for operations of the Special Inspector General for Iraq Reconstruction (SIGIR).

The Inspectors General of USAID, the Department of State, the Department of Defense, the Government Accountability Office, SIGIR, and the Special Inspector General for Afghanistan Reconstruction, to the maximum extent practicable, should coordinate and de-conflict all activities related to oversight of security, stability, and reconstruction programs in Iraq and Afghanistan. The Department of State or the USAID Office of Inspector General should be designated as the lead for any investigations or audits of worldwide programs as they relate to the specific programs in Iraq or Afghanistan.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The amended bill includes $76,700,000 for urgent embassy security, construction, and maintenance costs, which is $83,300,000 below the request. The funds are to construct 300 secure apartments and a secure office building, including the necessary perimeter security, utility, and dining facilities, for United States Mission staff in Afghanistan. Currently, there are a small number of permanent construction apartments and the majority of diplomatic and Mission personnel live in structures with limited protection. Additional funds for this purpose are provided in subchapter B.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The amended bill includes $53,000,000 for Contributions to International Organizations, which is for United States contributions to the UN Assistance Mission in Afghanistan and the UN Assistance Mission in Iraq, as requested.

The Department of State is directed, not later than 45 days after enactment of this Act, to provide a report to the Committees on Appropriations detailing total United States-assessed contributions, any arrears from prior years and potential arrears for fiscal years 2008 and 2009 for each of the organizations funded under this heading.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The budget request included $723,600,000 for Contributions for International Peacekeeping Activities, of which $390,000,000 of funds designated as an emergency was provided in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) for the United States Contribution to the United Nations/African Union hybrid peacekeeping mission to Darfur (UNAMID).

The amended bill includes $333,600,000 for UNAMID, which is the same as the request.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

The budget request included $80,000,000 for International Disaster Assistance. The State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) provided $110,000,000 for emergency humanitarian requirements.

The amended bill includes $200,000,000 for International Disaster Assistance, which is $200,000,000 above the pending request. These funds should be used to respond to urgent humanitarian requirements worldwide, including in countries severely affected by the international food crisis.

The amended bill also includes funds under this heading and the heading ''Development Assistance'' in subchapter B to help address the international food crisis. Programs should address both rural and urban food requirements. Funds are also available to augment humanitarian assistance to those affected by Cyclone Nargis in Burma, and the recent earthquake in China.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The budget request included $61,800,000 for Operating Expenses of the United States Agency for International Development, of which $20,800,000 was provided in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) for operations in Iraq.

The amended bill includes $142,000,000 for Operating Expenses of the United States Agency for International Development.

Of the funds provided under this heading, the amended bill includes $41,000,000 to continue support for security needs in Iraq and Afghanistan, which is the same as the request. In addition, $31,500,000 is included to increase support for staffing, security, and operating needs in Afghanistan and Sudan, and $19,500,000 in Pakistan.

The amended bill also includes $20,000,000 to support the development of the Active and Standby Response Corps portion of the Civilian Stabilization Initiative and none of the funds provided in this Act may be used to develop the Civilian Response Corps. Additional funding for this initiative is provided in the ''Diplomatic and Consular Programs'' account for the Department of State portion of the initiative.

In addition, the amended bill includes $30,000,000 to enable USAID to hire above attrition in fiscal year 2008. The Administration's request for fiscal year 2009 includes $92,000,000 for hiring 300 USAID foreign service officers as part of a three-year initiative. Funding provided in this Act is intended to support the hiring of at least 85 additional Foreign Service officers in fiscal year 2008 in order to begin rebuilding the capacity of the Agency to carry out its mission. USAID is directed to consult with the Committees on Appropriations on the use of these funds and to recruit mid-career personnel. As USAID seeks to strengthen its workforce, USAID is encouraged to consult with the Department of Defense on ways to benefit from the experience of retiring officers.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

OFFICE OF THE INSPECTOR GENERAL

The amended bill includes an additional $4,000,000 for the United States Agency for International Development Office of Inspector General to support increased oversight of programs in Iraq and Afghanistan.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

The budget request included $2,217,000,000 for Economic Support Fund (ESF), of which $208,000,000 was provided in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) for emergency requirements in the West Bank and in North Korea, as requested.

The amended bill includes a total of $1,747,000,000 for ESF. Of the funds requested under ESF, $75,000,000 is provided under the heading Democracy Fund for political development programs for Iraq. Funds are to be allocated as follows:

ECONOMIC SUPPORT FUND

[$ in thousands]

Country and region	Amended bill
Iraq	440,000
Afghanistan	859,000
Mexico	20,000
Central America	15,000
West Bank	100,000
North Korea	53,000
Jordan	150,000
Sudan	45,000
Africa	40,000
Bangladesh	25,000
Total	1,747,000

Iraq.—The amended bill includes $440,000,000 for Iraq, which is $357,000,000 below the request. The sums provided should enable the Department of State and USAID to continue programs in Iraq through the end of fiscal year 2008 and into the first two quarters of fiscal year 2009.

After providing more than $45,000,000,000 to help rebuild Iraq, the United States should seek to reduce bilateral assistance levels, and correspondingly to reduce the number of Department of State personnel involved in the reconstruction effort who are located in Iraq. Continued United States assistance for Iraq is supported, but the Government of Iraq is required to match such assistance dollar-for-dollar, with certain exceptions.

Funds provided for Iraq are to be allocated as follows:

IRAQ PROGRAMS

[$ in thousands]

Activity	Pending FY 2008 request	Amended bill	Change from request
Provincial Reconstruction Teams (PRTs)	165,000	140,000	−25,000
Provincial Reconstruction Development Councils	100,000	85,000	−15,000
Local Governance Program	65,000	55,000	−10,000
Community Stabilization Program (CSP)	155,000	100,000	−55,000

IRAQ PROGRAMS—Continued

[$ in thousands]

Activity	Pending FY 2008 request	Amended bill	Change from request
Community Action Program (CAP)	0	75,000	75,000
Infrastructure Security Protection for Oil, Water and Electricity	70,000	0	−70,000
Operations and Maintenance of Key USG-Funded Infrastructure	134,000	10,000	−124,000
Iraqi-American Enterprise Fund	25,000	0	−25,000
Provincial Economic Growth (including Agriculture and Microfinance)	0	40,000	40,000
National Capacity Development	248,000	70,000	−178,000
Marla Fund	0	5,000	5,000
Total	797,000	440,000	−357,000

Community Action Program (CAP).—The amended bill includes $75,000,000 for continued support for the Community Action Program.

Community Stabilization Program (CSP).—Within the amount provided for Iraq, $100,000,000 is for the CSP, which is $55,000,000 below the request. Recent findings of a March 18, 2008 USAID Inspector General audit (E–267–08–001–P) of possible fraud and misuse of some of the funds under this program are of concern. Therefore the amended bill withholds 50 percent of funding until the Secretary of State certifies and reports that USAID is implementing recommendations contained in the audit to ensure proper use of funds.

Enterprise Fund.—The amended bill includes no funding for an enterprise fund for Iraq and includes a general provision specifically denying the establishment of such an enterprise fund from this or any prior Acts.

Infrastructure Security Protection for Oil, Water, and Electricity.—The amended bill does not include funding for these functions, which should be supported by the Government of Iraq.

Operations and Maintenance of Key U.S. Government-Funded Infrastructure.—The amended bill includes $10,000,000 for Operations and Maintenance of key United States government-funded infrastructure, which is $124,000,000 below the request. These functions should be funded by the Government of Iraq and this Act includes sufficient funding to allow the United States to provide technical assistance and training. In addition, the amended bill conditions the funds on the signing and implementation of an asset transfer agreement between the United States and Iraq.

Marla Ruzicka Iraqi War Victims Fund.—The amended bill includes $5,000,000 for the Marla Ruzicka Iraqi War Victims Fund for continued assistance for Iraqi civilians who suffer losses as a result of the military operations.

Provincial Economic Growth.—The amended bill includes $40,000,000 for provincial economic growth activities, of which $10,000,000 should be available for programs to assist vulnerable Iraqi minority groups, including Christians. The Secretary of State should designate staff at United States Embassy Baghdad to oversee and coordinate such assistance.

National Capacity Development (NCD).—Within the amount provided in ESF for Iraq, $70,000,000 is provided for NCD, which is $178,000,000 below the request.

Afghanistan.—The amended bill includes $859,000,000 in ESF for Afghanistan, which is $25,000,000 above the request.

USAID is directed to review its reconstruction efforts in Afghanistan; focus its assistance, including capacity building, through local Afghan entities; give greater attention to accountability and monitoring to minimize corruption; and emphasize programs which directly improve the economic, social, and political status of Afghan women and girls. Funds provided for Afghanistan are to be allocated as follows:

AFGHANISTAN PROGRAMS

[$ in thousands]

Activity	Pending FY 2008 request	Amended bill	Change from request
Roads	329,000	200,000	−129,000
Power	175,000	150,000	−25,000
Trade and Investment	5,000	7,000	2,000
Rural Development/Alternate Livelihoods	0	65,000	65,000
Governance and Capacity Building	275,000	230,000	−45,000
2009 Elections	100,000	70,000	30,000
Provincial Reconstruction Teams (PRTs)/Provincial	0	50,000	50,000
Health and Education	50,000	75,000	25,000
Civilian Assistance Program	0	10,000	10,000
NATO Fund	0	2,000	2,000
Total	834,000	859,000	25,000

Roads.—The amended bill includes $200,000,000 for roads, which is $129,000,000 below the request. An additional $300,000,000 for road construction in Afghanistan has been requested through the Department of Defense under the Commanders Emergency Response Program.

Power.—The amended bill includes $150,000,000 for power, which is $25,000,000 below the request. The request includes funding for gas and diesel power projects and there is a concern that diesel generators are costly to maintain and will exacerbate Kabul's already heavily polluted air. The completion of the north-south transmission line to enable Afghanistan to purchase electricity from its northern neighbors for distribution to other areas of the country is supported. Funding for the Northern Electrical Power System or the Shebergan Gas-Fired Plant is not included.

The World Bank should play a larger role in financing such infrastructure projects. It is noted that Afghanistan has considerable potential for small hydro and solar power development to service Afghanistan's many remote communities that have no other access to electricity, and directs that not less than $15,000,000 of the funds be used for renewable energy projects in rural areas.

Rural Development and Alternative Livelihoods.—The amended bill includes $65,000,000 for rural development and alternative livelihood programs and an additional $65,000,000 for counternarcotics under the ''International Narcotics Control and Law Enforcement'' account to expand and scale up counternarcotics programs in Afghanistan. The Administration did not request funding for counternarcotics. The Secretary of State is directed to consult with the Committees on Appropriations on the use of these funds.

Provincial Reconstruction Teams.—The amended bill provides $50,000,000 for PRTs in Afghanistan. The Administration did not request funds for this purpose.

Governance and Capacity Building.—The amended bill provides $230,000,000 for governance and capacity building programs, which is $45,000,000 below the request, to fund rule of law, human rights, local and national capacity building, and elections assistance. Of the amounts provided, not less than $65,000,000 shall be for the National Solidarity Program to support small-scale development initiatives; and not less than $70,000,000 shall be for preparations for the 2009 elections. The funding shall be programmed in a manner consistent with the Afghan National Development Strategy.

Civilian Assistance.—The amended bill includes $10,000,000 for USAID's Afghan Civilian Assistance Program to continue assistance for civilians who have suffered losses as a result of the military operations, and $2,000,000 for the NATO/ISAF Post-Operations Humanitarian Relief Fund.

Pakistan.—The amended bill does not include $60,000,000 requested for Pakistan. These needs are addressed in funding appropriated in the fiscal year 2009 bridge.

Jordan.—The amended bill includes $150,000,000 for economic assistance to Jordan, which is $150,000,000 above the request. The government of Jordan remains a key ally and has played a leading role in supporting peace initiatives in the Middle East. Programming of these resources should be done in consultation with the Government of Jordan and refugee relief organizations and should be used to meet the needs of Iraqi refugees.

West Bank.—The amended bill includes not more than $100,000,000 for economic assistance for the West Bank, which is $95,000,000 below the request. The Administration has an unobligated balance of $120,000,000 for economic assistance for the West Bank from funds appropriated in prior acts. The additional sums appropriated in this Act will provide sufficient resources to continue programs for an additional year at the current rate of expenditure. The Department of State is directed to provide a report to the Committees on Appropriations not later than 90 days after the enactment of this Act on how United States economic assistance for the West Bank supports the larger Palestinian Reform and Development Plan as well as a description of other donor support of this plan. The report should describe how assistance from the United States and other donors will improve conditions in the West Bank, including through job creation and housing programs.

Sudan.—The amended bill includes $45,000,000 for assistance for Sudan to support election-related activities.

Africa.—The amended bill includes $40,000,000 for assistance for Africa to address political transitions in Kenya, Zimbabwe, the Democratic Republic of the Congo, northern Uganda, and eastern Chad.

Mexico.—The amended bill includes $20,000,000 for assistance for Mexico for institution building and support of civil society. Funding for these purposes was requested through the International Narcotics and Law Enforcement (INCLE) account. The amended bill includes $5,000,000 for human rights training for police, prosecutors, and prison officials; $3,000,000 for victim and witness protection; and $3,000,000 to support NGOs and civil society. The amended bill also includes $5,000,000 for a literacy program for local police. USAID is encouraged to work with non-governmental organizations, civil society, and local police to replicate the literacy program being implemented in Nezahualcoyotl, Mexico. The amended bill also includes funding for the Office of the UN High Commissioner for Human Rights in Mexico. The Department of State is directed to work with the UN and civil society organizations in Mexico to promote respect for international human rights at all levels of the Mexican Government.

Central America.—The amended bill includes $15,000,000 for Central America in fiscal year 2008, in addition to funds otherwise made available for assistance for countries in Central America for a program to be called the ''Economic and Social Development Fund for Central America'', to be administered by USAID, in consultation with the Department of State. The purpose of the program is to promote economic and social development and good governance in targeted, low-income areas, including rural communities, where people are particularly

vulnerable to drug trafficking and related violent crime. These funds should support programs that emphasize community initiatives and public-private partnerships. United States funds should be matched with contributions from public and private sources to the maximum extent practicable. USAID is directed to consult with the Committees on Appropriations prior to the obligation of these funds.

North Korea.—The amended bill includes up to $53,000,000 for assistance for North Korea in support of the goals of the Six-Party talks, which is the same as the request. This is in addition to the $53,000,000 appropriated in division J of Public Law 110–161. The recommendation also includes a proviso conditioning the obligation of the assistance for North Korea on the Secretary of State reporting to the Committees on Appropriations that North Korea is continuing to fulfill its commitments under the Six-Party Talks agreements.

Bangladesh.—The amended bill includes $25,000,000 for assistance for Bangladesh for cyclone recovery and reconstruction assistance.

DEPARTMENT OF STATE

DEMOCRACY FUND

The amended bill includes $75,000,000 for Democracy Fund programs, requested under the heading ''Economic Support Fund'', for democracy activities in Iraq. These funds are intended to be made available through nongovernmental organizations, including the National Endowment for Democracy and the United States Institute for Peace.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The amended bill includes $419,300,000 for International Narcotics Control and Law Enforcement activities in Afghanistan, Iraq, Mexico, Central America, Haiti, the Dominican Republic, and the West Bank, which is $314,700,000 below the request.

Iraq.—The amended bill provides $85,000,000 for Iraq for justice and rule of law programs, which is $74,000,000 below the request. Funding for prison construction is not included.

Afghanistan.—The amended bill includes $65,000,000, which is $65,000,000 above the request, to accelerate and expand programs to strengthen counternarcotics efforts, to improve the training of the Afghan police, including border police, to advance the development of institutional capacity professionalism of the justice sector, and to help facilitate cooperation between the police and the judiciary at both the national and regional levels. The Department of State is directed to report to the Committees on Appropriations not later than 180 days after enactment of this Act on the level of counternarcotics cooperation by the Government of Afghanistan at the national and regional level and should detail, nationally and by province, the steps that the Government of Afghanistan is taking to arrest and prosecute leaders of Afghan drug cartels; disarm and disband private militias; and end corruption among national and provincial police forces.

Central America.—The amended bill includes $29,300,000 for assistance for Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama, and an additional $5,000,000 for Haiti and the Dominican Republic under the Merida Initiative. Although funding was requested only through the INCLE account, funding for the Merida Initiative is provided in the accounts from which such activities are traditionally funded. The amended bill provides funding for specialized police training and non-lethal equipment to strengthen the law enforcement and criminal justice institutions for the purpose of combating drug trafficking and related violent crime and increasing the capacity and professionalism of Central American police forces. The impunity within the military and police forces of several of these countries is of concern, and their justice systems are corrupt and ineffective. There is a concern that United States assistance may be wasted or misused and therefore the Secretary of State is directed to submit a report, prior to the obligation of funds, on mechanisms in place to ensure adequate monitoring of funds.

The Secretary of State is directed to submit a report not more than 90 days after enactment of this Act detailing efforts by the Guatemalan Government to propose and promote legislation to raise the necessary revenues in Guatemala to fund comprehensive judicial and law enforcement reform.

The omission of Haiti and the Dominican Republic from the request for the Merida Initiative makes it more likely that these vulnerable countries would become increasingly favored transit routes for drug traffickers. The amended bill includes $2,500,000 for Haiti and $2,500,000 for the Dominican Republic as part of the Merida Initiative to support counternarcotics and border security programs, and institution-building and rule of law programs.

Mexico.—There is a shared responsibility between the United States and Mexico to combat drug trafficking and related violent crime. The amended bill supports a cooperative partnership between Mexico and the United States and supports coordinated security. The amended bill includes $210,000,000 to enable the Government of Mexico to expand and modernize its immigration database and document verification system, establish secure communications for Mexican national security agencies, procure non-intrusive inspection equipment, and support interdiction efforts as well as institution- building. The amended bill includes $10,000,000 for demand reduction and drug rehabilitation activities; $3,000,000 to provide technical and other assistance to enable the Government of Mexico to put into service a unified national police registry; and not more than $24,000,000 for program development and support.

Corruption and impunity within Mexico's armed forces and police are pervasive. Additionally, Mexican law enforcement and intelligence agencies have frequently persecuted legitimate groups for engaging in peaceful dissent. Recommendations of the National Human Rights Commission are often ignored and investigations of violations of human rights by Mexican military and police forces rarely result in convictions. Therefore, the Secretary of State is directed to report to the Committees on Appropriations prior to the obligation of assistance that mechanisms are in place in order to ensure proper vetting of recipients of United States assistance. Additionally, the amended bill provides resources to ensure a comprehensive database for vetting military and police forces shall be established by the United States Embassy in Mexico City and continually updated.

There is concern with the failure to investigate and prosecute the police officers responsible for human rights violations, including rape and sexual violence against women, at San Salvador Atenco on May 3–4, 2006, and in Oaxaca between June and December 2006. These and other such violations by members of the Mexican armed forces and police forces have been documented and require thorough, credible and transparent investigation and prosecution by the Mexican Attorney General. Additionally, the state and Federal investigations into the October 27, 2007, killing in Oaxaca of American citizen Bradley Will have been flawed and the Secretary of State is directed, not later than 45 days after enactment of this Act and 120 days thereafter, to submit a report to the Committees on Appropriations detailing progress in conducting a thorough, credible, and transparent investigation to identify the perpetrators of this crime and bring them to justice. The Department of State should work with relevant Federal government agencies of the United States to assist in the investigation of this case.

West Bank.—The amended bill includes $25,000,000 for ongoing training of vetted units of the Palestinian National Security Forces, which is the same as the request.

MIGRATION AND REFUGEE ASSISTANCE

The budget request included $230,000,000 for Migration and Refugee Assistance, of which $200,000,000 was provided in the State, Foreign Operations Appropriations Act, 2008 (Public Law 110–161) for emergency refugee requirements in Iraq and the West Bank.

The amended bill includes $300,000,000 for Migration and Refugee Assistance, which is $270,000,000 above the pending request. Funds should be made available to meet unmet global refugee needs, including to assist Iraqi refugees in Jordan, Syria, Lebanon, Egypt, and the surrounding region, as well as internally displaced persons in Iraq. Funds may also be used, if necessary, for the admissions costs of Iraqis granted special immigrant status under the Special Immigrant Visa program authorized by the National Defense Authorization Act of 2008. In addition, funds may be used to offset administrative costs associated with the expanded requirements of the Iraqi refugee program, in consultation with the Committees on Appropriations.

The humanitarian crisis involving Iraqi refugees and internally displaced persons is of concern and the Government of Iraq has dedicated insufficient resources to assist this most vulnerable segment of the Iraqi population. The Department of State is directed to urge the Government of Iraq to provide a substantial increase in funding for humanitarian assistance to the Iraqi refugee population residing in the region and within the country. In addition, the Secretary of State should ensure that the Senior Coordinator for Iraqi Refugee Issues gives particular attention to the needs of vulnerable minority groups, including ethnic and religious minorities.

The welfare and security of the 7,900 Lao Hmong in the Thai military camp in Petchaboon, northern Thailand is of concern and the Government of Thailand is urged to support a transparent screening process to identify those who have a legitimate fear of return to Laos. Any attempt to force the return of Hmong refugees to Laos is strongly opposed.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The amended bill includes $25,000,000 for the United States Emergency Refugee and Migration Assistance Fund to prevent depletion of this emergency fund.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The amended bill includes $11,200,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs, which is $6,200,000 above the request.

Of these funds, $5,000,000 is for presidential protective service support in Afghanistan, which is the same as the request.

Central America.—The amended bill also includes $6,200,000 for the Merida Initiative for the countries of Central America, which is $6,200,000 above the request. Although funding for these purposes was requested only through the INCLE account, funding has been provided in the NADR account, from

which such activities are traditionally funded.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

The amended bill includes $72,500,000 for Foreign Military Financing Program, which is $72,500,000 above the request.

Central America.—The amended bill includes $6,000,000 to augment the ongoing naval cooperation program and maritime security assistance of Operation Enduring Friendship. Funds are provided to strengthen the ability of the countries of Central America to secure their maritime domains, and complement existing regional systems and programs to improve maritime security and interdiction capabilities.

Mexico.—The amended bill includes $66,500,000 in support of a gradual strengthening of military-to-military cooperation between the United States and Mexico.

SUBCHAPTER B—BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009

The budget request totals $3,605,000,000 in emergency supplemental funds for fiscal year 2009. The amended bill provides a total of $3,600,000,000 for the Department of State, Foreign Operations, and related programs for fiscal year 2009 emergency supplemental requirements, which is $5,000,000 below the request.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The amended bill includes $737,900,000 for Diplomatic and Consular Programs. Within this amount, $78,400,000 is available for worldwide security protection and not more than $581,500,000 is available as a bridge fund for Iraq operations.

To meet increased security and personnel requirements, the amended bill includes $91,400,000 for Afghanistan, $7,000,000 for Pakistan, $3,000,000 for Somalia, and $15,000,000 for Sudan. In addition, the amended bill includes $40,000,000 to continue the support of new positions to develop language and other critical skills of the diplomatic corps and for civilian post-conflict stabilization initiatives.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The amended bill includes $57,000,000 for the Office of the Inspector General at the Department of State, of which $5,500,000 is to continue oversight of programs in Iraq and Afghanistan.

Special Inspector General for Iraq Reconstruction (SIGIR).—The amended bill includes $46,500,000 for the SIGIR for continued oversight of United States reconstruction programs in Iraq, as authorized by section 3001 of Public Law 108–106.

Special Inspector General for Afghanistan Reconstruction (SIGAR).—The amended bill includes $5,000,000 for the SIGAR, for which no funds were requested, and which is authorized by section 1229 of Public Law 110–181. Such funds shall be used for oversight of United States reconstruction programs in Afghanistan. None of the funds shall be used to duplicate investigations that have been conducted or to support offices or systems of inspectors general at the Department of State or USAID. The SIGAR should co-locate staff and ''back office'' support systems with other inspectors general to the extent feasible.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The amended bill includes $41,300,000 for urgent embassy security, construction and maintenance costs. Funds should be used to construct safe and secure office space for the increasing number of diplomatic and development personnel living and working in Kabul, Afghanistan.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The amended bill includes $75,000,000 for Contributions to International Organizations.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The amended bill includes $150,500,000 for Contributions for International Peacekeeping Activities to fund the Administration's revised estimate of the United States-assessed contribution to international peacekeeping.

RELATED AGENCIES

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTNG OPERATIONS

The amended bill includes $8,000,000 for International Broadcasting Operations.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

GLOBAL HEALTH AND CHILD SURVIVAL

The amended bill includes $75,000,000 for Global Health and Child Survival to continue programs to combat avian influenza.

DEVELOPMENT ASSISTANCE

Food Security Initiative.—The amended bill includes $200,000,000 for Development Assistance, which is for a new Food Security Initiative to promote food security in countries affected by significant food shortages, including programs to assist farmers to increase crop yields. Of this amount, up to $50,000,000 should be used for local and regional purchase. The Secretary of State is directed to submit a report to the Committees on Appropriations not later than 45 days after enactment of this Act, and prior to the initial obligation of funds, on the proposed uses of funds to alleviate starvation, hunger, and malnutrition overseas, including a list of those countries facing significant food shortages.

INTERNATIONAL DISASTER ASSISTANCE

The amended bill includes $200,000,000 for International Disaster Assistance to meet urgent humanitarian requirements worldwide, including support for critical needs in Bangladesh. A portion of these funds should be used for assistance for internally displaced persons in Iraq and Afghanistan. In addition, funds are available under this heading to assist in the response to the international food crisis.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The amended bill includes $93,000,000 for Operating Expenses of the United States Agency for International Development to address staffing, security, and operating needs.

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

The amended bill includes $1,000,000 for Operating Expenses of the United States Agency for International Development Office of Inspector General.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

The amended bill includes $1,147,300,000 for Economic Support Fund. The amended bill includes funding to address critical health, economic, and security needs. These funds are to be allocated as follows:

ECONOMIC SUPPORT FUND

[$ in thousands]

Country and region	Amended bill
Iraq	100,000
Afghanistan	455,000
Pakistan	175,000
West Bank	150,000
North Korea	15,000
Jordan	100,000
Sudan	25,000
Democratic Republic of the Congo	10,000
Kenya	25,000
Uganda	15,000
Zimbabwe	15,000
Chad	5,000
Central African Republic	2,000
Bangladesh	50,000
Burma	5,300
Total	1,147,300

Funds made available for Burma should be used for humanitarian programs along the Thai-Burma border.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The amended bill includes $204,500,000 for International Narcotics Control and Law Enforcement activities in Iraq, Afghanistan, the West Bank, Mexico, and Africa.

MIGRATION AND REFUGEE ASSISTANCE

The amended bill includes $350,000,000 for Migration and Refugee Assistance. Funds are available to respond to urgent humanitarian and refugee admissions requirements, including those involving refugees from Iraq, Afghanistan, and central Africa.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The amended bill includes $4,500,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs, for humanitarian demining in Iraq.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

The amended bill includes $170,000,000 for the Foreign Military Financing Program, of which $100,000,000 is for assistance for Jordan and up to $50,000,000 is for assistance for Mexico.

PEACEKEEPING OPERATIONS

The amended bill includes $85,000,000 for Peacekeeping Operations for programs in Africa to address needs beyond those projected in the fiscal year 2009 budget request, including for Darfur.

SUBCHAPTER C—GENERAL PROVISIONS, THIS CHAPTER

The amended bill includes the following general provisions for this chapter:

EXTENSION OF AUTHORITIES

Section 1401 extends certain authorities necessary to expend Department of State and foreign assistance funds.

AFGHANISTAN

Section 1402 imposes certain conditions and limitations on assistance for Afghanistan and requires a report.

WEST BANK

Section 1403 directs the Department of State to provide a report to the Committees on Appropriations not later than 90 days after enactment of this Act, and 180 days thereafter, on the Palestinian security assistance program.

MEXICO

Section 1404 sets a ceiling on funding for Mexico at $400,000,000 and provides funding in the accounts through which such activities are traditionally funded. The provision also provides a restriction on the use of funding for budget support or cash payments and includes a limitation of 25 percent of the funding provided under the headings ''Foreign

Military Financing Program'' and ''International Narcotics Control and Law Enforcement'' to the armed forces and police until the Secretary of State certifies certain conditions have been met.

CENTRAL AMERICA

Section 1405 sets a floor of $61,500,000 on funding for the countries of Central America, Haiti and the Dominican Republic and provides a restriction on the use of funding for budget support or cash payments. Additionally, the provision restricts obligation of 25 percent of the funding provided under the headings ''Foreign Military Financing Program'' and ''International Narcotics Control and Law Enforcement'' until certain conditions are met.

BUYING POWER MAINTENANCE ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Section 1406 provides authority to utilize $26,000,000 from appropriations for Diplomatic and Consular Programs from a prior Act and authority to transfer up to an additional $74,000,000 of the funds made available by this Act to the Buying Power Maintenance Account to manage exchange rate losses in fiscal year 2008. The Department of State shall consult on any proposed transfers resulting from this authority. The Department of State estimates the impact of currency fluctuations to be at least $260,000,000 on United States diplomatic operations worldwide.

In addition, the provision recommends authority to transfer unobligated and expired balances after fiscal year 2008 into the Buying Power Maintenance Account to address future exchange rate losses. The Secretary of State shall submit a report to the Committees on Appropriations not later than October 15, 2008 on the amount transferred by this authority in this or any fiscal year, the total amount of exchange rate losses in fiscal year 2008, and the accumulated impact of losses from prior years.

RESCISSIONS

Section 1407 rescinds prior year funds and makes them available for a contribution to the World Food Program and for programs in the INCLE account.

ALLOCATIONS

Section 1408 requires that funds in the specified accounts shall be allocated as indicated in the respective tables in this report. Any change to these allocations shall be subject to the regular notification procedures of the Committees on Appropriations.

REPROGRAMMING AUTHORITY

Section 1409 allows for reprogramming of funds made available in prior years to address critical food shortages, subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

SPENDING PLAN AND NOTIFICATION PROCEDURES

Section 1410 requires the Secretary of State to provide a detailed spending plan to the Committees on Appropriations on the uses of funds appropriated in this chapter. The language also provides that the funds appropriated in subchapter B are subject to the regular notification procedures of the Committees on Appropriations.

TERMS AND CONDITIONS

Section 1411 establishes that unless designated otherwise in this chapter, the terms and conditions contained within the State, Foreign Operations and Related Programs Appropriations Act, 2008 (Public Law 110–161) shall apply to funds appropriated by this chapter.

TITLE II—DOMESTIC MATTERS

CHAPTER 1—COMMERCE, JUSTICE, AND SCIENCE

DEPARTMENT OF COMMERCE

BUREAU OF THE CENSUS

PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The amended bill includes $210,000,000 for increased costs associated with the poor management of the 2010 Decennial Census. Within the funds provided, not less than $50,300,000 shall be used to restore funding associated with the approved March 26, 2008 reprogramming within the Bureau of Census. Funds transferred pursuant to the reprogramming to address immediate shortfalls within the Field Data Collection Automation contract from the American Community Survey, Census Coverage Measurement activities, and other Census activities may result in increased risk and other unintended consequences to other parts of the Census. The $50,300,000 shall be available solely to complete previously planned activities and address vacancies in the aforementioned areas in order to reduce risk and ensure a successful 2010 Decennial Census.

The Census Bureau shall submit to the Committees on Appropriations of the Senate and the House of Representatives, within 30 days of enactment of this Act, a detailed plan showing a timeline of milestones and expenditures for the 2010 Decennial Census, and shall include a quantitative assessment of the associated risk to the program as it is currently constituted. In addition, the Inspector General shall submit quarterly reports to the Committees on Appropriations, until the conclusion of the 2010 Decennial Census, detailing the progress of the revised plan for the execution of the 2010 Decennial Census and any unanticipated slippages from the revised 2010 milestones, as well as reassessing the associated risk to the program. The Census Bureau is directed to provide the Inspector General with any required information so that the quarterly reports can begin 60 days after submission of the plan.

Because rising costs associated with the 2010 Decennial Census and the Department's and the Bureau's lack of contract oversight are cause for particular concern, the bill includes not less than $3,000,000 for the Department's Office of the Inspector General for Census contract oversight activities and not less than $1,000,000 solely for a reimbursable agreement with the Defense Contract Management Agency to review and improve Census contract management.

DEPARTMENT OF JUSTICE

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

The amended bill includes $178,000,000 for additional costs of the Bureau of Prisons (BOP) related to the custody and care of inmates and the maintenance and operation of correctional and penal institutions. The BOP has been chronically underfunded in recent budget requests, due to consistently underestimated growth in inmate populations and inadequate funding requests for medical expenses. As a result, BOP facilities face rising staff-to-inmate ratios, placing corrections officers and inmates at unacceptable risk of violence. The amended bill includes funding for FCI Pollock activation costs and for inmate drug abuse treatment required by law. The Administration is urged to re-estimate BOP fixed costs and prisoner population for fiscal year 2009 and to provide the House and Senate Committees on Appropriations with those estimates no later than May 31, 2008. Further, the BOP is directed to notify the Committees of current staff-to-inmate ratios at all Federal prisons on a monthly basis.

CHAPTER 2—ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

Public Law 109–148, the 3rd emergency supplemental appropriations act of 2006, Public Law 109–234, the 4th emergency supplemental appropriations act of 2006, and Public Law 110–28, the emergency supplemental appropriations act of 2007, provided funds to repair and restore hurricane damaged projects, accelerate completion of New Orleans area flood and storm damage reduction projects, and provide 100-year storm protection for the greater New Orleans area. The scope and magnitude of the work required has increased with time. The current cost estimate requires $5,761,000,000 in additional Federal funds and a non-Federal cost-share of $1,526,000,000.

The Administration requested this funding under the Construction account in the fiscal year 2009 budget. The amended bill provides the full amount of the request as a supplemental appropriation to ensure the existing schedule for completion of 100-year protection for the greater New Orleans area by 2011 is met. However, $2,926,000,000 is included under Flood Control and Coastal Emergencies in order to provide continuity in appropriations for projects to repair, restore, and accelerate completion of the levels of protection authorized prior to Hurricane Katrina. None of the funds provided shall be available until October 1, 2008.

CONSTRUCTION

The amended bill includes $2,835,000,000 for Construction. Within the recommended funds, $1,077,000,000 is provided to complete the 100-year storm protection for the Lake Pontchartrain and Vicinity project; $920,000,000 is provided to complete the 100-year storm protection for the West Bank and Vicinity project; and $838,000,000 is provided for elements of the Southeast Louisiana Urban Drainage project that are within the geographic perimeter of the West Bank and Vicinity projects and the Lake Pontchartrain and Vicinity project.

FLOOD CONTROL AND COASTAL EMERGENCIES

The amended bill includes $2,926,000,000 for completion of repair and restoration and accelerated work to authorized levels of protection in surrounding areas. The funding provides, at full Federal expense, the following amounts: $704,000,000 for pumps and closures at outfall canals; $90,000,000 to storm-proof pump stations; $459,000,000 to armor levees and floodwalls; $53,000,000 to improve protection at the Inner Harbor Navigation Canal; $456,000,000 to complete work to incorporate non-Federal levees in Plaquemines Parish into the Federal system; $412,000,000 to reinforce or replace floodwalls on the Lake Ponchartrain and Vicinity and West Bank and Vicinity Projects; $393,000,000 to repair and restore authorized protections and floodwalls; and $359,000,000 to complete the authorized protection for the Lake Ponchartrain and Vicinity and West Bank and Vicinity Projects. The amended bill includes a provision authorizing a reallocation of funds when necessary to accomplish the established goals, subject to the approval of the House and Senate Committees on Appropriations.

CHAPTER 3—LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

The amended bill provides $110,000,000 for Unemployment Compensation State Operations to compensate the States for the administrative costs of processing the Unemployment Insurance (UI) claims workload for the balance of fiscal year 2008. New UI claims are increasing, reaching a level in March 2008 nearly 19 percent greater than the previous year. States are beginning to experience service degradation in the form of call center delays for claimants, waiting times for adjudication of disputed claims, and reductions in program integrity activities, tax collection, and tax audits. While funding in the Consolidated Appropriations Act, 2008 is sufficient to cover the costs of processing 2.4 million Average Weekly Insured Unemployment (AWIU), claims have already climbed above 2.8 million AWIU. The amount provided will compensate States for the claims workload estimated by the Department of Labor up to the point where additional funds are released under a legislated trigger.

CHAPTER 4—LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

PAYMENT TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

The amended bill provides the customary death gratuity to Annette Lantos, widow of Tom Lantos, late a Representative from the State of California.

TITLE III—VETERANS EDUCATIONAL ASSISTANCE

Title III of the amended bill includes provisions designed to expand the educational benefits for men and women who have served in the armed forces since the terrorist attacks of September 11, 2001. The provisions will closely resemble the educational benefits provided to veterans returning from World War II.

The benefits included in title III would apply to all members of the military who have served on active duty, including activated reservists and National Guard. To qualify, veterans must have served at least three months of qualified active duty, beginning on or after September 11, 2001. The amended bill provides for benefits to be paid in amounts linked to the amount of active duty service.

In addition to tuition and other established charges, the benefit includes a monthly stipend for housing costs as well as tutorial assistance and licensure and certification tests.

The amended bill would create a new program in which the government will agree to match, dollar for dollar, any voluntary additional contributions to veterans from institutions whose tuition is more expensive than the maximum educational assistance provided in the amended bill.

Finally, the amended bill provides for the veterans to have up to fifteen years after they leave active duty to use their educational assistance entitlement. Veterans would be barred from receiving concurrent assistance from this program and another similar program.

TITLE IV—EMERGENCY UNEMPLOYMENT COMPENSATION

The amended bill includes language providing a temporary extension of unemployment benefits to workers who have lost their jobs. Specifically, the amended bill provides up to 13 weeks of extended unemployment benefits in every State to workers exhausting regular unemployment compensation. In States with higher levels of unemployment, defined as a seasonally-adjusted six percent total unemployment rate or a four percent insured unemployment rate, up to an additional 13 weeks would be available. The extended benefits program will terminate on March 31, 2009.

The percentage of workers exhausting unemployment benefits is currently 36 percent, which is higher than at the beginning of any of the past five recessions. The Congressional Budget Office estimates that 3.8 million workers will receive extended benefits under the program given the high rate of workers running out of regular unemployment benefits without finding work. Not only will these workers and their families benefit from extended benefits, providing this financial assistance also can reduce the severity and duration of an economic downturn. Experts agree that extending unemployment benefits is one of the most cost-effective and fast acting forms of economic stimulus because workers who have lost their paychecks have little choice but to spend these benefits quickly.

TITLE V—MEDICAID PROVISIONS

Section 5001 of the amended bill includes language extending the current moratorium to April 2009 on four Medicaid regulations pertaining to: graduate medical education payments; limits on payments to government safety net providers; rehabilitation services; and school-based administrative and specialized medical transportation services for children. The amended bill also establishes a moratorium for the same period for three Medicaid regulations pertaining to: health care provider taxes; targeted case management; and hospital outpatient services. The cost of the moratoria is fully offset over five and ten years in the amended bill by provisions that extend an asset verification demonstration to all fifty States and reduce balances in the Physician Assistance and Quality Initiative Fund. These provisions are identical to those included in H.R. 5613, which was approved by the House by a 349–62 vote.

The moratorium on these seven regulations is included in the amended bill due to concerns about their potential negative impact on essential medical services for millions of people, particularly for seniors, people with disabilities, and children, and on the providers of these safety net services. These regulations also would have a far-reaching impact on graduate medical education, outreach and supportive services designed to help individuals get the medical care they need, and foster care services.

According to the Congressional Budget Office, these regulatory changes would reduce Federal Medicaid spending by nearly $18,000,000,000 over the next five years, shifting these costs to States and localities. These cuts would occur during an economic downturn when States and localities are least able to restore services. Further, the authorizing committees indicate that many of these regulations alter longstanding Medicaid policy without specific Congressional authorization.

Additional time is required to examine the potential impact of these regulations. Accordingly, the amended bill includes $5,000,000 for a study to be completed no later than March 2009 by an independent entity to assess the prevalence of the problems in the Medicaid program the regulations were intended to address and their impact on each State. The amended bill also includes $25,000,000 for the purpose of reducing fraud and abuse in the Medicaid program.

TITLE VI—ACCOUNTABILITY AND TRANSPARENCY IN GOVERNMENT CONTRACTING

CHAPTER 1—CLOSE THE CONTRACTOR FRAUD LOOPHOLE

Chapter 1 of title VI is identical to the language of H.R. 5712, ''Close the Contractor Fraud Loophole Act,'' passed by the House on April 23, 2008. It closes a loophole in a proposed rule so that mandatory fraud reporting requirements would apply to U.S. contractors working overseas as well as to contractors working here at home.

CHAPTER 2—GOVERNMENT FUNDING TRANSPARENCY

Chapter 2 of title VI is identical to the language of H.R. 3928, ''Government Funding Transparency Act of 2007,'' passed by the House on April 23, 2008. It requires any company or organization receiving at least $25 million and 80 percent or more of their revenue from federal payments to disclose the salaries of their most highly-compensated officers.

TITLE VII—GI BILL FINANCING PROVISION

This title imposes a surtax of 0.47% on income beyond $1 million for those filing joint returns and beyond $500,000 for other filers. The surtax would start in 2009 and continue thereafter.

TITLE VIII—GENERAL PROVISIONS

The amended bill includes the following general provisions:

Section 8001 establishes the period of availability for obligation for appropriations provided in this Act.

Section 8002 provides that, unless otherwise noted, all appropriations in this Act are designated as emergency requirements and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21, the congressional budget resolution for fiscal year 2008.

Section 8003 provides that this Act may be referred to as the ''Supplemental Appropriations Act, 2008''.

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
TITLE I			
MILITARY CONSTRUCTION, VETERANS AFFAIRS, INTERNATIONAL AFFAIRS AND OTHER SECURITY-RELATED MATTERS			
CHAPTER 1			
DEPARTMENT OF AGRICULTURE			
Foreign Agricultural Service			
Public Law 480 Title II Grants, FY 2008 (emergency)...	350,000	850,000	+500,000
Public Law 480 Title II Grants, FY 2009 (emergency)...	395,000	395,000	---
Total, Chapter 1.....	745,000	1,245,000	+500,000
CHAPTER 2			
DEPARTMENT OF JUSTICE			
Office of Inspector General (emergency).....	---	4,000	+4,000
Legal Activities			
General Legal Activities			
Salaries and expenses (emergency).....	4,093	1,648	-2,445
United States Attorneys			
Salaries and expenses (emergency).....	5,000	5,000	---
United States Marshals Service			
Salaries and expenses (emergency).....	14,921	18,621	+3,700
Total, Legal activities.....	24,014	25,269	+1,255
Federal Bureau of Investigation			
Salaries and expenses, FY 2008 (emergency).....	101,122	92,169	-8,953
Salaries and expenses, FY 2009 (emergency).....	39,062	82,600	+43,538
Total, Federal Bureau of Investigation.....	140,184	174,769	+34,585
Drug Enforcement Administration			
Salaries and expenses (emergency).....	8,468	12,166	+3,698
Bureau of Alcohol, Tobacco, Firearms and Explosives			
Salaries and expenses (emergency).....	4,000	4,000	---
Federal Prison System			
Salaries and expenses (emergency).....	9,100	9,100	---
Total, Chapter 2.....	185,766	229,304	+43,538

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
CHAPTER 3			
DEPARTMENT OF DEFENSE			
Military construction, Army (emergency)	1,440,750	1,432,700	-8,050
Military construction, Navy and Marine Corps (emergency)	237,505	423,357	+185,852
Military construction, Air Force (emergency)	305,000	409,627	+104,627
Military construction, Defense-Wide (emergency)	27,600	1,009,600	+982,000
Total, Active Components	2,010,855	3,275,284	+1,264,429
Family housing construction, Navy and Marine Corps (emergency)	11,766	11,766	---
Base realignment and closure account 2005 (emergency)	415,910	1,354,634	+938,724
Total, Department of Defense	2,438,531	4,641,684	+2,203,153
Department of Veterans Affairs			
Departmental Administration			
General operating expenses (emergency)	---	100,000	+100,000
Information technology (emergency)	---	20,000	+20,000
Total, Department of Veterans Affairs	---	120,000	+120,000
Total, Chapter 3	2,438,531	4,761,684	+2,323,153
CHAPTER 4			
SUBCHAPTER A			
SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008			
DEPARTMENT OF STATE			
Administration of Foreign Affairs			
Diplomatic and consular programs (emergency)	1,708,008	1,606,808	-101,200
Worldwide security protection	(162,400)	(210,508)	(+48,108)
Office of the Inspector General (emergency)	---	7,500	+7,500
Embassy security, construction, and maintenance (emergency)	160,000	76,700	-83,300
Total, Administration of Foreign Affairs	1,868,008	1,691,008	-177,000
International Organizations			
Contributions to international organizations (emergency)	53,000	53,000	---
Contributions for international peacekeeping activities, current year (emergency)	333,600	333,600	---
Total, International Organizations	386,600	386,600	---
Total, Department of State	2,254,608	2,077,608	-177,000
BILATERAL ECONOMIC ASSISTANCE			
Funds Appropriated to the President			
International disaster assistance (emergency)	---	200,000	+200,000
Operating expenses of the U.S. Agency for International Development (emergency)	41,000	142,000	+101,000
Operating expenses of the US Agency for International Development, Office of Inspector General (emergency)	---	4,000	+4,000

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
Other Bilateral Economic Assistance			
Economic support fund (emergency)	2,009,000	1,747,000	-262,000
Department of State			
Democracy Fund (emergency)	---	75,000	+75,000
International narcotics control and law enforcement (emergency)	734,000	419,300	-314,700
Migration and refugee assistance (emergency)	30,000	300,000	+270,000
U.S. Emergency Refugee and Migration Assistance Fund (emergency)	---	25,000	+25,000
Nonproliferation, anti-terrorism, demining and related programs (emergency)	5,000	11,200	+6,200
MILITARY ASSISTANCE			
Funds Appropriated to the President			
Foreign Military Financing Program (emergency)	---	72,500	+72,500
Total, Subchapter A	5,073,608	5,073,608	---
SUBCHAPTER B			
BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009			
DEPARTMENT OF STATE			
Administration of Foreign Affairs			
Diplomatic and consular programs (emergency)	1,064,450	737,900	-326,550
Worldwide security protection	(45,800)	(78,400)	(+32,600)
Office of the Inspector General (emergency)	16,800	57,000	+40,200
Embassy security, construction, and maintenance (emergency)	---	41,300	+41,300
Total, Administration of Foreign Affairs	1,081,250	836,200	-245,050
International Organizations			
Contributions to international organizations (emergency)	40,000	75,000	+35,000
Contributions for international peacekeeping activities, current year (emergency)	---	150,500	+150,500
Total, International Organizations	40,000	225,500	+185,500
Total, Department of State	1,121,250	1,061,700	-59,550
RELATED AGENCIES			
Broadcasting Board of Governors			
International broadcasting operations (emergency)	---	8,000	+8,000

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
BILATERAL ECONOMIC ASSISTANCE			
Funds Appropriated to the President			
Global health and child survival (emergency)	---	75,000	+75,000
Development assistance (emergency)	210,000	200,000	-10,000
International disaster assistance (emergency)	270,000	200,000	-70,000
Operating expenses of the U.S. Agency for International Development (emergency)	60,000	93,000	+33,000
Operating expenses of the US Agency for International Development, Office of Inspector General (emergency)	---	1,000	+1,000
Other Bilateral Economic Assistance			
Economic support fund (emergency)	1,297,700	1,147,300	-150,400
Department of State			
International narcotics control and law enforcement (emergency)	225,000	204,500	-20,500
Migration and refugee assistance (emergency)	191,000	350,000	+159,000
Nonproliferation, anti-terrorism, demining and related programs (emergency)	---	4,500	+4,500
MILITARY ASSISTANCE			
Funds Appropriated to the President			
Foreign Military Financing Program (emergency)	170,000	170,000	---
Peacekeeping operations (emergency)	60,000	85,000	+25,000
Total, Subchapter B	3,604,950	3,600,000	-4,950
SUBCHAPTER C - GENERAL PROVISIONS			
Sec. 1407:			
(a)(1) World Food Program	---	20,000	+20,000
(a)(2) Andean Counterdrug Initiative (rescission)	---	-20,000	-20,000
(b)(1) International narcotics control and law enforcement (Sudan)	---	10,000	+10,000
(b)(2) International narcotics control and law enforcement (prior-year rescission)	---	-10,000	-10,000
Total, Subchapter C	---	---	---
Total, Chapter 4	8,678,558	8,673,608	-4,950
GENERAL PROVISIONS			
DEPARTMENT OF HOMELAND SECURITY			
Customs and Border Protection			
Salaries and expenses (rescission)	-50,000	---	+50,000
Total, General Provisions	-50,000	---	+50,000
Total, title I	11,997,855	14,909,596	+2,911,741

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
TITLE II			
DOMESTIC MATTERS			
CHAPTER 1			
DEPARTMENT OF COMMERCE			
Bureau of the Census			
Periodic censuses and programs (emergency)	---	210,000	+210,000
DEPARTMENT OF JUSTICE			
Federal Prison System			
Salaries and expenses (emergency)	---	178,000	+178,000
Total, Chapter 1	---	388,000	+388,000
CHAPTER 2			
DEPARTMENT OF THE ARMY			
Corps of Engineers - Civil			
Construction, FY 2009 (emergency)	5,761,000	2,835,000	-2,926,000
Flood control and coastal emergencies, FY 2009(emerg.)	---	2,926,000	+2,926,000
Total, Chapter 2	5,761,000	5,761,000	---
CHAPTER 3			
DEPARTMENT OF LABOR			
Employment and Training Administration			
State unemployment insurance and employment service operations (emergency)	---	110,000	+110,000
CHAPTER 4			
HOUSE OF REPRESENTATIVES			
Payments to Widows and Heirs of Deceased Members of Congress	---	169	+169
Total, title II	5,761,000	6,259,169	+498,169
TITLE III			
VETERANS EDUCATIONAL ASSISTANCE			
Veterans educational assistance, FY 2008 (emergency)	---	40,000	+40,000
Veterans educational assistance, FY 2009 (emergency)	---	676,000	+676,000
Total, title III	---	716,000	+716,000

AMENDMENT TO THE SENATE AMENDMENT TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
TITLE IV			
EMERGENCY UNEMPLOYMENT COMPENSATION			
Federal-State agreements, FY 2008 (emergency)	---	6,170,000	+6,170,000
Federal-State agreements, FY 2009 (emergency)	---	9,440,000	+9,440,000
Total, title IV	---	15,610,000	+15,610,000
TITLE V			
MEDICAID PROVISIONS			
Medicaid moratorium, FY 2008 (emergency)	---	450,000	+450,000
Medicaid moratorium, FY 2009 (emergency)	---	1,150,000	+1,150,000
Total, title V	---	1,600,000	+1,600,000
Grand total	17,758,855	39,094,765	+21,335,910
Appropriations	---	(30,169)	(+30,169)
Emergency appropriations	(17,808,855)	(39,094,596)	(+21,285,741)
Rescissions	(-50,000)	(-30,000)	(+20,000)

Mr. BLUMENAUER. Mr. Speaker, after five years, thousands of lives lost, and hundreds of billions of dollars spent and trillions to go, the amendments adopted today are the beginning of a solution in Iraq. These amendments mandate the beginning of withdrawal, setting us on a path out of Iraq, and support critical domestic and international priorities.

The language offers some of the same prescriptions in my own Iraq legislation, including a ban on permanent bases and an increase in contractor oversight. All too often we hear reports of billions of dollars our contractors can't account for, or the hiring of individuals our troops can't rely on. This war will cost over $3 trillion, and I am pleased to see some funding shifted to cover more of our international obligations. I authored legislation to help the 4 million displaced Iraqis and I support the funding in this bill for migration and refugee assistance and international disaster assistance. We have a responsibility to the Iraqi people, and as we have an obligation to provide for our own.

Part of remedying this tragedy will be rebuilding the health and readiness of our armed forces. In my state, the Oregon National Guard's 41st Combat Brigade Team has served two tours in Iraq and Afghanistan since 9/11, and is scheduled to deploy again in 2009. When they return, these brave men and women deserve the best care this country can provide and the least we can do is make sure education and retraining is available and affordable. I am proud to support an expansion of the GI Bill education benefits that proved so successful in transitioning our troops after W orld War II and in mobilizing our economy for succeeding generations. Frankly I find it unconscionable that President Bush, as Commander in Chief of our armed forces, would threaten to veto this legislation on account of this basic and historic investment in our troops.

This country is ready for change, and these amendments are an important step forward. As this issue develops over the coming weeks, I remain committed to getting our troops out of Iraq now and providing our veterans with the best care available.

Mr. CASTLE. Mr. Speaker, I rise in support of the three amendments before us today to H.R. 2642. Our troops have done incredible work in Iraq and Afghanistan, and it is critical that we provide them with the protective equipment, operating funds, and counterterrorism resources necessary to execute their missions. For this reason, I support the funding in this package for vital priorities like mine resistant ambush protected vehicles, IED jamming devices, military healthcare, traumatic brain injury research, and military family support programs.

As a leader of the House Committee on Education, I have long advocated for a permanent expansion of GI Bill education benefits for veterans. For the first time, the funding in this package would reward those soldiers who stepped forward in the wake of the 2001 terrorist attacks by allowing them to receive expanded education benefits in proportion to their period of service. The men and women who serve in our Nation's armed forces deserve the opportunity to pursue an education and I believe this provision represents a significant step towards the realization of that goal. In addition to financial assistance, our government must help veterans cut through the red-tape surrounding GI bill benefits and I have introduced legislation to aid our soldiers in making this transition.

There has to be an incentive for the Iraqi government to make political progress and it is critical that we begin shifting the day-to-day combat mission over to the Iraqi security forces. I continue to oppose proposals in Congress that would hamstring our troops by setting a hard deadline for troop withdrawal. Last September, General Petraeus and Ambassador Crocker outlined a responsible plan for gradually redeploying our troops from Iraq and I believe this plan should move forward in a way that maintains security and stability in the Middle East. Therefore, I support provisions in this bill that would set a goal of redeploying a majority of our combat troops from Iraq by the end of 2009, while permitting forces to remain in the region to conduct counterterrorism operations and assist the Iraqi security forces. Clearly, our military and foreign policy leaders must retain the ability to react to conditions on the ground and I believe this provision allows them the appropriate flexibility in executing their mission without conditioning troop funding on arbitrary timelines or an immediate deadline for troop withdrawal.

Additionally, I support language in the bill that would improve transparency and oversight of contractors to prevent waste and abuse in government spending. In the same way, I support sections of the bill that would require better accountability from the Iraqi government by providing an incentive for a greater Iraqi investment in the country's reconstruction. Embracing a comprehensive regional diplomatic initiative, ensuring American soldiers are properly trained and prepared for deployments, and prohibiting torture are also key provisions which I continue to support.

Lastly, while I intend to vote in favor of this emergency spending package, I continue to have deep concerns about the manner in which it was brought forward. In my estimate, the leaders of the House have unfairly manipulated congressional rules in severely limiting debate on this measure and restricting input from both Republicans and Democrats. Rather than using this issue as a tool to score points politically, Members from both sides of the aisle should come together in support of a workable policy to bring our troops home.

To date, over 4,000 American soldiers—including sixteen brave Delawareans—have lost their lives in Iraq. Close to 500 U.S. service members have also died in Afghanistan. Mr. Speaker, I call on my colleagues to embrace the substantive areas of this bill where we can find agreement, and join me in committing to a bipartisan approach for achieving stability and bringing our troops home to their families.

Mr. MITCHELL. Mr. Speaker, I rise today in support of H.R. 5740, the Post 9/11 Veterans Education Assistance Act—bipartisan legislation that honors our men and women in uniform and strengthens our military.

Since World War II, our nation has offered education benefits to returning GIs. The Servicemen's Readjustment Act of 1944, the first GI Bill, which was passed unanimously by this House, paid for the tuition, books, fees, training costs, and even a monthly stipend for our returning veterans.

After World War II, nearly 8 million veterans, out of a wartime veteran population of 15 million, used the original GI Bill to earn an education. The economic return was unprecedented. For every dollar we spent on the GI Bill, we generated 7 more into our national economy. Millions of newly-educated veterans led our Nation in business and innovation and created the American middle class. It's no wonder the GI Bill of 1944 is regarded as one of the most successful pieces of legislation to earn this House's approval in the 20th Century.

Since that time, Congress has passed other GI bills, but over time, the value of the education benefit has declined. The current Montgomery GI Bill, for example, was designed for peacetime service, and is not meeting the needs of our newest generation of veterans, many of whom are returning from combat in Iraq and Afghanistan.

Our veterans—whether active duty, Reservists or National Guardsmen—deserve an education benefit that accounts for the stress of war and keeps up with the rapidly increasing cost of a higher education. That is why, with the backing of a broad, bipartisan coalition, I introduced H.R. 5740, the Post-9/l1 Veterans Educational Assistance Act.

Under the legislation, GIs returning from Iraq or Afghanistan would receive up to four academic years of education benefits, including stipends for housing and books. They can even use their benefits at private schools through the Yellow Ribbon G.I. Education Enhancement Program, in which the federal government will match, dollar for dollar, any voluntary additional contributions to veterans from institutions whose tuition is more expensive than the maximum educational assistance provided under this legislation.

Veterans would even have up to 15 years after they leave active duty to use their education benefits. I am pleased that this bill was included as part of the emergency war funding measure that the House is considering today because I believe taking care of those who serve in war is a cost of war. America should never fight wars without taking care of our own. However, I am deeply troubled by how we got to this point, and am disappointed that this issue has become politicized.

When I was elected to this House, my constituents asked me to work in a bipartisan way to find reasonable solutions to our common problems. And that is what I tried to do with this GI Bill. Working together with my Democratic and Republican colleagues, we attracted more than two-thirds of the House as cosponsors. Ninety-two Republicans, nearly half of the minority party's membership, lent their support. But instead of using that coalition to secure overdue educational benefits for our veterans, our leadership has allowed ideological gotcha games to prevail.

What began as an attempt to fix a broken promise to our veterans has devolved into a fight over who can score the most political points. As a result, instead of sending a veto-proof bill to the Senate, we are sending a lesser bill with a less certain outcome. This does not hurt any of our political opponents, Mr. Speaker; it only hurts our veterans. And, frankly, they deserve better. Our soldiers and veterans deserve a House whose actions matches its rhetoric. If we mean what we say, that taking care of those who serve is truly a cost of war, then the GI Bill should be included as a part of our war spending.

I was astonished yesterday when, amidst all the platitudes some members of this chamber made about the need for the GI Bill to meet

pay-go rules, those very same members were so willing to throw those rules out the door when it came to the Farm Bill. Wealthy farmers were given greater consideration than our veterans.

I strongly disagree with leadership's decision to raise taxes on the backs of our veterans, and I believe it is wrong that I wasn't given an opportunity to offer an amendment to strip this from the bill. I will do everything in my power to encourage the Senate to fix this legislation. However, in order to get the GI Bill to the Senate, and give it any chance to pass, I am forced to vote for the deeply flawed package before me today.

Our veterans have fought for us. The least we can do is fight for them.

Mr. HALL of New York. Mr. Speaker, I would like to express my admiration and support for the brave men and women of our military who are nobly serving in Afghanistan and Iraq. In Afghanistan, they continue to perform an important mission by taking action against our enemies in the country that served as host to the Al Qaeda organization that attacked the United States of America on September 11th, 2001, and they do so with complete skill, courage, and professionalism. I am fully supportive of them and their mission. I have voted to provide funding solely for our military activities in Afghanistan, and would do so again if such a bill were to come before the House.

However, the funding measure in Amendment Number 1 brought before the House today included funding for the ongoing war in Iraq without accompanying conditions on those funds or a timeline for withdrawal of American forces. I remain opposed to the President's mistaken war in Iraq, which has now claimed over 4,000 American lives, undermined our military and ability to respond to other threats abroad, and cost hundreds of billions of dollars that could have been used to meet pressing needs at home. I believe that we must change course in Iraq, and cannot support the appropriation of additional funds without measures to impose conditions on that funding and start bringing our troops home. Accordingly, I could not vote for Amendment Number 1.

Mr. STEARNS. Mr. Speaker, the War in Iraq has been difficult for all Americans. I understand and share the American people's frustration at how the war has been conducted. No one wants to bring our troops home more than I do, but conditions on the ground should dictate when our troops should leave, not domestic politics.

Regardless of if you voted for the war or against it or support immediate withdrawal or not, there is one issue we can all agree. Our brave men and women in Iraq and Afghanistan deserve our respect and admiration. The best way to honor them is to provide them with all the necessary equipment to be safe and successful as quickly as possible. One thing our troops do not deserve is to be used as a political bargaining chip for additional billions in unrelated and unnecessary spending.

Unfortunately, that is what the Democrat leadership has done with the bill before us today. By playing politics, Democrats are ensuring that the troops will not get their funding prior to Memorial Day. Our troops do not deserve this kind of treatment. This is an insult to our men and women who put their lives on the line to protect our freedom.

This is most unfortunate because the first amendment, which I urge all my colleagues to support, contains funding for some very vital programs. For example, it includes $75 million in FY 2008 and $300 million in FY 2009 for traumatic brain injury care and research. In addition, the measure provides $95 million to address gaps identified by the President's Commission on Care for America's Returning Wounded Warriors. The funding is designed to improve case management, data sharing, and the disability evaluation system. These, among others, are very critical to our troops and their families. They deserved to be enacted, not held up for petty political reasons.

Certainly mistakes have been made in Iraq and a change of strategy was long overdue. Now that the surge has been fully implemented and been given time to work, there is no doubt that the security environment in Iraq continues to improve. General Petraeus has said that security progress is still fragile and reversible. Much work still needs to be done, but progress on the ground is undeniable.

The question we must continually ask ourselves is what is the cost of withdrawing our troops? Should the U.S. immediately pull out of Iraq, leave the terrorists emboldened and potentially put more Americans at risk? Withdrawal needs to be based on events not politics. It is important to stress that an open-ended American military commitment is both unwise and dangerous. Progress in Iraq must be measurable, enforced and based on more than just military progress.

Accordingly, Col. Christopher Hughes, who commanded the 2d Battalion of the 327th Inf. Regiment, 101st Airborne in Iraq, has identified a set of strategic benchmarks deigned to measure progress in Iraq. Col. Hughes has developed an event-driven sequence that leads to a legitimate withdrawal. His plan includes six phases and a number of different benchmarks that need to be met. I have attached this plan and make it part of my speech.

It's important to highlight that events, not an arbitrary timeline, needs to guide our strategy. Col. Hughes' milestones for an event-driven withdrawal are strategic, operational and tactical. Such benchmarks include, holding insurgent violence less than or equal to one attack on Coalition and Iraqi forces per month, having 76 operational oil refineries and producing 4.5 million barrels of oil per day. I ask unanimous consent to include in the CONGRESSIONAL RECORD Col. Hughes' full strategy for leaving Iraq.

The amendment we have before us today does not take an event-driven approach, but sets an arbitrary deadline based on politics not the situation on the ground. I urge my colleagues to vote against the second amendment today.

In addition, Mr. Speaker, I would like to take a moment to talk about a provision in the third amendment pertaining to the Montgomery GI Bill. As a veteran and a senior member of the House Veterans Affairs Committee, I understand the hardship and sacrifice of military service. I, along with many of my colleagues, have supported legislation to update and expand the GI Bill, and I am cosponsoring H.R. 5740, the legislation that this provision is based on. However, the House leadership decided to combine the updated GI Bill with a huge tax increase on many small businesses.

The Democrat tax increase would put a surcharge on the gross income for individuals earning more than $500,000 and couples with over $1 million. However, of taxpayers with $1 million or more in income, nearly 83% report that some or all of that is income from a small business. This is a massive tax increase on the gross income of small businessmen and women who operate as self-employed individuals. They are the primary source of new jobs in our nation. Instead of raising taxes, Congress could fund the new GI Bill by reducing federal spending by a mere 0.1 percent over 10 years. I am certain that we can find one-tenth of one percent of wasteful federal spending and apply that to meeting the needs of our 21st century veterans.

In addition, the third amendment includes $5.8 billion in FY 2009 funds for levee rebuilding in Louisiana. This is in addition to the $7.1 billion the federal government has already provided to repair and enhance levees. Furthermore, $9.9 billion for foreign aid is included, which represents $500 million more than requested. These may very well be worthwhile programs but do they belong in an emergency, off budget spending package?

Lastly, I want to point out that the process of how this bill came to the floor today is not in keeping with the spirit and traditions of the House. As Speaker NANCY PELOSI stated in her 2006 document, A New Direction for America, "bills should be developed following full hearings and open subcommittee and committee markups, with appropriate referrals to other committees." The Speaker went on to state that, "bills should generally come to the floor under a procedure that allows open, full, and fair debate consisting of a full amendment process that grants the Minority the right to offer its alternatives, including a substitute."

Furthermore, according to The Politico newspaper, "There have been about three dozen emergency spending bills in the past 20 years, and a handful have passed without input from the Appropriations Committee, including billions in Hurricane Katrina aid and post-Sept. 11 funds. But none of the Iraq war funding bills have bypassed the Appropriations panel."

Unfortunately, this supplemental bypassed the entire Appropriations Committee process altogether, and through the use of parliamentary gimmicks, avoids the input of both Democrat and Republican members who have real expertise in the subject areas involved, effectively shutting out the views of millions of these members' constituents.

To have the Democrat leadership cut off the people's right to be heard by such crass parliamentary maneuvers results hi great harm to the appropriations process and seriously undermines the credibility of the House of Representatives.

Our brave troops and millions of veterans deserve better. They do not deserve to be treated as political tools. We pass a clean supplemental, devoid of any unrelated, and unnecessary spending, that gets necessary equipment to our troops on the battlefield immediately . We should also pass a GI Bill that doe not unfairly tax small businesses. Unfortunately, the Democrat leadership decided to play politics, while our troops and veterans have to pay the price.

APPENDIX I: A STRATEGY FOR LEAVING IRAQ

DETAILS PER PHASE

This is not a timeline; it's an event-driven sequence of events that leads to a legitimate withdrawal of U.S. and Coalition forces in order to return Iraq to the international community of nations.

Phase 1: The Iraqi Sovereignty Council (ISC) is responsible for the development of a prioritized list of reconstruction projects that will include government, health, educational, judicial; police, border and military facilities in each of the provinces. Regional governmental leaders, sheiks, and other tribal leaders will vet the list and add or subtract within their provinces to ensure equitability and specificity for each population. Additionally, Islamic and other religious leaders will provide a list of religious, historical and administrative facilities that need assistance to ensure freedom of religion and access during the transition. During this process, it is crucial that the development of this list, and the involvement of local, tribal, military and religious leaders is publicly discussed and debated on local and international news and commentaries.

Phase 2: Once the ISC has compiled and publicly documented the list, it will present the plan to the Iraqi National Government (ING) for debate and approval. The public debate over this list is the main effort of this operation. The debate will include the conditions for implementing this list. Those conditions will include a mandate from the ING directed at the Coalition and the insurgency. The ING will place themselves between the perceived belligerents (the Coalition and the insurgents) in their country and levy demands on each. These demands will include reconstruction funds from the Coalition, a cessation of hostilities from the insurgents, a phased withdrawal of Coalition forces, and a peaceful integration of remaining insurgent organizations into the Iraqi political process. Although it is unlikely to get insurgent groups to step forward and engage in the debate at this point, the momentum of public opinion will begin to erode their legitimacy if they ignore the mandate and continue hostile action against the Iraqi people.

Phase 3: After approving the ISC plan, the ING will begin a nationwide information campaign, targeting the Iraqi people and showing them the details of the plan. This quid pro quo will help the ING to assert sovereign power by openly confronting the Coalition and the insurgency—in essence, speaking for the Iraqi people. This planned confrontation with the United States will help to dispel the premise that the ING is an American puppet, further legitimizing their authority when facing the insurgency and Arab community.

Phase 4: It is logical to assume that the insurgencies will remain silent during phases 1–3 to determine the lNG's true resolve and overall Coalition intent. It's necessary for the Coalition to take the first step during phase four by executing a token withdrawal of forces from each of the primary provinces that have participated in the ISC planning process. These forces will withdrawal from two or three cities as a show of good faith in support of the ISC plan and ING. Once these moves are complete, the ING will begin a weekly progress report for the project list and detailed report on the level of hostilities in country by province.

Phase 5: This phase will be a continual process of quid pro quo as the key ING milestones are met in accordance with the plan. Reduction in hostilities + completed projects = phased withdrawal of Coalition forces.

Phase 6: When the reconstruction projects list is complete, and insurgent hostilities have leveled at acceptable levels to the lNG, the Coalition will complete their withdrawal.

PHASED WITHDRAWAL MILESTONES

Examples of possible withdrawal milestones.

Most of these have come to fruition and should be considered accomplished when the plan is first presented to the Iraqi people and the world.

Strategic National:—Iraqi Embassy in Washington DC staffed and operational; American Embassy in Baghdad staffed and operational; United Nations Embassy operational in Baghdad; Iraqi Ambassador attends first UN Security Counsel meeting and General Assembly.

Strategic:—January 2008 National Elections complete, and UN validation of National Elections.

Operational:—300,000 National Police staffed, equipped, trained and deployed; 500,000 National Army Staffed, equipped, trained and deployed; 100,000 Border Police staffed, equipped, trained and deployed; 76 oil refineries operational; 4.5M barrels of oil produced per day; Infrastructure complete (list with specific facilities)—medical, education, power, government, religious, etc.; National Salary System operational with ten year phase out plan as country develops free economic systems; 12 radio stations operational and 4 TV stations.

Tactical:—Insurgent violence less than or equal to one attack on Coalition and Iraqi forces per month; foreign fighters less than or equal to two attacks on Coalition and Iraqi forces per month; and zero attacks against Iraqi citizens and foreign nationals.

End State:—Operational Iraqi Government; operational Iraqi Army, Police forces, and Border Guards; informed Iraqi populace; complete withdrawal of Coalition forces; and American and Iraqi Embassies operational.

Mr. PRICE of North Carolina. Mr. Speaker, I rise in support of the amendment before us, which will force a dramatic shift in strategy in Iraq that will protect our national security and bring our troops home.

I have been one of a group in the House that, for several years now, has vocally advocated a withdrawal of U.S. troops from Iraq. Thanks to a President who has stubbornly adhered to a failed policy that does not serve the best interests of our military, our foreign policy, and our national security, we are now no closer to a withdrawal—or a resolution to the conflicts that beset Iraq—than we were 5 years ago. This amendment will change that. This amendment will begin to bring our troops home, in an orderly and responsible fashion.

Some argue that conditions on the ground have improved since the beginning of the President's surge strategy, and that advocates of a troop withdrawal are somehow blind to changed conditions. That is simply not the case.

We have watched conditions in Iraq closely, hoping for the kind of progress that would transform Iraq's internal political dynamics, hoping for a turning point that might produce a lasting end to the violence. We have supported our troops as they have carried out their tactical military mission with remarkable success. But we have also watched the Iraqi Government's continued failure to complete its political mission, the success of which is the necessary condition for ensuring Iraq's long-term stability. There is simply no indication that tactical progress in reducing the levels of violence in certain regions of Iraq has been translated into lasting, strategic gains in the political realm.

Unfortunately, the Administration has now concluded that the military drawdown initially promised cannot be carried out. A successful surge should justify taking troops out of Iraq, not keeping them in. The bottom line is this: Tactical gains notwithstanding, we and the Iraqis have yet to build a sustainable political and security architecture that brings us closer to our goal—a politically coherent Iraq that can manage its own security.

Without political progress, the security situation in Iraq will remain fragile. In such a context, we risk institutionalizing an indefinite dependency on the U.S. military to maintain security. And over the long run, we simply will not be able to sustain the level of budgetary or military commitment we have today.

Our national interest requires that we remain committed to helping Iraq reach its long term goals, but it also requires us to carefully calibrate the nature of our involvement. The United States military mission in Iraq cannot be held hostage to Iraqi progress (or lack of progress) toward security or political benchmarks. We simply cannot continue to commit our overstretched personnel and resources without regard to Iraq's progress toward governing itself.

For that reason, it is essential that we begin a withdrawal of our military from Iraq.

Moreover, such a withdrawal is perhaps the only way we can motivate Iraqis to take the steps necessary to overcome sectarian differences and unite as a nation. This amendment will initiate such a withdrawal, and for that reason I ask for my colleagues' support.

There are other important reasons to support this measure. It would help us recover our moral compass by banning torture. It would ease the burden on our troops by establishing a more reasonable deployment policy. And it would prohibit the establishment of permanent bases in Iraq, a measure many of us have strongly supported.

I am particularly pleased that this amendment includes legislation I proposed over a year ago to ensure that government contractors—including tens of thousands of armed private security contractor personnel working in combat zones in Iraq and Afghanistan—will be held accountable under the law for misconduct, just like our troops. This legislation passed the House over seven months ago, and its enactment is long overdue.

My legislation will ensure that all Government personnel—military personnel, civilian employees, and contractors under any agency—will be accountable under U.S. Federal criminal jurisdiction through the Military Extraterritorial Jurisdiction Act. Since the war in Iraq began, private contractor personnel have committed numerous abuses resulting in the deaths of dozens of Iraqis. Yet, many of these individuals have operated in a legal gray zone, immune from both Iraqi and U.S. law. As a result, accountability has been undercut and the credibility of our operations in Iraq has been seriously damaged.

One need only point to the events of September 17, 2007, to understand the consequences of such impunity. On that day, private contractor personnel accompanying a convoy through the streets of Baghdad opened fire in a downtown square, killing 17 civilians; 8 months later, no charges have been filed and none of the participants have been brought to justice.

We have worked sincerely with the Administration to ensure that Government and contractor personnel who are carrying out their mission conscientiously and legally will not be made vulnerable under this law. Instead, this measure will give us the tools we need to ensure that those who run afoul of the law are brought to justice.

The measure before us is a major step forward toward a new approach to national security, one that will make our Nation safer and

restore our global moral leadership. I urge my colleagues to join me in supporting this measure and bringing an end to the war in Iraq.

Mrs. CAPPS. Mr. Speaker, I rise today in support of our troops, and in support of a responsible U.S. policy in Iraq.

I have opposed the Iraq war from the very beginning.

Over 5 years later, this war has taken the lives of more than 4,000 of our brave troops.

Our armed forces are incredibly strained, and our nation's image tarnished in the wake of this foreign relations disaster.

I have opposed continued funding of this war in the past, and I will vote against Amendment No. 1, which gives the President another blank check.

Amendments No. 2 and No. 3 of this bill, however, are a marked and deliberate shift away from the failed and short-sighted policies of President Bush.

And No. 2 requires that all troops be fully trained and equipped before deployment, and calls for a redeployment of U.S. troops from Iraq to begin in 30 days.

It also bans any permanent U.S. bases in Iraq and codifies contracting fraud as a criminal offense.

Amendment No. 3 will restore the education benefits under the GI bill to include a full, 4-year college education for veterans of the Iraq and Afghanistan wars.

Mr. Speaker, this war has taken an incredible toll on American troops, their families, and our entire country.

We cannot turn back the hands of time, but we can move forward to bring our troops home, end this war, and provide them with the tools they will need to continue their education.

As this New Direction Congress has done time and again, today we will tell the President that he is wrong.

Let us truly support the troops and vote to bring them home.

Mr. LANGEVIN. Mr. Speaker, today the House is addressing two of the most important issues facing our Nation: The Iraq war and the poor state of our economy. We have the opportunity to force a change in our Iraq strategy while providing much-needed assistance to returning troops and Americans struggling to make ends meet.

In October 2002, I voted against the resolution authorizing the use of force in Iraq, and more than 5 years later, it is abundantly clear that our Nation needs a new approach in Iraq so that we can bring our men and women in uniform home. I am extremely proud of the service and sacrifice of our troops and their families, and the best way to demonstrate our support is by welcoming them home with the services and resources they need. I strongly support the amendment before us today that requires U.S. forces to begin redeployment from Iraq within 30 days, with a goal of withdrawing nearly all troops by the end of 2009. Recognizing the toll that extended deployments are having on our readiness, the amendment also requires the Department of Defense to adhere to its policy of providing sufficient rest and recuperation time for troops returning from combat. Repeated and unpredictable deployments have placed enormous stress on our military and their families, and if we don't make changes soon, we risk losing the men and women who have made our armed forces the best in the world.

Another amendment before us would recognize the service of our troops by establishing a new GI Bill of Rights. Under this plan, which is supported by a broad array of veterans groups, servicemembers returning from Iraq or Afghanistan would qualify for educational assistance based on the amount of time served. Those serving three years on active duty would receive benefits to cover the costs of a 4-year education, based on the costs of the most expensive in-state public school. This new program will allow our military returning from combat to advance their careers and develop skills that will help improve our economy.

Finally, the measure recognizes the importance of providing assistance to our citizens struggling in the recent economic downturn. Congress has been working swiftly to address the housing crisis and the skyrocketing costs of food and energy, but we need to make sure that we help those who need it now. This legislation provides an additional 13 weeks of unemployment benefits to those who have exhausted their regular 26 weeks of benefits—a provision that could help as many as 24,400 Rhode Islanders. Unemployed Americans want to get back to work, but in many places jobs are scarce. We must not punish them for the failings of our economy, and this emergency spending measure demonstrates Congress's commitment to those in greatest need.

We have a chance today to reject the status quo policies of the Bush administration by setting new priorities for our Nation. I urge my colleagues to support efforts to prevent further blank check funding for Iraq, endorse a responsible new strategy for bringing our troops home and provide support to Americans struggling to make ends meet.

Mr. HOLT. Mr. Speaker, I want to thank Chairman OBEY for his leadership in crafting this bill and bringing it before the House. In brief, I wanted to let my colleagues know that the Select Intelligence Oversight Panel, which I chair, has been involved in this process. Our role has been to ensure that any intelligence programs included for funding in this supplemental package have been reviewed for their appropriateness and value to our troops in the field.

While the Department of the Defense is focused on Iraq and Afghanistan, the professionals in the Intelligence Community are focused on threats there and elsewhere around the world. A good intelligence system can save lives by preventing war, or, should war come, by helping to win the war as quickly as possible. We must ensure that the troops in combat get the best real-time intelligence and at the same time that policymakers get solid, independent, insightful intelligence about countries, trends, and potential conflicts around the world. I look forward to providing another update on our work once the base DoD appropriations bill is completed later this spring.

Regarding Iraq, I recently returned from a trip to that deeply troubled country. American troops are performing superbly in Iraq under continually difficult conditions. While in Baghdad, I met with soldiers—including those from New Jersey—and told them they deserve not just our gratitude, but all of the support they need when they return to help them get on with their lives. The situation in Iraq, however, is not in the power of our soldiers to control, as events have repeatedly shown.

It is impossible to hide the fact that the limited security gains achieved since last fall have not been matched by political reconciliation on the part of the Iraqis. The uneven performance of the Iraqi Security Forces (ISF) during the fighting with the Mahdi Army in late March 2008 has called into question the viability of the ISF as a national defense and police force, despite our having poured billions of dollars into the ISF.

Unfortunately, Iraq's central government continues to lack legitimacy in the eyes of its people, as the recent spasms of violence in Basra, Baghdad, and elsewhere in the country have clearly shown. No amount of American lives and money can erase that legitimacy gap. It is clear that the Iraqi government is unwilling or unable to take the steps necessary to reach a political settlement that will end the violence, and that is why I supported the amendment to this supplemental spending bill that would set a start date for our withdrawal from Iraq. It is important for us to take decisive action to end our combat involvement in Iraq and refocus our efforts on destroying al Qaeda and eliminating the conditions that breed international terrorism and refocusing our resources on pressing domestic and international needs.

While we continue our efforts to extricate our troops from Iraq, we must also prepare to help them once they return home and begin transitioning to the civilian world. I strongly support the provision in this bill that expands the education benefits veterans receive under the GI bill to restore the promise of a full, 4-year college education, and make the veterans of Iraq and Afghanistan part of an American economic recovery, just like the veterans of World War II were.

This bill also contains provisions to help America's most vulnerable citizens survive the current de facto recession our country is experiencing. The bill extends unemployment benefits for workers who have exhausted their benefits by up to 13 weeks in every State as well as an additional 13 weeks in States with high unemployment. Also included in this bill is the Protecting the Medicaid Safety Net Act of 2008 (H.R. 5613), which places a moratorium on seven Medicaid regulations that would cut services to seniors, families, and those with disabilities as well as cut payments to safety net providers. These are compassionate measures that are fully off-set, and I am glad they are in this bill.

However, I can't help but observe, Mr. Speaker, that these needs would have been met long ago if our country had not been forced to waste billions of dollars on a war of choice that should never have been fought. I will continue to do all I can to help end our involvement in Iraq and redirect our Nation's priorities and resources where they belong—on meeting the needs of our people.

Mr. LATHAM. Mr. Speaker, I rise today to express shock in the way this spending bill has been written and dumped into our laps, sight unseen, except by a few members of the Democratic Leadership.

This supplemental bill has been crafted without the input of rank and file members, completely circumventing the committee process.

There have been no hearings, no debates, no amendments allowed and about 18 hours to review this enormous bill.

We now have a few members of the house, substituting their judgement on serious wartime funding issues, for the other 430 Members of both parties.

Think about that for a minute. You and your colleagues have had no say in this bill—none. Again, members will have had 18 hours to review this 250 billion dollar spending bill.

This is very troublesome to me as a member of the people's house and I know, for a fact, that it's troublesome to members from both sides of the aisle. Today, the 3 million citizens of my State of Iowa, and millions of other Americans—which, by the way, include soldiers serving overseas and their families waiting for their safe return—will have no say in how their tax dollars are being spent for our military.

Whatever your position is on the war, or any Federal spending in this bill, the Speaker has set a terrible precedent for this institution. To the extent that we value precedent around here, this is not the type of bad precedent we should be allowing.

Both democrats and republicans deserve better, and we deserve a voice.

The way this process has been handled also taints the legislative success of good bills based on good ideas. The case in point is the inclusion of legislation I fully support and of which I am an original co-sponsor—the post 9/11 Veterans' Educational Assistance Act. This bi-partisan bill overhauls the G.I. bill education benefits and increases the benefits available to veterans.

This is a good bill dropped into an emergency spending bill that the Democrats know will not become law. The majority is using the G.I. bill for their political play book of attacks against Republicans in the upcoming elections—pure and simple.

This provision, as a standalone bill, has wide support from veterans groups and Republicans and Democrats in both the House and the Senate. But the American people have the right to have their Members of Congress debate and amend the bill.

I want to read a quote that is relevant to this sad situation. it comes from the Democrats' ''New Direction for America'' agenda—''Bills should generally come to the floor under a procedure that allows open, full and fair debate consisting of a full amendment process that grants the minority the right to offer its alternatives, including a substitute.''

Evidently, the Democrat leadership has abandoned that position, and rewritten the agenda to read: ''Spending bills should be written by the leadership, in secret, and sent to the floor of the House under a closed rule, safe from the rules of regular order, traditional debate or any risk of being amended by duly-elected members of the House—from either party.''

The citizens of this country deserve better, and the members of this body, on both sides, deserve better. This type of practice has no place in this house.

Mr. ETHERIDGE. Mr. Speaker, I rise in support of this legislation to provide emergency supplemental appropriations for Fiscal Years 2008. This legislation contains funding for the wars in Iraq and Afghanistan through the summer of 2009, expands education benefits for veterans, and extends unemployment benefits for workers. While this final bill is not perfect, I will vote for it to provide necessary funds for our troops in the field as well as fund some of our most pressing domestic priorities.

As a veteran of the U.S. Army myself, I strongly support our troops, our veterans and their families. Our troops have done everything they have been asked to do and done it exceptionally well. I am tremendously proud of all the troops from North Carolina and across America who have done their duty so admirably. This legislation includes $162.5 billion for our troops to fight the wars in Afghanistan and Iraq. It also includes provisions to make sure that our troops meet the Pentagon's definition of ''combat ready'' before they are deployed to Iraq and prevents them from being deployed longer than Pentagon guidelines recommend.

As the representative of Fort Bragg and Pope Air Force Base, I am a proud cosponsor of the Post–9/11 Veterans Education Assistance Act and am pleased that it is included in the Supplemental Appropriations bill. The original Montgomery G.I. Bill was a hugely successful initiative that provided hundreds of thousands of soldiers with new opportunities in education and business following World War II. We owe those same opportunities to the men and women fighting in Iraq and Afghanistan, and currently serving around the globe. This initiative would give returning service members who have served on active duty in the Armed Forces or reserves after September 11, 2001, to receive educational assistance for up to 4 years, and can be used at any time within 15 years of discharge or release from active duty. The new GI bill is also fiscally responsible as it is paid for with an income tax surcharge of one-half of one percent on individuals with incomes above $500,000 and couples with incomes above $1 million. Education is the key to the American dream, and our troops who have sacrificed for our country should be given every opportunity to access a higher education when they leave the service.

With our economy hurting, this bill extends unemployment benefits for workers who have exhausted their benefits by up to 13 weeks in every state and an additional 13 weeks in states with high unemployment. With the number of Americans looking for work growing, and the number of American jobs decreasing, this bill will help those Americans suffering in this economy.

I will continue to work with my colleagues in Congress as well as the President and the Administration, to provide a new direction in Iraq and to meet the critical needs of the people of North Carolina's Second Congressional District.

Mr. UDALL of Colorado. Mr. Speaker, I will vote for these amendments today. Taken together, they provide necessary funding for our troops, set the stage for a responsible strategy of phased disengagement in Iraq, and address domestic needs and global concerns.

The war funding will pay for operations in Afghanistan and Iraq for the rest of this year and half of 2009. I support this because it will make it possible to provide the equipment, ammunition, fuel, and other supplies needed by our brave men and women serving in Iraq and Afghanistan who have shown such extraordinary skill, determination and endurance in answering their call to service.

I opposed the Bush Administration's rush to war in Iraq, and voted against the resolution that authorized the president to send our armed forces into that country on the theory that this was necessary in order to deprive the Saddam Hussein regime of weapons of mass destruction. So, I understand why some of my constituents who also opposed the war want Congress to reject this funding measure.

And I could not agree more that the record of the current Administration demonstrates an enormous failure of leadership and that we desperately need new leadership that will bring to a close our open-ended military engagement in Iraq and will refocus on the very urgent tasks of reducing the terrorist threats in Afghanistan and Pakistan.

But I am convinced that denying our men and women in uniform the resources they need to do their jobs is not the right way to bring about the change we need—especially because President Bush has shown he is prepared to veto funding for the troops rather than agree to change course.

Achieving the needed change in course is the point of the second amendment—the policy amendment—being considered today. It includes a range of provisions, including one that requires redeployment of our troops in Iraq to begin within 30 days and that states as a goal the completion of this withdrawal within 18 months.

As I've said before, I don't think there is a sustainable role for large numbers of U.S. troops in Iraq. While this provision sends the right message—that our troops cannot remain in Iraq indefinitely—regrettably, it does not send it in the best way, because it will be supported almost exclusively by Democrats, and the president has already promised to veto any legislation that he says could tie his hands on Iraq.

What we need is consensus here at home on a path forward in Iraq. I still think the best way to achieve that consensus would be to focus on the recommendations of the Iraq Study Group. Those recommendations would be accomplished by legislation I introduced last year, which would support a course of escalating economic development, empowerment of local government, the provision of basic services, a 'surge' in regional and international diplomatic efforts, and lightening the American footprint in Iraq.

Today's policy amendment does not include the specific provisions from my Iraq Study Group bill, but it does include other important provisions—prohibiting military units that are not determined to be ''mission capable'' from deploying; prohibiting deployment of U.S. forces that have not spent sufficient time at their home stations between tours of duty; prohibiting permanent bases in Iraq; requiring that reconstruction assistance to Iraq be provided in the form of a dollar-for-dollar match with the Iraqis; and cracking down on contractors engaged in fraud and profiteering, among other provisions.

These are things I think should be established policy, and I support them without hesitation.

Finally, the domestic and international assistance amendment provides increases for international food aid; rejects seven of the Administration's Medicaid regulations that will increase the cost of healthcare; extends unemployment benefits; provides increases in funding for the Bureau of Prisons; and provides enhanced education benefits for veterans, among other provisions.

I support these provisions because I think they are good for the country as a whole.

Some are especially important for Colorado—for example, we have a direct interest

in the funding increase staffing at federal prisons because our state has several such facilities and because recent events, including a riot that led to fatal shooting of inmates, have shown the need to increase those staffing levels.

And particularly important for America and the future of our society is the provision to improve veterans' education benefits to more closely resemble the GI Bill of Rights that made it possible for so many World War II veterans to go to college. The GI Bill of Rights helped make possible the postwar growth of the middle class that was one of the greatest achievements of the Greatest Generation. Some have complained about the cost of providing similar benefits to those who are serving today. But to put those costs—estimated at $52 billion over the next 10 years—into perspective, we should remember that so far our spending for military activities in Afghanistan and Iraq have exceeded $800 billion.

However, I do have some reservations about the way the amendment proposes to finance these benefits. To offset the cost, the amendment would impose a surtax of a half a percentage point on incomes of about $500,000 for individuals and $1 million for couples. It is estimated that this would increase federal revenues by some $54 billion over 10 years, while the educational benefits are estimated to cost $52 billion over that period. So the amount of the tax increase is not excessive, and it is appropriate to target it in a way to apply to those best able to afford it. But I think there is validity to the concern that some small businesses—those whose profits are not covered by corporate taxes but are claimed as the personal income of their owners—could be disproportionately affected. I think this aspect can and should be reviewed as the legislative process continues, to see if appropriate adjustments should be made.

Mr. Speaker, I voted against war in Iraq because, as I said then, the Bush Administration was rushing to war without necessary international support or a clear plan to prevent the chaos that would follow after Saddam Hussein was overthrown. I was concerned a prolonged conflict would devolve into civil war. Since U.S. troops entered Iraq more than 5 years ago, we have lost thousands of our brave servicemen and women, seen tens of thousands more wounded, and spent half a trillion dollars in taxpayer money.

Yet the President's mission is no clearer, he has still offered no exit strategy, our enemies in Afghanistan have regained their strength, and our armed forces have been stretched to the breaking point.

Only Democrats and Republicans working together can find the path out of Iraq. I will continue to work with colleagues on both sides of the aisle on further steps we can take to change our broader Iraq policy. But today, I will support these amendments providing funding for our troops in the field, assistance for Americans suffering through the current economic downturn and people around the world suffering from spiraling food costs, and important policy measures to take care of our troops and remind Iraq's government that U.S. troops will not remain in Iraq indefinitely.

Mr. BACA. Mr. Speaker, I rise today in support of H.R. 2642.

This bill calls for a responsible redeployment from Iraq; and forces the Administration to answer for its actions.

The cost of this war continues to devastate America.

This bill includes $96.6 billion in funding, but not without accountability.

This bill includes funds to equip our troops. You would not have a surgeon perform a surgery without proper tools; we must not send our patriotic Americans to war without the proper equipment.

This bill will increase transparency in our relationship with Iraq, and redirects the voice of America back to Congress, not the Administration, and pass on the cost of future reconstruction of Iraq back to the hands of the Iraqi people.

I believe our troops and their families should be our first priority.

The cost of this war comes in many forms, including unexpected costs for our military families. Just like World War II veterans, our soldiers returning from overseas will now have a GI bill that keeps America's promise of an education to them.

With the costs of the war rising, the costs of oil skyrocketing, and the number of foreclosures hitting emergency levels, many working families are facing uphill battles. Congress must not just stand by and watch.

This bill includes emergency provisions for harmful Medicaid cuts and an extension on the devastated unemployment compensation program for working families.

From my District alone, this war has cut short the lives of 13 young men and has brought back hundreds of injured soldiers.

The cost of this war is too high both at home and overseas; our families are hanging on by a thread. I urge my colleagues to bring our troops home and support H.R. 2642.

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to thank the Gentleman from Pennsylvania, Mr. MURTHA for his help on an important issue to me and the men and woman at Cannon Air Force Base in my district.

Since the early stages of this legislation, Mr. MURTHA has worked with me to include aircraft for SOCOM and AFSOC, which has recently expanded to Cannon. Cannon is the new home to the 27th Fighter Wing, which is being stood up and is in need of aircraft appropriate to the specific job performed by these soldiers.

That is why I am pleased that the supplemental includes money for CV–22 and MC–130J aircrafts designated for AFSOC. This will greatly assist in accelerating the capabilities at Cannon and will give the men and women serving there the tools they need to help keep America safe. The CV–22s and MC–130Js are integral to the training and mission work done by the 27th.

I am fully committed to ensuring that our soldiers have the training and equipment they need to protect our nation, which is why I requested this funding. I would like to once again thank Mr. MURTHA demonstrating our shared commitment to our soldiers by including funding for these aircraft.

Mr. TIAHRT. Mr. Speaker, I rise today to protest the Democrat Leadership's dictatorial tactics. Our Founding Fathers, in their infinite wisdom, created a system of government by which the people's voice would be heard in legislative decisions, especially those affecting the use of their hard earned taxpayer dollars. The House of Representatives has the awesome responsibility to represent the will of the people, and for that reason, under the Constitution of the United States, spending bills originate in this body. What we have here today, however, is the suppression of the people's voice. This bill is brought to the floor without consideration by the committee of jurisdiction whose chairmen didn't even have input and without true consideration by the House with a lockdown rule that does not allow for consideration of amendments or a substitute bill. Democrat and Republican Members have been shut out of this process.

This bill contains funding for the men and women who protect this nation at home and abroad—yet the defense subcommittee which holds hearings year round about their needs has not been consulted. This bill contains funding for our nation's veterans, yet again the subcommittee that best understands their needs has not been consulted. This bill contains funding for domestic priorities and yet again the subcommittees of jurisdiction have not been consulted.

Why is the Speaker of the House opposed to allowing the House of Representatives have their say? I can only assume it is that she knows the American people would reject this irresponsible use of their hard earned tax dollars. This bill takes $250 billion out of the pockets of American workers. $250 billion. That cannot be taken lightly. Families across this nation are struggling to keep up with the rising cost of gas, rising food prices, rising education costs, etc. The people must have a say in whether this is a wise use of their money.

I strongly support our troops, as do my constituents, yet we are not given a chance to have a say in how to best supply them. Mr. Speaker, I encourage all of my colleagues to stand up for their constituents and demand that we have a say. Vote against the bill and force the Democrat Leadership to bring this bill through regular order.

Ms. DEGETTE. Mr. Speaker, I rise in opposition to the amendment to be voted on today which will provide another blank check for the war in Iraq:

I remain steadfast in my opposition to the Iraq war and its continued funding. Tens of thousands of our bravest sons and daughters have been wounded and over 4 thousand killed. We have spent hundreds of billions of dollars on this war, which has necessarily meant we have had fewer resources to deal with significant problems here at home.

Our continued military involvement in Iraq only prolongs the tragedy this war has been for our country and delays the inevitable time when Iraq will have to take responsibility for its own security. While my support for our heroic troops is unwavering, it is time to bring them home. These views are shared by the vast majority of the American people.

I strongly support the other two amendments the House is considering today. One amendment would bring needed change to our efforts in Iraq. For example, it would require that the redeployment of our troops out of Iraq begin within thirty days with a goal of completing that redeployment by December 2009. And, it would encourage Iraq to contribute towards its own reconstruction.

The other amendment addresses important domestic priorities. Among other provisions it would modernize educational benefits for veterans and extend unemployment insurance. It also would block devastating Medicaid regulations which, if left in place, would reduce access to safety-net health care for people

across the country and threaten the ability of certain health care providerss, such as Denver Health in my district, to offer vital services.

These three amendments on the floor today offer the Members of the House of Representatives a stark choice. They can choose to reject the views of the American people and blindly follow the misguided policies of the Bush Administration. Or, they can choose to end this war. support our veterans, and help Americans struggling in these dark economic times. History will look most kindly on those who show the independent judgment and wisdom that such important decisions require.

Mr. DINGELL. Mr. Speaker, the Iraq War has now entered its sixth year. During this time more than 4,000 soldiers have died, almost 30,000 have been injured, and tens of thousands more will suffer mental scars for years to come. The stress of multiple deployments has strained our military, and our military families. Many of our brightest young officers are leaving the military for careers that allow them to have a family, something that is difficult if not impossible when they are being asked to return to Iraq every 12 months. In addition, the economic cost of this war has been nothing short of staggering. The United States has already spent more than five hundred billion dollars in Iraq, or about $5000 for every household in America. Our children and our grandchildren will be paying off this debt for years to come.

After all the lives lost and money spent, this President has still failed to articulate what our mission in Iraq is, and what strategic goals he still hopes to accomplish. That is why I have introduced legislation that would require the President to have our troops out of Iraq before he leaves office, and also why I do not support giving the Pentagon another $162 billion it can use to wage this war for another year after the next President is sworn in.

While I do not support further funding for this war beyond the President's term in office, I do support the provisions that have been attached conditioning this funding to a timeline for withdrawal, prohibiting the use of torture, holding contractors operating in Iraq responsible for fraud and other criminal activity, stopping the construction of permanent military bases in Iraq, and requiring the President to submit any long term security agreement he reaches with the Government of Iraq to Congress for approval. For too long this President has been given a blank check with which to pursue his Iraq policies, and I am glad that the House of Representatives will once again attempt to hold him accountable for his mismanagement of this war.

It must be pointed out that this vote is not a vote against the troops. Those who are serving our country in Iraq are performing admirably under difficult circumstances. Congress has already provided funds for the Department of Defense and war operations for Fiscal Year 2008. This vote won't endanger the troops' safety in any way, but it does send a signal to the President that he should begin the process of bringing them home.

I also support the decision to include in this legislation funding for other important Democratic priorities that will help boost our economy. Overall, these measures make up only a small fraction of the total cost of the bill, but they are targeted to make a big impact here at home. Not only will they give much needed assistance to the unemployed, veterans, and other vulnerable people, but these provisions will play an important role in stimulating the lagging economy.

For example, the supplemental package includes a bill I introduced that will place a temporary moratorium on seven regulations recently issued by the Centers for Medicare and Medicaid Services (CMS). These regulations, if allowed to stay in place, would reduce or eliminate payments for services provided to vulnerable Americans and the institutions that serve them: children with disabilities, people with mental illness, those with multiple care needs, people attempting to transition from an institution to a community living environment, and people with disabilities who need these critical services, such as rehabilitation services and case management, in order to remain in their community. In Michigan, the rehabilitation rule would cut rehabilitation services for 15,000 children with special needs, eliminate habilitation services for another 29,000 developmentally disabled adults and children living in the community, and eliminate access to critical community services and resources for 23,600 adults and 5,100 children who are in supported independent living arrangements or group homes.

The supplemental will also contain legislation I cosponsored to extend Unemployment Compensation, a provision that will greatly help the residents of Michigan's 15th Congressional District which I have the honor of serving. The National Employment Law Project projects that from May 2008 through March 2009, more than 162,000 workers will exhaust their benefits in Michigan, and that currently over 64,000 have already exhausted this benefit. By including this legislation in today's supplemental package Congress will be helping 226,590 workers in Michigan who desperately need the extra boost, while also giving a much needed boost to the economy.

This bill will also provide expanded G.I. Benefits for Veterans Education, restoring the promise of a 4 year college education to those returning from Iraq and Afghanistan. As a veteran of World War II, I know how instrumental the original G.I. Bill was in expanding economic opportunity, growing the middle class, and creating a strong and vibrant post-war economy. The President and some of his Republican colleagues, including Senator MCCAIN, are opposed to providing increased educational opportunities to today's generation of veterans because they fear it will discourage men and women currently serving from reenlisting. I find it highly disturbing that the President and his colleagues would withhold these much needed benefits to those who have served our country so admirably, and I would advise them that the quickest way to fix our military's retention problem would be to put an end to the misguided Iraq war that has so seriously damaged morale.

Another provision that I strongly support provides $675 million to assist refugees, with the bulk of that money going to address the growing humanitarian crisis in Iraq. I asked the President to include $1.5 billion in his budget for increased U.S. spending in the region, increased U.S. contributions to United Nations appeals for Iraqi refugees, and increased bilateral assistance for our allies, such as Jordan, that are struggling to deal with huge numbers of Iraqi refugees within their borders. Unfortunately this request was denied, and I am very pleased that I was able to work with my Democratic colleagues to see to it that some of these funds were made available in the Supplemental.

No matter what we do here today, the President has made it clear that he intends to keep 160,000 troops in Iraq as long as he is in office. While I am disappointed that it appears the President has no interest in ending the war on his watch, I am pleased the Democratic Congress has gone on record as being opposed to that plan, and has put in place the kind of timelines and restrictions required for us to begin to bring our troops home. I also think it is wholly appropriate to include funding for domestic priorities in an emergency supplemental spending bill. Just as the President's mishandling of the Iraq war has caused a crisis in the Middle East, his mismanagement of the economy has created a crisis here at home for millions of Americans.

Mr. Speaker, I rise today to voice my strong support for a particular provision in the Supplemental Appropriations legislation, H.R. 2642.

Included in this bill is legislation that I introduced with Representative TIM MURPHY of Pennsylvania. The "Protecting the Medicaid Safety Net Act of 2008" is a simple, straightforward bill that would place a temporary moratorium on seven regulations recently issued by the Centers for Medicare and Medicaid Services (CMS).

The Committee on Energy and Commerce recently reported the bill with unanimous support. The House then passed it with an overwhelming bipartisan vote of 349 to 62.

These Medicaid regulations in question, if allowed to stay in place, would reduce or eliminate payments for services provided to vulnerable Americans and the institutions that serve them. They would affect children with disabilities, people with mental illness, those with multiple care needs, people attempting to transition from an institution to a community living environment, and people with disabilities who need services, such as rehabilitation services and case management in order to remain in their community. The regulations would also eliminate funding for school-based outreach and enrollment, and funding that helps safety net providers care for indigent and under-insured patients in our communities.

In my home State of Michigan, the rehabilitation rule would cut services for 15,000 children with special needs, eliminate services for another 29,000 developmentally disabled adults and children and eliminate access to critical community services and resources for 23,600 adults and 5,100 children who are in supported independent living arrangements or group homes.

The Administration's arguments for supporting these regulations simply do not hold water. These regulations go beyond any justifiable point to curb abuses in the system. Rather, they represent a misguided effort to shift costs to States and prohibit Federal support for legitimate expenditures on behalf of Medicaid beneficiaries.

More than 2,000 organizations representing beneficiaries, providers, schools, and States have written to lend their support to this initiative, from "A", such as the American Hospital Association and the American Academy of Pediatrics, to "Z," the Zion Lutheran Elementary School in Nebraska. The chorus of support has been overwhelming.

I would also like to take a moment to commend Chairman PALLONE and Ranking Members BARTON and DEAL who worked to prepare the bill for rapid action in Committee and the House floor.

I also wish to thank Chairman OBEY for including the Medicaid legislation in the supplemental appropriations bill.

Ms. ESHOO. Mr. Speaker, I rise in strong opposition to continued war funding for Iraq.

I voted against the war and have never wavered in my opposition to the Administration's misguided policies in Iraq.

It has been a long and painful 5 year journey for the people of our country since the Administration acted preemptively and unilaterally to invade and occupy Iraq.

Military leaders, the best minds in foreign and economic policy, and the vast majority of the American people have been resoundingly clear: The Administration's war-without-end policy is not a strategy for success.

As retired General William Odom, former Director of the National Security Agency under President Reagan and member of the National Security Council under President Carter stated, ''Getting out of Iraq is the pre-condition for creating new strategic options.''

I cannot support war funding without a clear exit strategy in sight. It is bad for our troops, our country, and our standing in the world.

Mr. Speaker, I rise in support of today's second amendment that includes a clear path out of Iraq, a plan that my constituents and the vast majority of Americans are demanding.

More than 5 years ago the President proclaimed ''Mission Accomplished'' in Iraq. Paradoxically, he insists on a permanent U.S. presence there. And what exactly has this Administration ''accomplished'' in Iraq?

More than 4,000 U.S. soldiers have been killed and almost 30,000 injured; tens of thousands Iraqi civilian deaths; an emboldened Iran and new threats from Al Qaeda in the region; $519 billion taxpayer dollars spent and a future expenditure of some $3 trillion; a hobbled Iraqi government unable to provide clean water, medical care, jobs for its people, or pass critical oil sharing legislation; a U.S. military on the verge of collapse and unable to press vigorously the critical fight in Afghanistan or respond to other crises in the world; and still no exit strategy.

With no end game in sight, the Administration and its supporters in Congress are complicit in a continuation of a failed policy which they insist on extending with a blank check policy to accompany it.

The President owes it to our brave men and women in Iraq and their families, he owes it to the American people, and he owes it to the citizens of Iraq not to leave this mess for the next President to finish.

This bill establishes a clear path out of Iraq. The language requires the Administration to begin redeployment 30 days after enactment and requires Secretary Gates to submit to Congress within 90 days a report detailing plans to reduce and redeploy troops from Iraq. It prohibits sending troops to Iraq that are not assessed as ''fully mission capable'' of performing their assigned mission, and outlaws the presence of a permanent U.S. base there. Additionally, this provision requires the Iraqi government to match every U.S. dollar spent for training and infrastructure construction and repair. Finally, it prohibits the intelligence community from subjecting detainees to interrogation techniques not authorized by the U.S. Army Field Manual. This will essentially abolish the use of water torture and begin to restore America's standing in the world community.

As a member of the Permanent Select Committee on Intelligence it is vital that we extend the ban on torture to the Intelligence agencies. The President has said he will veto any ban on torture, clearly demonstrating his desire to reserve for himself the right to subject detainees to these horrendous techniques. Congress has an obligation to make it clear that the American people do not believe in torture and will not allow it to continue.

This amendment sets a decisive course out of Iraq and begins to shift responsibilities to the Iraqi government. I urge my colleagues to heed the demands of the American people and support this strategy.

Mr. Speaker, I'm very pleased that the Appropriations Committee included two important provisions in today's third amendment. First, it includes critical funding for Iraqi Christians and second, it modernizes and improves the G.I. bill.

I'm pleased that the amendment contains $10 million for vulnerable Iraqi minorities, including Christians. The needs of Assyrians in Iraq could not be greater. A report produced by the Department of State on U.S. assistance to the Nineveh Plains in Iraq concluded that Christian minorities have experienced serious human rights abuses in the Nineveh Plains. The report also states that the region has absorbed a significant number of Christian internally displaced persons (IDPs) moving from the south, placing an economic burden in the area.

They are fleeing because they are being threatened and murdered in their home communities. Their priests are being executed, their churches burned, and their nuns threatened. In February of this year, Archbishop Paulos Rahho was abducted and murdered in Mosul.

While Assyrians only represented 5 percent of the total Iraqi population before the war, according to the United Nations today they comprise as much as 40 percent of the growing Iraqi refugees who have fled for their lives to Syria, Jordan, Lebanon, and Turkey.

These families desperately need security, housing, jobs, schools and the chance to live in a sustainable community where they can openly practice their faith. This funding is essential to their survival.

Also included in this amendment is a modernization of the G.I. bill. The G.I. bill has been heralded as one of the most successful government programs in the history of our Nation. It gave millions of G.I.s the chance to go to college, many of whom were the first to receive a college education in their families. But the G.I. bill is over 54 years old and has not kept up with rising tuition costs.

According to a recent Department of Veterans Affairs (V.A.) survey, 18 percent of the veterans recently back from tours of duty are unemployed. Of those employed since leaving the military, 25 percent earn less than $21,840 a year. The survey also demonstrated that only 48.4 percent of the respondents took advantage of the G.I. bill and concluded that receiving the benefits of the current G.I. bill was not a strong predictor of successful employment outcomes.

This survey clearly demonstrates the need for this new G.I. bill. The amendment provides veterans with a maximum educational benefit equal to the highest tuition rate of a public college or university in their State, as well as a monthly stipend for housing. It also establishes a new program in which private educational institutions would make financial contributions toward veterans' tuition, and the federal government would match those contributions.

When our veterans return from the battlefield, they should have every opportunity to enter the classroom and ultimately the civilian workforce. Our Nation needs these brave men and women to contribute to the growth and health of our economy and this new G.I. bill accomplishes this.

From development funding for Iraqi Christians to the creation of a new G.I. bill, this amendment addresses specific urgent needs for our Nation and world. The amendment is well crafted and I urge my colleagues to support its passage.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 1197, the previous question is ordered.

The question of adoption of the motion is divided among the three proposed House amendments to the Senate amendment.

The first portion of the divided question is, Will the House concur in the amendment of the Senate with House amendment No. 1 printed in House Report 110–636?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2419) ''An Act to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.''.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on concurring in the Senate amendment with amendment No. 1 will be followed by 5-minute votes on concurring in the Senate amendment with amendment No. 2, if ordered; concurring in the Senate amendment with amendment No. 3, if ordered; and the motion to suspend the rules with regard to H.R. 2894, if ordered.

The vote was taken by electronic device, and there were—yeas 141, nays 149, answered ''present'' 132, not voting 12, as follows:

[Roll No. 328]

YEAS—141

Altmire	Berkley	Bishop (GA)
Baird	Berman	Bishop (UT)
Barrow	Berry	Boren
Bean	Bilirakis	Boucher

Boyd (FL)
Boyda (KS)
Brown (SC)
Brown, Corrine
Buchanan
Burgess
Campbell (CA)
Capito
Carney
Castle
Cazayoux
Chandler
Clyburn
Coble
Cole (OK)
Cooper
Costa
Costello
Cramer
Cuellar
Davis (AL)
Davis (CA)
Davis, Lincoln
Dent
Dicks
Donnelly
Edwards
Ellsworth
Emanuel
Emerson
English (PA)
Etheridge
Fallin
Forbes
Fortenberry
Fossella
Foster
Frelinghuysen
Giffords
Gilchrest
Gonzalez
Gordon
Graves
Green, Gene
Hall (TX)
Hayes
Heller
Herseth Sandlin
Hill
Hinojosa
Holden
Hooley
Hoyer
Hunter
Jefferson
Johnson (IL)
Jones (NC)
Jordan
Kanjorski
Keller
Kind
King (NY)
LaHood
Lampson
Larsen (WA)
Latta
Levin
Lipinski
LoBiondo
Lucas
Mahoney (FL)
Marshall
Matheson
McHenry
McIntyre
Melancon
Miller (FL)
Miller (MI)
Mitchell
Mollohan
Moore (KS)
Murphy, Tim
Murtha
Musgrave
Ortiz
Pearce
Peterson (MN)
Petri
Platts
Pomeroy
Porter
Ramstad
Reichert
Renzi
Reyes
Rodriguez
Ross
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Schiff
Schmidt
Schwartz
Scott (GA)
Sensenbrenner
Sessions
Sestak
Shays
Sherman
Shuler
Skelton
Smith (WA)
Snyder
Space
Spratt
Stearns
Tanner
Taylor
Terry
Turner
Udall (CO)
Upton
Visclosky
Walberg
Walz (MN)
Whitfield (KY)
Wilson (OH)
Wittman (VA)

NAYS—149

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baldwin
Becerra
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Clarke
Clay
Cleaver
Cohen
Conyers
Courtney
Crowley
Cummings
Davis (IL)
DeFazio
Delahunt
DeLauro
Dingell
Doggett
Doyle
Duncan
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Green, Al
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Higgins
Hinchey
Hirono
Hodes
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kaptur
Kennedy
Kildee
Kilpatrick
Klein (FL)
Kucinich
Langevin
Larson (CT)
Lee
Lewis (GA)
Loebsack
Lofgren, Zoe
Lowey
Lynch
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNerney
McNulty
Meek (FL)
Meeks (NY)
Michaud
Miller (NC)
Miller, George
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Perlmutter
Price (NC)
Rahall
Rangel
Richardson
Rothman
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Scott (VA)
Serrano
Shea-Porter
Sires
Slaughter
Solis
Speier
Stark
Stupak
Sutton
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (NM)
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Woolsey
Wu
Wynn
Yarmuth

ANSWERED ''PRESENT''—132

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Blackburn
Blunt
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Broun (GA)
Brown-Waite, Ginny
Burton (IN)
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Carter
Chabot
Conaway
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Ehlers
Everett
Feeney
Ferguson
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hastings (WA)
Hensarling
Herger
Hobson
Hoekstra
Inglis (SC)
Issa
Johnson, Sam
King (IA)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Linder
Lungren, Daniel E.
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHugh
McKeon
McMorris Rodgers
Mica
Miller, Gary
Moran (KS)
Neugebauer
Nunes
Pence
Peterson (PA)
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Saxton
Scalise
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Sullivan
Tancredo
Thornberry
Tiahrt
Tiberi
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Bono Mack
Crenshaw
DeGette
Gallegly
Gerlach
Gillibrand
Hulshof
Lewis (KY)
Mack
Myrick
Rush
Sali

□ 1530

Ms. WATSON, Messrs. MILLER of North Carolina, CARSON of Indiana, AL GREEN of Texas, and BECERRA changed their vote from ''yea'' to ''nay.''

Messrs. JORDAN of Ohio, BILIRAKIS, Mrs. SCHMIDT, and Mrs. MUSGRAVE changed their vote from ''present'' to ''yea.''

Ms. GRANGER, Messrs. DOOLITTLE, WALSH of New York, EVERETT, and SAM JOHNSON of Texas changed their vote from ''yea'' to ''present.''

Messrs. ISSA, LINDER, WELLER of Illinois and Mrs. CUBIN changed their vote from ''nay'' to ''present.''

So the first portion of the divided question was not adopted.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SALI. Mr. Speaker, on rollcall No. 328, had I been present, I would have voted ''yea.''

PERSONAL EXPLANATION

Mr. GALLEGLY. Mr. Speaker, on rollcall No. 328, I was in the well waving my ''present'' card. The Speaker clearly saw me and did not recognize me. Had I been recognized, I would have voted ''present.''

The SPEAKER pro tempore. The Chair will now put the question on the second portion of the divided question.

The question is, Will the House concur in the amendment of the Senate with House amendment No. 2 printed in House Report 110–636?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LEWIS of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 196, not voting 11, as follows:

[Roll No. 329]

YEAS—227

Abercrombie
Ackerman
Altmire
Andrews
Arcuri
Baca
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castle
Castor
Cazayoux
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Duncan
Edwards
Ellison
Ellsworth
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Filner
Foster
Frank (MA)
Giffords
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Langevin
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Richardson
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—196

Aderholt
Akin
Alexander
Allen
Bachmann
Bachus
Baird
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Carney
Carter
Chabot
Cole (OK)
Conaway
Costa
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Ehlers
Emerson
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Lampson
Latham
LaTourette
Latta
Lewis (CA)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Snyder
Souder
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield (KY)
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Bono Mack
Campbell (CA)
Crenshaw
DeGette
Gerlach
Gillibrand
Hulshof
Lewis (KY)
Mack
Myrick
Rush

□ 1537

So the second portion of the divided question was adopted.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Chair will now put the question on the third portion of the divided question.

The question is, Will the House concur in the amendment of the Senate with House amendment No. 3 printed in House Report 110–636?

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. LEWIS of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 256, nays 166, not voting 12, as follows:

[Roll No. 330]

YEAS—256

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Buyer
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Cazayoux
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Farr
Fattah
Filner
Fortenberry
Fossella
Foster
Frank (MA)
Giffords
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
LaHood
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
Petri
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Renzi
Reyes
Richardson
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Speier
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Tsongas
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield (KY)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NAYS—166

Aderholt
Akin
Alexander
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bean
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Boren
Boustany
Brady (TX)
Broun (GA)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Calvert
Camp (MI)
Cannon
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Ellsworth
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastings (WA)
Heller
Hensarling
Herger
Hobson
Hoekstra
Hunter
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Kuhl (NY)
Lamborn
Lampson
Latham
Latta
Lewis (CA)
Linder
Lucas
Lungren, Daniel E.
Mahoney (FL)
Manzullo
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
McMorris Rodgers
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Saxton
Scalise
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Wilson (NM)
Wilson (SC)
Wittman (VA)
Wolf
Young (FL)

NOT VOTING—12

Bono Mack
Campbell (CA)
Crenshaw
DeGette
Gerlach
Gillibrand
Hulshof
Lewis (KY)
Mack
Maloney (NY)
Myrick
Rush

□ 1545

So the third portion of the divided question was adopted.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mrs. MALONEY of New York. Mr. Speaker, I would have voted ''aye'' on rollcall 330. I was in a meeting and detained.

CONGRATULATING THE HONORABLE KRISTEN GILLIBRAND ON THE BIRTH OF HER CHILD

(Ms. HARMAN asked and was given permission to address the House for 1 minute.)

Ms. HARMAN. Mr. Speaker, I know that everyone is rushing to catch a plane, but I thought we could all welcome a little bit of good news; and that is, that one of our colleagues, KRISTEN GILLIBRAND, gave birth in the middle of the night to her second son. Mama is doing fine. The son is 7 pounds, 14

ounces; 20 inches long. I think she is the first Member of this House to leave an Armed Services markup to go into labor and deliver a child.

I send her good wishes from all of us.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

STAR-SPANGLED BANNER AND WAR OF 1812 BICENTENNIAL COMMEMORATIVE COIN ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 2894, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. GUTIERREZ) that the House suspend the rules and pass the bill, H.R. 2894, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SECURITY ASSISTANCE AND ARMS EXPORT CONTROL REFORM ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 5916, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the bill, H.R. 5916, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NORTH KOREAN HUMAN RIGHTS REAUTHORIZATION ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 5834, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. BERMAN) that the House suspend the rules and pass the bill, H.R. 5834, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute.)

Mr. HOYER. Ladies and gentlemen of the House, it's my understanding we voice-voted the last vote while we were all talking, and therefore, there are no more votes for the day, and we are finished for the week. Have a good weekend.

There will be no votes on Monday, but there is business on Monday. If you have a suspension bill in which you are interested, you need to be here to participate. We have agreed that there would be no votes on Monday, but there will be probably 30 suspension bills considered on Monday. Whatever votes are asked for, we will roll until Tuesday. We will be meeting Tuesday at 10 o'clock.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 891 AND H. RES. 1131

Mr. CONAWAY. Mr. Speaker, I ask unanimous consent that I be removed as a cosponsor of both H.R. 891 and H. Res. 1131.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

HOUR OF MEETING ON TOMORROW

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 a.m. tomorrow, and further, that when the House adjourns on that day, it adjourn to meet at 10:30 a.m. on Monday, May 19, for morning-hour debate.

The SPEAKER pro tempore (Mr. CARNEY). Is there objection to the request of the gentlewoman from Texas?

There was no objection.

ISRAEL'S 60th ANNIVERSARY

(Mr. PERLMUTTER asked and was given permission to address the House for 1 minute.)

Mr. PERLMUTTER. Mr. Speaker, I rise today to celebrate Israel on its 60th anniversary. While Israel is frequently cited as a model of democracy in the Middle East, I would like to focus on Israel's advances in embryonic stem cell research.

The United States is still trying to fully harness the potential of this valuable research. We aim to cure debilitating diseases like Parkinson's, diabetes, epilepsy, spinal injuries, and others. But for years at facilities like Hebrew University, Tel Aviv University, the Weizmann Institute, and many others, Israeli scientists have blazed a path for the rest of the world to follow.

For 60 years, Americans and Israelis have built a friendship embracing all that we share, and as the United States works to unlock the promise of embryonic stem cell research, we find yet another reason our friend Israel is so special.

HONORING DALE JARRETT

(Mr. MCHENRY asked and was given permission to address the House for 1 minute.)

Mr. MCHENRY. Mr. Speaker, I rise today to honor NASCAR legend Dale Jarrett. This weekend marks the last race of NASCAR legend Dale Jarrett's long career. May 17 at the All-Star race at Lowe's Motor Speedway will be his last time driving the UPS car.

Dale was born in Newton, North Carolina, my district, and got his start at the Hickory Motor Speedway, a track owned and operated by his father, another NASCAR legend, Ned Jarrett. Dale went on to compete in 668 races, winning 32 times with 260 top-tens and 16 poles. What a career. And in 1999, he was a Winston Cup champ.

One of NASCAR's greatest drivers is Dale Jarrett, and I'm proud to call him a constituent. My community is grateful for his service, honored by his presence, and again, grateful for his contribution in the charitable sector as well.

NASCAR will miss him, but we're still grateful to have him on TV. Here's to Dale Jarrett.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I missed the vote on the Altmire amendment to the Waters housing bill last week. Had I been present, I would have voted ''no.''

AMERICAN VOICES HAVE BEEN HEARD

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to announce to the American people that their voices have been heard.

Today, this House voted down the $180 billion war funding bill that the President requested. It is time now for Americans to be heard and for this Congress to move forward on the safe redeployment of our troops.

In addition, Mr. Speaker, I offered amendments to declare the authorization of 2002 expired. I hope we will address that question and to announce or to establish a national day of honor in celebration to bring our troops home.

With the utilization of the $180 billion, we can begin an economic stimulus package that would include the work that the Congressional Black Caucus and Majority WHIP CLYBURN and myself have been supporting, and that is to provide for $1 billion or $500 million for summer job programs.

This is an emergency. Our young people are finding the doors of opportunity

closed. Many of them support their families. They need money for books. We need a summer job program. With the defeat of this $180 billion spending program for the war, we can do better.

The war should end. We've defeated the spending.

□ 1600

WE NEED TO FIND SOLUTIONS TO OUR GROWING ENERGY NEEDS

(Mr. BARRETT of South Carolina asked and was given permission to address the House for 1 minute.)

Mr. BARRETT of South Carolina. Mr. Speaker, in the past few months, there's been a lot of talk about high gasoline prices and talk about commonsense plans to lower these skyrocketing costs.

Individuals and businesses across the Nation are suffering, Mr. Speaker, and there's too much talk. Congress must take steps now to address our Nation's energy needs. So today I'm proud to announce I'm an original cosponsor of H.R. 6001, the Main Street U.S.A. Energy Security Act of 2008.

This legislation is an action plan and our first step to energy independence. It will boost our national security by increasing domestic exploration, encouraging research in the area of alternative energy sources, and promoting clean nuclear energy.

Mr. Speaker, for decades the United States has not had a comprehensive energy policy. Now with gasoline prices eating up Americans' paychecks, we need to find solutions to our growing energy needs. We have the resources and technology available to make energy independence a reality.

So no more talk, Mr. Speaker. It's time to act and act today.

SUPPORT THE FREEDOM OF SPEECH IN EGYPT

(Mr. KIRK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KIRK. Mr. Speaker, our government should fight for the release of a key prisoner of conscience, the first person in the Arab world convicted for what he peaceably wrote on his blog. This case has attracted strong international attention and the personal interest of the President.

Last year, Egypt saw the deterioration of human rights and especially with regard to freedom of expression. Most troubling is the conviction and imprisonment of a young human rights activist and blogger, Abdel Kareem Nabil Soliman. Mr. Soliman, known for his Internet pen name Kareem Amer, was convicted for statements made on his personal Web log condemning Islamic extremism and the poor treatment of women and minorities.

He was sentenced to 4 years in prison, and while we recognize what he said may have offended some, his conviction sets a dangerous precedent on the Internet.

On Saturday, the President will meet with President Mubarak. I urge Members to sign the letter to the President urging him to raise the case of Kareem Amer and to free this man, the first man in the Arab world convicted simply for what he said on his Internet Web log.

HONORING THE LIFE OF THOMAS BOGGS

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, last Thursday I was absent from this Chamber. Had I been here, I would have voted for Mr. FRANK's bill and Ms. WATERS' bill which dealt with the foreclosure crisis and the neighborhoods that have been affected thereby.

It was a difficult decision for me not to be here for I haven't missed a day in my 2 years that I've been in the Congress, but a very dear friend of mine, Thomas Boggs, passed away, and I was asked to be a pallbearer at his funeral, which I was honored to do.

Thomas Boggs was one of the finest people that I've had the pleasure of knowing, nearly 35 years. He was a leading citizen in Memphis, Tennessee, giving much to the community and charitable works to people, regardless of income, status or race. No matter where they came from, Thomas reached out to try to be good to them.

He was very helpful with the Memphis Food Bank, with the Memphis Zoo, with raising money for the church health center that gives health care to people in need.

And his death was met with a lot of notice, notice that's not normally reserved for an individual: above-the-fold first page of the Memphis Commercial Appeal, a lead editorial, and a cartoon.

He was a wonderful human being. He has a great family. He was a good father, and he had many great friends. Even though we're Congresspeople, we need to remember we're citizens and humans and remember our friends on their last day.

DEMOCRATIC WIZARD BEHIND THE CURTAIN WAS REVEALED TODAY

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, the Democratic wizard behind the curtain was revealed today.

Pulling open the curtain, they brought forward their proposal as to dealing with our troops. After being kept out of consideration of that which was being brought to the floor, Republicans decided to leave the Democrats to their own devices.

Left to their own devices, what do we have? No money for our troops, a cut-and-run policy, and extraneous funding being put on the bill. That's the Democratic approach to our war and fighting those who would kill us in places overseas. No funds for the troops, a cut-and-run policy, and extraneous funding placed on it.

The wizard has been seen.

COMMUNICATION FROM STAFF MEMBER, THE HONORABLE ELIJAH E. CUMMINGS, MEMBER OF CONGRESS

The SPEAKER pro tempore (Mr. PERLMUTTER) laid before the House the following communication from Katie Malone, Office of the Honorable ELIJAH E. CUMMINGS, Member of Congress:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 9, 2008.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a criminal trial subpoena for testimony issued by the District Court of Maryland for Baltimore County.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

KATIE MALONE.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

(Mr. ALLEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

WINTER SOLDIER

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, earlier today the Congressional Progressive Caucus held an event called ''Winter Soldier'' where we honored our men and women in uniform who have returned as veterans. And then this afternoon, we were given another bite at the so-called apple, as if we were continuing the honor of these winter soldiers.

What happened this afternoon, what happened less than an hour ago was an amendment on the House floor to fund the Iraq-Afghanistan war until June of 2009 failed. It did not pass. It failed. Now, that is the way to honor winter soldiers: stop paying for the President's debacle, for the failed international policy, for the damages that

are being caused to our soldiers across the waters. That is the way to make up and honor winter soldiers.

So what is a Winter Soldier? In 1991, a courageous group of veterans of the Vietnam War took their cause to Washington in an event called ''Winter Soldier.'' Today, we honored that tradition, and we looked at a new generation of veterans and a new warfront, Iraq.

The event, which was organized with the Iraq Veterans Against the War, got to the heart of the issue: how this endless occupation is affecting our men and women in uniform and the Iraqi people themselves.

In recent months, we have heard from General David Petraeus, we have heard from Ambassador David Crocker, and we've heard a lot from the administration, all armed with PowerPoint presentations and colorful posters attempting to convince us that after 5 years we are finally making progress in Iraq.

That's what made this morning so unique. This was an opportunity to hear not from the military's top brass but directly from the very soldiers who put their lives on the line to carry out the administration's policies.

Today's event was a continuation of Winter Soldier hearings that were organized earlier this year at the National Labor College in Silver Spring, Maryland. Over 3 days, dozens of veterans shared their personal stories and testified about their own experiences on the ground in combat in Iraq and Afghanistan.

These weren't pundits or analysts talking about the wars in Iraq and Afghanistan in the abstract. These were the stories, these were the testimonies of the men and women who had experienced the horrors of war up close and personal.

As I listened to the testimony this morning, I was struck that while each witness brought a unique and very personal perspective towards the occupation of Iraq, there was one consistent thread that connected each and every testimony: that despite the valor and sacrifice of our troops, and at almost every level, the administration's strategy in Iraq has failed and continues to fail.

What a great response to these wonderful soldiers because today's vote says exactly what we need to say: put an end to this war, reject a blank check to extend this occupation into another year, concentrate on funding the redeployment of our troops and the redeployment of our contractors.

We owe nothing less than that to those brave men and women in uniform and those who have been there before them, and we also owe nothing less than that to the Iraqi people.

ENERGY POLICY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. MCHENRY) is recognized for 5 minutes.

Mr. MCHENRY. Mr. Speaker, this evening I'm here to address the House and take a moment to talk about something that's on my constituents' minds and my mind and that's energy policy. We have a real need for a strong energy policy in America. Actually, to go further, we have a need for an energy policy in America, and we've not seen leadership out of Washington on this issue. Period.

In 2005, we had an energy act that was passed out of this Chamber, enacted into law that helped get the refining process working. Actually, more pointedly, it helped move forward nuclear power and new plants with nuclear power production, and there were other small changes for the refining process and the licensing and things of that sort, but that wasn't enough. We've not done enough.

Earlier this week, this House passed by a wide margin thankfully, a bipartisan majority that I was happy to vote in favor of, that would suspend the addition of more oil in the Strategic Petroleum Reserve. Now this, according to most economists and folks that look at oil and energy production, according to them, it would reduce gas prices just a little bit. Well, the reason why it would reduce it just a little bit is because it would take less demand off the marketplace, thereby keeping the same supply that we have but reducing demand, and as such, as most people know with economics, when that happens prices fall.

I think we have to go one step further, and that one step further is increasing capacity. That means we have to have American energy production. That means off the deep waters of our coasts we need to find oil and natural gas. In remote areas of Alaska, we need to harness the oil that is there. Whether it's oil shale in the Rocky Mountain West or energy production and drilling in the Dakotas, I think these are the things that we have to be about, and Congress must put forward a bold initiative to do that.

□ 1615

And that's the legislation that I have cosponsored here in this Chamber, to increase capacity and production.

But beyond that, I think most Americans know that simply getting more American oil is not enough. Getting more American natural gas is not enough. Increasing refineries here in the United States is not enough. It's a start, but long term we have to have a massive investment, a 21st century Manhattan Project that harnesses our power and ingenuity here in the United States to end our reliance on foreign oil, and go one step further than that, end our reliance on oil. That should be a national priority.

Kennedy demanded that we put a man on the Moon before the end of the 1960s, and we did it. In a dire time, with the greatest war the world has ever known, we developed the Manhattan Project to produce a devastating weapon that would hopefully end all wars. That didn't happen in terms of ending the war, but we did produce nuclear power and a nuclear weapon in a few short years.

We must have that same priority here in the United States and demand energy independence from the rest of the world by embracing our alternatives that we have here domestically, embracing our ingenuity, and going that final step to true energy independence. That's what we should be about.

This should not be a partisan issue. We should have a bipartisan majority that says, yes, we will do these things, and we will do these things in a short period of time because that's what the American people deserve.

My constituents are hurting. They have to drive automobiles. We don't have mass transit in my district of any substantive form, really. So my constituents are hurting. And it's a question about being able to take your kids to the beach this summer. But beyond that, many families are struggling just to buy food, keep shelter. I think we have to be very sensitive to the demands of our constituents and realize that they're hurting. And energy and gas prices are the central reason why they're hurting.

We have to get serious about this, put politics aside, and do what's right for our American people. It's the right thing for our American people. It's the right thing for our economy. It's the right thing for our future in the United States.

I look forward to us working together in a bipartisan way for true energy independence.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ISRAEL'S 60TH ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. SARBANES) is recognized for 5 minutes.

Mr. SARBANES. Mr. Speaker, I rise today in recognition of Israel's 60th anniversary.

My first visit to Israel was in 1985. It was during the time of the Ethiopian airlift, before the first Intifada, before the second Intifada, and a decade before the tragic assassination of Prime Minister Rabin.

I can remember feeling deeply moved by the powerful mix of history, culture and religion, the sheer humanity that pulsated through the tiny nation of Israel and those charged with its stewardship. I realized, too, that America's stake in the existence and preservation of Israel was nearly as fundamental as the stake of Israel's own citizens, not

just because of Israel's role as a strategic military ally in what is a notoriously unstable part of the world, although that alone would justify the maintenance of strong aid and assistance to Israel, not just because of Israel's status as the only true democracy in the Middle East, although that, too, would call upon the United States to give its unwavering support. Beyond those things, for many Americans there is a deeper, usually unspoken reason that the United States must never depart from its staunch support for the State of Israel. In the wake of World War II and its tragic legacy for the Jewish people, the existence of Israel will always be a profound moral and spiritual imperative for the United States.

On a return trip just 2 years ago, I had the opportunity to witness the growth and change that has occurred in Israel since my first visit a generation earlier. From the technology being developed in the ''Silicon Wadi'' to the advances in health care and preservation of the ecosystem, Israel is a model for other industrialized nations.

Mr. Speaker, in the last 60 years, Israel has demonstrated time and time again its value to the world, not just in geopolitical terms, but in what its people have given us in ingenuity, innovation and expression. This anniversary offers us an occasion to thank the people of Israel for their strength, their courage, and their enormous contributions to our global community.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

(Mr. JONES of North Carolina addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

OUTLAW BIRTHRIGHT CITIZENSHIP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Colorado (Mr. TANCREDO) is recognized for 5 minutes.

Mr. TANCREDO. Mr. Speaker, CBS News recently ran an expose on the growing phenomenon of illegal aliens entering the United States in order to give birth to a child. The segment shed some light on what has become an increasingly costly burden to the United States taxpayer.

An estimated 300,000 children of illegal aliens are born in this country every year, largely because of a misguided policy of so-called ''birthright citizenship.'' This peculiar policy confers U.S. citizenship on any child born here regardless of what country their parents are from or whether those parents are here in the United States legally. We are one of few—in fact, we may be the only country now that still provides for this particular kind of citizenship.

And it's based on a very strange sort of interpretation of the 14th amendment, one part of the 14th amendment in particular. We all recognize of course that when the 14th amendment was written there was no such thing as illegal immigration. Certainly, there could have been no reference to it in the amendment itself. And what we need to do, frankly, is to pass legislation in this House and in the Senate, and the President needs to sign it, outlawing this practice and this habit, really, that we have gotten into, which is more than anything else a phenomenon of custom more than it is of actual law or analysis of the legal system or the Constitution of the United States. We should pass legislation to outlaw it and let it be tested at the Supreme Court. It results not just in the benefit for a child who is born as a U.S. citizen, it also makes it easier for the parent of that anchor baby or the illegal alien to become a U.S. citizen through that child.

The story on CBS focused on one woman who had crossed over the Rio Grande with her husband and two other children to give birth in the United States. She gave birth to a healthy 8½ pound baby on American soil after American doctors performed a C-section, a procedure that carries a price tag of nearly $5,000, a bill that was sent to the American taxpayer.

Joe Riley, the CEO of the McAllen Texas Medical Center near the Texas-Mexico border, said this sort of thing is quite typical. He told CBS news that he had seen ''mothers about to give birth that walk up to the hospital still wet from swimming across the river in actual labor, dirty, wet, cold, here to have a child in the United States.''

Mr. Riley's hospital alone is forced to provide uncompensated care worth more than $200 million each to cover the cost of nearly the 3,000 illegal alien births that take place there annually. Even more startling, that equates to about 50 percent of all the births in that hospital, meaning doctors are delivering almost as many children for illegal aliens as they are for American mothers. In California alone, by the way, the cost for illegal alien health care, not just for the births of illegal alien children, but the cost of health care for illegal aliens is over $1 billion a year; one State, over $1 billion a year.

With statistics like that, Mr. Speaker, it should come as no surprise that many American hospitals are on the verge of collapse—some, in fact, have gone that way—and that billions of taxpayer dollars are being squandered on illegal aliens that are taking advantage of the health care program.

It's time we yank back the illegal alien welcome mat, eliminate perverse incentives for illegal immigration like birth right citizenship and taxpayer services for illegal aliens.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. ELLISON) is recognized for 5 minutes.

(Mr. ELLISON addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TIME FOR AN OIL CHANGE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, tomorrow, Friday, President Bush will visit Saudi Arabia to meet with King Abdullah and other key Saudi leaders. According to the White House, the President's visit will commemorate the 75th anniversary of the formal establishment of U.S.-Saudi relations.

Of course the underlying reason for the trip to Riyadh is to beg the Saudis to produce more oil. Faced with $4 a gallon gasoline—it was $3.99 this week in Ohio, and already exceeding over $4 in many parts of our country—a prospect which the President recently questioned would even happen, now the President is reduced to begging the Saudis, who literally have us over a barrel.

Record-high gasoline prices are hurting American families, American truckers and American businesses. The average price of gasoline has more than doubled since this President was placed in office. Fuel costs now account for 10 percent of the average family's budget. It is especially hard for people who have to drive to work, such as people in rural areas. It's hard for farmers and truckers who have seen diesel prices spiral way out of control.

And still we have no real leadership on a new energy policy from this White House, no policy for making our great Nation less dependent on undemocratic theocracies such as Saudi Arabia, and no policy to move away from the carbon-based economy and ease the pressure on our fragile planet. Under George W. Bush, America has gone backwards.

Last year, the United States imported 1.45 million barrels of crude oil from Saudi Arabia every single day of the year. Can you imagine that? 530 million barrels in 1 year. In fact, since this President has taken office, we, as a country, are importing a billion more barrels a year, a billion more barrels a year. Less independent, more dependent.

It just so happens America is the world's number one importer of crude and Saudi Arabia is the world's number one exporter. Fourteen percent of our Nation's oil addiction is supplied just by dealers in Saudi Arabia. That doesn't count Kuwait and all the surrounding countries, like Bahrain, et cetera.

Last year, we imported $237 billion worth of crude oil, one-third of a trillion dollars. That's when the average price per barrel was $64. This year, that number will probably top $300 billion, and rising.

For the first 3 months of this year, our crude oil imports totaled $76 billion, which is 63 percent above where it was a year ago. How much longer can this continue? I think the American people know how to answer that question: No more. They're saying no more.

This week, we will see another episode of this pitiful drama of the vice-grip relationship between Saudi Arabia and the United States. The House of Bush, represented by our President, will beg the House of Saud, represented by King Abdullah, to increase production as a short-term fix for America's growing energy deficit.

We ought to be bringing those dollars back here at home and have the same kind of commitment as we did when we landed a man on the Moon. We can do this as a country, we just need better leadership.

At every step, this Democratic Congress has tried to make a difference. In the Price Gouging Prevention Act, the Renewable Energy Act, the Strategic Petroleum Reserve Suspension Act, the Consumer Protection Act, and of course H.R. 6, to try to help launch energy independence for this country. But yesterday, our House passed a farm bill with a billion dollar title to bring in bioenergy as an important part of the solution for the future.

As this lame duck Presidency fades, hopefully the next President of the United States will negotiate in earnest and help America develop an agenda for our own independence, not continued subservience to human rights violators and undemocratic nations like Saudi Arabia.

This country is long overdue for a change, and it's definitely due for an oil change.

SUNSET MEMORIAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

Mr. FRANCIS of Arizona. Mr. Speaker I stand once again before this House with yet another Sunset Memorial.

It is May 15, 2008, in the land of the free and the home of the brave, and before the sun set today in America, almost 4,000 more defenseless unborn children were killed by abortion on demand. That's just today, Mr. Speaker. That's more than the number of innocent lives lost on September 11 in this country, only it happens every day.

It has now been exactly 12,897 days since the tragedy called Roe v. Wade was first handed down. Since then, the very foundation of this Nation has been stained by the blood of almost 50 million of its own children. Some of them, Mr. Speaker, died and screamed as they did so, but because it was amniotic fluid passing over the vocal cords instead of air, no one could hear them.

And all of them had at least four things in common. First, they were each just little babies who had done nothing wrong to anyone, and each one of them died a nameless and lonely death. And each one of their mothers, whether she realizes it or not, will never be quite the same. And all the gifts that these children might have brought to humanity are now lost forever. Yet even in the glare of such tragedy, this generation still clings to a blind, invincible ignorance while history repeats itself and our own silent genocide mercilessly annihilates the most helpless of all victims, those yet unborn.

Mr. Speaker, perhaps it's time for those of us in this Chamber to remind ourselves of why we are really all here. Thomas Jefferson said, "The care of human life and its happiness and not its destruction is the chief and only object of good government." The phrase in the 14th Amendment capsulizes our entire Constitution, it says, "No State shall deprive any person of life, liberty or property without due process of law." Mr. Speaker, protecting the lives of our innocent citizens and their constitutional rights is why we are all here.

The bedrock foundation of this Republic is the clarion declaration of the self-evident truth that all human beings are created equal and endowed by their Creator with the unalienable rights of life, liberty and the pursuit of happiness. Every conflict and battle our Nation has ever faced can be traced to our commitment to this core, self-evident truth.

It has made us the beacon of hope for the entire world. Mr. Speaker, it is who we are.

And yet today another day has passed, and we in this body have failed again to honor that foundational commitment. We have failed our sworn oath and our God-given responsibility as we broke faith with nearly 4,000 more innocent American babies who died today without the protection we should have given them.

Mr. Speaker, let me conclude in the hope that perhaps someone new who heard this Sunset Memorial tonight will finally embrace the truth that abortion really does kill little babies; that it hurts mothers in ways that we can never express; and that 12,897 days spent killing nearly 50 million unborn children in America is enough; and that the America that rejected human slavery and marched into Europe to arrest the Nazi Holocaust is still courageous and compassionate enough to find a better way for mothers and their unborn babies than abortion on demand.

So tonight, Mr. Speaker, may we each remind ourselves that our own days in this sunshine of life are also numbered and that all too soon each one of us will walk from these Chambers for the very last time.

And if it should be that this Congress is allowed to convene on yet another day to come, may that be the day when we finally hear the cries of innocent unborn children. May that be the day when we find the humanity, the courage, and the will to embrace together our human and our constitutional duty to protect these, the least of our tiny, little American brothers and sisters from this murderous scourge upon our Nation called abortion on demand.

It is May 15, 2008, 12,897 days since Roe versus Wade first stained the foundation of this Nation with the blood of its own children, this in the land of the free and the home of the brave.

□ 1630

A CLEAN SUPPLEMENTAL TO FUND OUR TROOPS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

Mr. GOHMERT. Mr. Speaker, this afternoon an extraordinary thing did happen when we had a vote on a supplemental with all kinds of strings attached to it to fund our troops in harm's way.

The Democrats have the majority. They have the ability to pass that funding without a bit of help from the Republicans.

Many of us on the Republican side of the aisle were quite concerned, however, with the strings, with the linkages that were made to this bill to help our troops do their job. One, for example, was that in the second amendment, which we knew would pass, provisions there existed to create hard and fast deadlines for pulling our troops out of Iraq.

We all want to see our troops home. We all want to see our troops back with us. And those of us who go over to Iraq and see them in harm's way, we long for the time of having them home completely. But the vast majority of those guys in record numbers re-enlist because they know they're doing good. They know they are making a difference. And when you go over there, you see it. I was in Kurdistan in December, in the northern area of Iraq. Construction booming, things going well.

We have made a difference with the surge. It is a profound difference. We have al Qaeda on the run. They're making last-ditch efforts to try to stop what's going on. We have the Iraqi people that are there working for themselves, more soldiers, more police trained than ever. There are really good things going on. And were we to pass a supplemental that was linked to that second amendment with the time deadlines, the message would be a message of hope for all those who hate us and want to destroy us. And that is: "If you will just hold on a little bit longer, we will have the Americans put their heads between their legs and go cowering away, as they did from Vietnam." We could have won Vietnam; we can succeed in Iraq.

The great state of Iraq is so close to governing itself. Just like John Adams wrote to Abigail, what people have only dreamed of, governing themselves is so close, within our reach. We can't give it up now. It's so close. Iraq is there. We cannot hand our enemies and the Iraqi enemies, the enemies of liberty, this kind of win.

So we voted "present." If the Democrats had had enough votes, then they would have passed the supplemental by itself and it would have been linked to the second amendment that would have required the time deadlines for withdrawal and would have given hope. As it was, we couldn't vote against our troops, many of us, but we voted "present."

The first amendment that we took up this afternoon failed; so now we have got to come back with a clean supplemental to help our troops. And the

crud in there about the $52 billion tax hike at a time when the economy certainly can't afford that, let's get the linkage out to admitting and saying we are defeated, we can't win, giving our enemies a victory, get all of that stuff out of there. No more linkages like that. No more tax hikes. Just a clean supplemental to give our troops the wherewithal to do what they need to succeed. That's the message we needed coming out of today. And that's why so many of us voted as we did. We voted for victory for our troops.

And I will never forget the words of Travis Buford's mother. Travis was killed over in Iraq. And as I stood near his coffin with his mother, it was an emotional time, and I said, ''Is there anything I can do?''

She gritted her teeth and she said, ''Tell the Congress to shut up and let the military do their job.''

That's what we need to do. Let the military have the wherewithal to succeed, as they can, without the linkages to failure so that we can keep our head held high and, what's more, perhaps go 7 more years without being attacked here.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

(Mr. MCDERMOTT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FIVE REASONS WHY THE AIR FORCE'S DECISION TO AWARD AIRBUS A CONTRACT DOES NOT ADD UP

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. INSLEE) is recognized for 5 minutes.

Mr. INSLEE. Mr. Speaker, before I start, I want to express my honor for the gentleman from Colorado in the chair today, who did extraordinary work in leading the Congress to green building standards and the introduction of a bill today, and I appreciate his leadership on this. Thank you for leading on this issue.

I come to the floor today to address my concerns about this misbegotten decision by the U.S. Air Force to ignore great work by Americans with a consortium building the Boeing 767 aerial refueling tanker, in fact, sending American tax dollars and American jobs out to Europe. And I want to express the five reasons why this decision does not add up.

There is a particular odor about this decision. It needs to be revisited one way or another. We need to have an American tanker built by American workers to be fair to American service personnel and taxpayers both, and I want to go through the five reasons why this decision does not add up.

Reason number one: There is no sense on this green Earth why the American Government has sued the Airbus Corporation, asserting that they have violated international trade laws because they received illegal billion dollar subsidies, and at the same time another agency of the Federal Government, the Air Force, turns around and gives that same corporation that our own government has declared is acting illegally contrary to international and American law—turns around and gives them a $40 billion contract. It is most unfortunate that at least one person in the other Chamber specifically said that we can't take into consideration these subsidies. It is absolutely ludicrous for the American Government to sue this company in one court, saying they violated law, and then turn around and give them $40 billion. That's exactly what has happened here. It makes no sense. This does not add up.

Reason number two: Boeing has been building these tankers successfully, hundreds of tankers, without difficulty. And instead of going with a proven, tried and true American contractor, the Air Force has decided to accept the risk of a company that's never made an aerial tanker, building it in a way that it has never been built, in factories that do not exist, in multiple countries with a supply chain that has never been proven. We cannot and should not tolerate that risk of this risky decision.

Reason number three that this does not add up: It does not add up because all estimates have concluded that the Boeing 767 is 24 percent more fuel efficient overall, looking at all the emission statements, 24 percent more fuel efficient. Well, for anyone who has gone to the pump recently, let me suggest that it doesn't make sense to be buying a product that is a gas guzzler when we know that fuel prices are going only in one direction. A study performed by the Conklin & de Decker analyst company concluded that by going with Boeing instead of this Airbus monstrosity, we would save the American taxpayers $30 billion in fuel costs. At the same time when we're trying to wring efficiencies to deal with global warming and reduce fuel costs, this decision is buying the gas guzzler rather than the fuel-efficient aircraft. This does not add up.

Reason number four: The Air Force basically decided bigger is better. Bigger is not always better. They said they told Boeing and Airbus that they wanted a medium-size plane. Boeing provided them a medium-size plane. In the middle of this process, they decided they wanted a bigger airplane. Bigger is not always better, and I will tell you why. It's going to cost the American taxpayers over $2 billion to remodel all of these hangars all across America to try to fit this large airplane in. This is real money from real taxpayers that was not considered in the lifecycle costs. It does not add up.

And the fifth reason is lifecycle costs. The Air Force, what they did was they looked at original acquisition costs and downplayed the lifecycle costs associated with fuel costs, maintenance costs, hangar remodeling, and all the other things associated with these airplanes. When you make an acquisition for the American taxpayers, you need to look at the entire lifecycle costs, not just the upfront acquisition costs. It does not add up.

So here are five reasons that this Congress ought to get up on our hind legs and blow the whistle on this misbegotten decision. It doesn't add up. We need to change this decision.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

MARRIAGE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. BROUN) is recognized for 5 minutes.

Mr. BROUN of Georgia. Mr. Speaker, earlier today the California Supreme Court threw aside the voice and the express will of millions of California voters by overturning California's State law that banned same-sex marriage.

Effectively this ruling allows same-sex couples in our Nation's most populous State the right to marry and affords them all the privileges that go along with this sacred union. And I say that rulings like this are one of the reasons why the institution of marriage is crumbling before our very eyes. And I, for one, am very sad to see this happen.

The main issue is whether the status of marriage will be determined by judges or by the American people. I'm extremely concerned about how activists use the courts to legislate on something that has been settled in American law for more than 200 years. Furthermore, the people of California made it abundantly clear back in 2000 that they reject same-sex marriage.

Then comes along four judges who apparently believe that they're wiser than over 4½ million voters in their State. Proposition 22 got over 61 percent of the vote; yet it was dismissed by four lone dictators.

I condemn this ruling in the strongest possible way. I condemn it because the court is legislating from the bench. I condemn it because it is a reprehensible action that is not consistent with history or with common sense.

This lunacy is precisely the reason why a Federal constitutional amendment is needed to protect traditional marriage. This decision will undoubtedly become the platform for spreading this unfounded ruling across the Nation.

On the Federal stage, there's a constitutional remedy for Federal judges

that are involved in this type of activist behavior and legislating from the bench. Every single Federal judge takes an oath to uphold the Constitution. When they fail to do so and let their own whims and ideological positions interfere with applying the Constitution, not interpreting but applying, these judges have failed to fulfill their term of good behavior, and they should be fired by impeachment.

Likewise Californians that are outraged, like I am, should be up in arms and should take action to initiate a referendum to pass a State constitutional amendment to enforce their will and overturn these judges' despicable opinions, and these judges deserve to be censured or sent home for bad behavior.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. HOLT) is recognized for 5 minutes.

(Mr. HOLT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

SUBSIDIARITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from California (Mr. DANIEL E. LUNGREN) is recognized for 60 minutes as the designee of the minority leader.

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, today I rise to speak about the role of government in our collective political lives and of the relationship between such government and civil society.

It has been 219 years since this new constitutional republic formally entered the international stage. In 2008 I am privileged to stand in this historic Chamber of the United States House of Representatives in the second session of the 110th Congress. We should, representative and citizen alike, take great pride in our collective perseverance. Our longevity and survival as the numerically and geographically largest and most prosperous republican form of government in recorded human history is a testimony to the strength of this polity.

An important part of that proud history has been our commitment to seriously debating the contours of any entity which we constitute to exercise power over the source and content of self-government: that is, ''We the People.'' In other words, we must continue to ask ourselves, what is the proper scope and role of governmental powers in and around our lives?

□ 1645

My colleagues, ''subsidiarity'' is a word not often used on this floor. Yet, is a word and concept which is foundational to much of what we do as representatives, the system of government under which we operate and the presuppositions upon which much policy is debated in this Chamber as well as in that other body.

Subsidiarity. It has been defined as the belief that ''a community of a higher order should not interfere with the life of a community of a lower order, thereby taking over its function.'' Subsidiarity ''holds that nothing should be done by a larger and more complex organization which can be done as well by a smaller and simpler organization. In other words, any activity which can be performed by a more decentralized entity should be. This principle is a bulwark of limited government and personal freedom.''

Other intellectual and philosophic traditions have spoken of sphere sovereignty, principle pluralism and federalism. But behind all of these complex-sounding terms is a simple fact, understandable by each of us, that there should be a proportional relation between the proximity of an individual and the amount of power of any governmental entity, be it local, county, State or Federal, may possess in relation to them.

In other words, that government which is closest to us is usually the best government for which we should give function. Let me give the analogy of a human body. If we would say the body politic is like a human body, we would say that a healthier body politic is one which, like the human body, is infused with activity, or energy. In other words, if you had a human body, and you had oxygenated blood that only went to 90 percent of it, that 10 percent might very well die and be considered unhealthy.

If you would have 100 percent of the oxygenated blood go to the brain, the rest of the body could not function, and the body would therefore die. Similarly, with the body politic, if all the power and if all the energy is visited here in Washington, D.C., the rest of the body politic tends to wither. It loses its energy. It loses its enthusiasm. And ultimately, it withers and dies.

Thus, as citizens, we do not, or should not, think it wise nor reasonable to immediately ask the Federal Government, the unit of government that is most distant from our lives, to solve each and every problem which our family, our neighborhood, our town, our city, our county, our State, or our region can address. Or, as academics may describe it, subsidiarity provides appropriate discernment for responses to respective needs in particular ways.

Foundational to the proper functioning of subsidiarity is a commitment to constitutionalism and the rule of law. In 1852, that great ex-slave, writer, abolitionist and statesman, Frederick Douglass, called the Constitution ''a glorious liberty document.'' Because of the principles contained within it, and the antecedent rights which it protects, we cannot quarrel with Douglass' description. His description is apt because the Constitution enshrined a system of government, based upon a moral foundation, which thereby allows the people to rule through majorities, and nonetheless simultaneously protects fundamental minority rights.

Now, while we ourselves have not always lived up to it, subsidiarity requires, and the Constitution affirms, that no citizens, based upon arbitrary and amorphous demarcations like skin color, are permitted to be excluded from ''the governed'' from which consent is required.

Thus, intrinsic to a proper understanding of and commitment to subsidiarity, the rule of law embedded within the Constitution requires a reasonable moral foundation upon which to anchor our commitment to law and the system of governments which we implicitly or explicitly support. As Robert P. George has written, ''Where reason has no sway in practical affairs, the sole question is who has the power.''

Severance from a moral foundation would leave our belief in and carrying out of the rule of law without a means by which to be secure. Law itself becomes power. Arbitrary will becomes the corrupted lodestar of societal comprise and the entire depth of justice, which now becomes a completely vacuous term. To use an analogy from Roy Clouser in his book, ''The Myth of Religious Neutrality,'' ''even the most violently anarchistic organization would quickly fall apart if it became devoid of all observance of norms of fairness or trust among its own members.'' And while although often unnoticed and unspoken in the day-to-day happenings of politics and life, the rule of law, constitutionalism and subsidiarity are vital guide-rails of our collective republican lives.

As Professor Robert George has said, ''The obligations and purposes of law and government are to protect public health, safety and morals, and to advance the general welfare, including preeminently, protecting people's fundamental rights and basic liberties.

''At first blush, this classic formulation, or combination of classic formulations, seems to grant vast and sweeping powers to public authority. Yet, in truth, the general welfare, the common good, requires that government be limited. Government's responsibility is

primary when the questions involving defending the Nation from attack and subversion, protecting people from physical assaults and various other forms of depredation, and maintaining public order. In other words, however, its role is subsidiarity: To support the work of the families, religious communities, and other institutions of civil society that shoulder the primary burden of forming upright and decent citizens, caring for those in need, encouraging people to meet their responsibilities to one another while also discouraging them from harming themselves or others.''

Subsidiarity, then, is formed upon a commitment to the rule of law so that in our various spheres of societal life, anarchy and normlessness do not start to behave as is they have defined the rules of engagement in the fields of activity once and for all.

The commitment to the rule of law makes plain why an appropriate understanding of the limited judicial function is so important in democratic self-government. As Judge Andrew Kleinfeld of the 9th Circuit has written, ''that a question is important does not imply that it is constitutional. The Founding Fathers did not establish the United States as a democratic republic so that elected officials would decide trivia, while all great questions would be decided by the judiciary. That an issue is important does not mean that the people, through their democratically elected representatives, do not have the power to decide it. One might suppose that the general rule in a democratic republic would be the opposite, with a few exceptions.''

Thus, when I hear that my friends on the other side of the aisle asked the Supreme Court Justice nominees whether they, in the course of their tenure, are going to ''expand freedom'' or constrict freedom, and when I hear current declamations that nominees need to understand it is their duty, their job, their purpose, as judges, to ''stand up for economic and social justice,'' I am incredulous as to what these words and terms mean. Freedom for whom? Freedom to do what? To whom? Whose interpretation of economic justice should be ''stood up?'' Whose interpretation of social justice? How do these ends relate to the role of a judge, which is to rule on specific cases, not engage in abstract, roving, philosophic speculations?

The rule of law, our constitutional framework, and an appreciation for the complexity of society, which genuine subsidiarity inherently takes for granted, demand better.

While what I've outlined provides the legal framework and structural timber for the division of power and cultivation of society, we the citizens are nevertheless the most important factors in such a commitment to subsidiarity. Subsidiarity requires a commitment by the citizens of the republic to comport themselves with self-restraint, with virtue and with respect for one's fellow citizens.

As the father of our Constitution, James Madison, exclaimed, ''to suppose that any form of government will secure liberty and happiness without virtue in the people is a chimerical idea. We do not depend on or put confidence in our rulers, but in the people who are to choose them.''

M. Stanton Evans points out that ''the reasoning of the Founders in this area was identical to that provided for Edmund Burke contemporaneously in England. Self-government required observance of the moral law, respect for rights of others, restraint upon the passions. Virtue was thus a necessary precondition to a regime of freedom, and a Nation that lost its religious moorings was considered ripe for tyranny. Conversely, since religious belief and ethical conduct were matters of volition, the Founders also believed that liberty was integral to ideas of virtue.''

Thus, in order for subsidiarity to remain viable, we, as citizens, must work to cultivate the proper virtues within ourselves as well as strive to be meaningful in the lives of those around us, usually starting with our families, our friends, our community, neighbors and our fellow employees.

On the other hand, society would not endure were each citizen to take upon himself or herself the maximum amount of criminal activity possible. Rampant and widespread destruction would lead to nihilistic physical and cultural chaos. Greater resources would then be needed to attempt to contain and mitigate such behavior. The people's health, safety and likelihood of perpetuating society by bringing future generations into life would become severely constricted and diminished.

George Will in his masterful work ''Statecraft As Soulcraft'' explained, it is obvious that ''the restraining strength of individual habits and social conventions must be inversely proportional to the strength of restraints enforced by law.''

In addition to these individual consequences, the collective consequence of our view of government as one people would be tarnished. As Will again tells us, ''regardless of democratic forms, when people are taught by philosophy and the social climate that they need not govern their actions by calculations of public good, they will come to blame all social shortcomings on the agency of collective considerations, the government, and will absolve themselves.''

Now in stark contrast, subsidiarity not only respects the various institutions and complexities laden throughout collective society, it also allows time for proper and respective maturation to take place. As George Will writes in regard on the bloodshed of mid-18th century America, ''what the Nation learned in Lincoln's lifetime was that the social cohesion which proceeds from shared adherence to a public philosophy and shared emulation of exemplary behavior and values is not the result of spontaneous combustion. It takes work. But by whom? And with what? Such work is done with laws and other institutions. It is a citizenry working on itself, on its self, collectively; on its selves, individually. It is applied political philosophy.''

It is important to re-emphasize here that subsidiarity offers no congratulatory pat-on-the-back for its citizens. As genuine humility and an honest appraisal of humanity attest, we are all here works in progress. Aristotle observed that man ''is the best of all animals when perfected, so he is the worst of all when sundered from law and justice because man is born possessing weapons for the use of wisdom and virtue, which it is possible to employ entirely for the opposite sends ends.''

The dry wit of that great English parliamentarian and political philosopher Edmund Burke is instructive when he notes that ''the effect of liberty to individuals is, that they may do what they please; we ought to see what it will please them to do, before we risk congratulations.

As Madison and Lincoln, two of our most prescient American statesmen might explain, because men are not angels, government is necessary, yet we must constantly appeal to the better angels of our nature, for failure to do so would result in the crushing of our intrinsic nature and the invaluable and incomparable dignity of our fellow man.

My friends, subsidiarity is an important, and some would say indispensable, philosophy not only for the reasons I already cited, but also because of the flexibility it allows the leaders, the statesmen, of such a multifaceted republic. Such statesmen do understand the nature of law. We know that law is much more than a mere necessary evil or a clever contrivance or potent payback mechanism for partisan gains. No. Law is nurturing. Law is conforming. Law is inculcating.

As J. Budziszewski has written, ''we know at least that the law cannot be neutral. Everything a government does it founded on some understanding of what is good. Moreover, no law that has effect at all can fail to have effect on character.''

Furthermore, true statesmen and women and leaders are discerning, wise and prudent. Again, George Will has observed that statesmen who are unaware of the ideas that shape the institutions currently in their custody, and uninterested in the ideas that shape the expectations and tolerances of the citizenry, are statesmen governed by forces they cannot comprehend.

□ 1700

Such statesmen are apt to think they have more range for effective action than they actually have, and they are apt to have less than they would were they more aware of the connections between the life of the mind and the life of society.

Twenty-seven years ago, Senator Daniel Patrick Moynihan wrote that he had served in the cabinet or subcabinet of four presidents. He said, ''I do not believe I have ever heard at a cabinet meeting a serious discussion of political ideas, one concern with how men, rather than markets, behave. These are the necessary first questions of government. The Constitution of the United States is an immensely intricate judgment as to how man will behave given the circumstances of the time in which it was written. It is not at all clear that it is working well, given the circumstances of the present age, but this is never discussed.''

A commitment to subsidiarity requires much greater responsibility from our leaders, our policymakers and our representatives. My goal today is not to spell out precise policy prescriptions for every foreign and domestic issue before us. After all, that is most of what we do here. These are, without a doubt, important, but they do not comprise the whole of human endeavors nor the scope of activity within our policy. We must never lose sight of the importance of culture in our deliberations.

One example of where we can strengthen the bonds of social capital in communities, while also working within reasonable budget considerations, is the partnering of private and charitable entities within the faith-based initiative. Now, some pouncing on the first word, as if it represented a perverse combination of a belief in unicorns with a draconianism of State-mandated medieval indulgences have ridiculed this endeavor as a corruptly—oh—divine, power grab given patronage and power to theocratic institutions in our society, but nothing is further from the truth.

The faith-based initiative is merely an endeavor to treat faith-based charitable entities that provide social services as equal partners, partners on equal footing with nonfaith-based charitable entities in our society. You know, if a person is starving, does the source from where the food that quenches his hunger matter? If a person is without clothes, does it matter where the clothes come from that cover their nakedness? I don't think so. In reality the faith-based initiative is about eliciting greater public and private support for the smaller and often faith-based organizations which play a vital role in meeting human needs everywhere in our country.

A true appreciation for subsidiarity may encourage parishioners so situated to kindly and gently admonish and encourage our various theological traditions and establishments to meet the humanitarian and simple life needs of their fellow men and women. Perhaps larger and more elaborate parking lots, gymnasiums, multimedia screens are not of immediate concern to the poor, the homeless, those without clothing, the hungry, the starving or the repentant prisoner about to enter society. The principle of subsidiarity helps such intermediate organizations and individuals make such determinations and meet such needs.

Economically, subsidiarity encourages us to reaffirm the time-tested virtue of the legitimate exchange of goods and service known as free-market capitalism, as well as the virtues of the industrious employee and diligent citizen. Subsidiarity requires us to not immediately seek a Federal solution to every local, county or State problem. It teaches us to be ever cognizant of the fact that the laws of economics. The laws of supply and demand cannot be suspended.

Subsidiary reminds us life is not easy, and affluence is not as abundant as the air we breathe, that each of us, as many of our forefathers and ancestors did, must sacrifice, strive, delay gratifying our immediate wants and desires, and develop our skills and attributes, which most enable us to provide an honorable service or good to the rest of society in return for appropriate compensation.

Over the years, many have written about the creative destruction and the cultural contradictions of capitalism. They have observed that capitalism, besides causing societal anxiety and consternation by its capacity for ever-changing technology and innovation may also spawn the radical individualism and consumerism which undercuts the moral, ethical and altruistic branches upon which it sits, but it need not be so.

We, the people, have the capacity to deny or control these destructive tendencies. Properly considered, subsidiarity teaches us to probe for ways to provide the time and capital needed for creative inventions and products to germinate. It teaches us to strive to provide for the needs of our own respective and concentric circles of responsibility while adjusting to ever-changing demand and supply chains.

These lessons are especially apt today as ideas and energy have replaced capital and labor is the central pillars of economic thought and comparative advantage. If our children and grandchildren are to compete successfully in this new world, we must aggressively seek innovative ways to attract investors and manufacturers.

Yet, rather than harnessing the great potential, it seems that some believe that businesses, markets and profits are, by nature, evils unto themselves. Recently we had a candidate for the President of the United States threaten to take profits from private industry. Now, I would suggest this is a dangerous bit of rhetoric.

To the contrary, it has become an almost universal judgment that on the level of individual nations' international relations, the free market is the most efficient instrument for utilizing sources and effectively responding to needs. We all recognize, says Father Richard John Neuhaus has written, that the State has an important ancillary role in providing a framework of law and order in which people can attend to the business that is properly theirs, but note the word ''ancillary,'' not ''primary.'' It is thus an affront to human dignity to repress the human capacity to create, to invent and to be enterprising.

As society and technology change, as they always have, it is up to each of us to help one another transition through the inevitable historical changes that bring excitement, as well as much fear and adversity or anxiety. The principle of subsidiarity helps us to appreciate the fact that communities, towns, cities, counties, States, they are often at the forefront of developing the changes needed to build sustainable and healthy communities in a constantly changing world.

The concept of subsidiarity ultimately rests upon thing strength of individuals and families, and, in that regard, helps to remind us to protect the units of society which are at its most basic building blocks and bonds. Mere biology attests to the fact that the human race is perpetuated by the holistic union of men and women. Therefore, societies have recognized the indispensable role that families have played in the health of society. Marriage must be strengthened for other levels of society, the schools, the neighborhoods, the communities to flourish.

Although this concept has been drowned in the hot caldron of partisan political soup, and it's timely today because of the decision of the Supreme Court in my home State, I believe that Robert George has properly addressed the issue in these words. ''If we are to restore and secure the institution of marriage, we must recover a sound understanding of what marriage is and why it is in the public interest for law and policy to take cognizance of it and support it. Marriage is a prepolitical form of association, what might be called a natural institution. It is not created by law. The law recognizes and regulates it in every culture. Nowhere is it treated as a purely private matter. Some toy with the idea that marriage could be privatized, and others wonder whether it might be the best solution to the controversy over same-sex marriage.''

There is a reason that all cultures treat marriage as a matter of public concern, and even recognize it in law and regulate it. The family is the fundamental unit of society. Governments rely on families to produce something that governments need, but on their own they could not possibly produce, upright decent people who make honest law-abiding public spirited citizens. Marriage is the indispensable foundation of the family.

Although all marriages and all cultures have their imperfections, children flourish in an environment where they benefit from the love and care of both mother and father and from the

committed and exclusive love of their parents for each other. Anyone who believes in limited government should strongly back government support for the family.

Does this sound paradoxical?

In the absence of a strong marriage culture, families fail to form, and when they do form, they are often unstable. Absentee fathers become a serious problem, out-of-wedlock births are common and a train of social pathologies follow. With families failing to perform their health, education and welfare functions, the demand for government grows, whether in the form of greater policing, or as a provider of other social services. Bureaucracies must be created and they inexorably expand. Indeed, they become powerful lobbyists for their own preservation and expansion.

Everyone suffers with the poorest and most vulnerable suffering the most. That's why I have advocated a constitutional amendment on the Federal level to enshrine the historic complimentarian definition of marriage.

All citizens must be afforded their civil rights and equal treatment under the law. There should be and are avenues whereby privileges, including visitation, inheritance and other rights can be extended to any individuals seeking to live together either through familiar necessity or bonds of friendship. However, these extensions should never be based on or related to sexual behavior, for to do so would thereby change our definition of what marriage is, simultaneously turning the children of parents in this society as a means to other ends, as well as leaving a marriage without terms of definition in terms of numerics or norms.

Let us debate this important issue and present this important issue to the citizens of the republic as subsidiarity would require, rather than having unelected judges, as they also did in 1973 and as those judges in the California Supreme Court did today, transform the norms and laws of this country through judicial fiat.

An issue like subsidiarity cannot and should not be shoved into partisan columns. It is one of the philosophic foundations for a collective commitment, a commitment much more important in partisan identity or loyalty to the commonly known term, federalism.

To abide by this commitment we must first acknowledge there are no easy solutions to our individual and collective ills, false shortcomings and hardship. We must understand the concept of equal, natural antecedent rights and their intrinsic corresponding duties, as well as the indispensable belief and equal treatment before the law. We must understand that a republic in which citizens no longer look to build relationships between men and women meet the needs of friend and stranger and protect the child and orphan is a republic whose future is worth pondering.

We must understand that limited government does not mean inactive government, does not mean simply passive reactive government, does not even, given certain circumstances, have to mean small government. Lest we forget World War II, spending on our justly used military was exponentially higher than other times of nonwartime spending.

We must understand that limited government means a commitment to constitutionalism and the rule of law, not the rule of men. We must understand that a communitarianism that ascertains its supposed community and communal aspects from what is dictated and forced through Federal bonds and the greater dependence we have on the Federal Treasury, is no authentic communitarianism at all.

We must understand that each of us lose the sense of confiscation which occurs daily in our Tax Code when costs are disbursed, when a few cents here and a few dollars there are ignored, and, thus, all eyes turn to our Nation's Capital as if it were some giant piggy bank or money tree continuously sprouting new currency bills, dropping seeds of instantly created capital and supplying jobs, as if such things were not the exchanges of goods and services we make of citizens but, no, easily dispensed commodities which exist in some filled-to-the-brim barrel labeled ''jobs'' in the center of Capitol or the White House.

We must understand that it cannot be more efficient to send all of our tax dollars to Washington D.C., only to turn around and have them sent right back through a maze of confusion and delay to meet the need that could have been met earlier and within closer and, thus, more efficient proximity.

We must understand the republic in which we policymakers demonstrate our purported passion for constituents by promising to meet all the needs of each of them, while the constituents demonstrate their compassion by bemoaning how much of their earned income they do not give to such policymakers, is a republic with a troubling future.

We must understand that a republic in which its citizens are merely content to receive regular disbursements of entitlements from their government and no longer strive to meet those same needs of their fellow citizens, is a republic in need of renewal.

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We must understand that a republic which insists on standing in the way of those who request the right to merely delay their own gratification by saving, for decades, through slow and meticulous discipline, their own earned income and assets in order to end the cycle of State-assisted dependency is a republic with an uncertain future. For policymakers to extol the virtues of the American people while denying them this chance to voluntarily delay their own gratification is the epitome of hypocrisy and double-standard.

We must understand that a republic in which those with greater wealth cease to seek ways to alleviate the basic needs of their fellow citizens less fortunate is a republic whose future is worth pondering.

We must understand that a republic in which local and State officials, as well as citizens and community groups, make their dutiful marches to the halls of Washington to request all-important funds from the miraculously self-generating Federal treasury as if it were the only such place such funds could be ascertained, is a republic whose future is truly worth pondering.

We must understand that there are some things the Federal Government can and should do. Providing for the public safety and protecting the homeland are vital for nation-states whose existence would be pointless were there boundaries and territorial integrity to be compromised and ignored.

We must understand that a republic in which the Federal entity confiscates more and more income from its citizens so that they can no longer freely give to their houses of worship, to their favored charitable organizations, to their family and friends in need, to the strangers and persons in close proximity to them who they can most rapidly assist, is a republic in need of renewal.

We must understand that when any meager attempt to limit or scale back a Federal budget now totaling $3 trillion and an administrative state which has proven virtually impossible to shrink is met with accusations of cruelty, disdain, and charges of callousness, we are on an unsustainable course.

We must understand that we are not atomistic individuals utterly without need of social capital. We are not ''unencumbered selves.'' As men and women, mothers and fathers, brothers and sisters, friends and acquaintances, we know that families and communities should receive priority over larger more removed entities. We know that the economic, political, and cultural aspects of society cannot be separated into distinct and separate spheres. They are intertwined. Proper economic activity presupposes certain cultural assumptions. Political activity can enshrine the necessary and proper economic fundamentals of a capitalistic system.

We must understand that local, State and Federal Governments are not omniscient repositories of unassailable wisdom all of the time. That's why the voluntary and intermediate associations of society are so important: the places of worship which also do so many acts of compassion, the charitable organizations, the community organizations, the ''little platoons of society'' daily helping, feeding, clothing, assisting, nurturing, training, developing, and shaping the individuals of this land.

Unfortunately, some view all ''government'' as oppression. Possibly necessary oppression, but oppression nonetheless. This too is mistaken. A commitment to subsidiarity provides a useful antidote to such fundamentally flawed, pessimistic and cynical thinking.

We as Representatives and we as citizens should live in a polity which is constantly probing, analyzing, imagining, how to conserve what is good about the past and present while making the future a better, more fulfilling place for those that come before us.

Mr. Speaker, the Preamble to our Constitution states: ''We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.''

Establish justice. Insure domestic tranquility. Provide for the common defense. Promote the general welfare. Secure the blessings of liberty. Today, the United States has 304 million people living in 50 States, over 3,000 counties, and thousands of other cities, towns, villages, and local entities. My own State of California alone is almost 156,000 square miles, possesses over 36 million people, and contains over 800,000 private nonfarm business establishments. Yet, we know that ''our country is not a thing of mere physical locality.'' It is so much more. How are we then to govern ourselves spread across this vast, spacious, and diverse republic? It would do no harm to renew our commitment and endeavor to further understand the dimensions of subsidiarity.

As Michael Sandel has reminded us in great detail, this self-governing Republic has constantly been asking itself what the good life, the good society, and the good citizen is, should be, and can be, since its founding—a time before automobiles, telephones, televisions or the Internet. Let us never lose this perspective. After all, commonsense and reason adamantly demonstrate that unlimited vice and unfindable virtue will lead to greater resources being needed, greater unsustainable commitments being made, and greater constrictions being placed on our individual liberty. The strengthening of, and a reappreciation for, subsidiarity will help us all avoid such a fate.

Mr. Speaker, you and others may have seen a great and inspiring movie which had the simple title ''Amazing Grace.'' William Wilberforce, who lived from 1759 to 1833 and was the great English abolitionist protagonist in that fine and very moving film, not only helped end the African slave trade in the British Empire, but he was also part of 69 various societal groups as part of his effort at a societal-wide ''reformation of manners and morals'' in England. It later became known as the Victorian Period, but he saw 13 and 14-year-old prostitutes on the streets of London, and most of society walking by and saying that is the way it has been, and that's the way it is going to be. He said it doesn't have to be that way, we can change it. When he did that, he engaged these nongovernmental entities in his effort to make those changes because he understood the principle of subsidiarity as it expressed itself through so many different organizations, and understood that if he was going to change the government, he had to change the culture. He had to change the people's hearts and minds, and that you just couldn't do it with government, you had to do it in fact with all of these organizations, from the families all of the way up to government.

So let us today, in a different century and in a different country, nonetheless think anew how to encourage all citizens to view ourselves as not just cogs in a Federal wheel but as vibrant members, as ''little platoons'' ourselves, of our respective spheres of life, wherever today may find us.

As Americans, Mr. Speaker, we have much of which to be proud. It was recently written that ''the United States is creating the first universal nation, made up of all colors, races, and creeds, living and working together in considerable harmony.'' Let us hope that is true. Let us always be committed to ''living and working together in considerable harmony.'' If we are concerned about liberty, justice, social or otherwise, and the common good, which all philosophies of human interaction and political life, no matter how libertarian or communitarian, presuppose, then we must commit ourselves to thinking with renewed vigor and energy, the presence and possibilities of subsidiarity.

It is not an easy task for we are Representatives at the Federal level, but I think if we exercised humility and a proper understanding of the organization of our society and the tremendous capacity of individuals to do good when properly directed, and properly self-directed, then we can rise to that challenge.

So, Mr. Speaker, I thank you for the time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CUMMINGS (at the request of Mr. HOYER) for today from 12 p.m. until 2 p.m.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Mr. ALLEN, for 5 minutes, today.
Ms. WOOLSEY, for 5 minutes, today.
Mr. ELLISON, for 5 minutes, today.
Mr. MCDERMOTT, for 5 minutes, today.
Mr. HOLT, for 5 minutes, today.
Mr. SCHIFF, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.
Mr. DEFAZIO, for 5 minutes, today.
Mr. SARBANES, for 5 minutes, today.

(The following Members (at the request of Mr. MCHENRY) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, May 22.
Mr. MCHENRY, for 5 minutes, today.
Mr. JONES of North Carolina, for 5 minutes, May 22.

(The following Members (at their own request) to revise and extend their remarks and include extraneous material:)

Mr. INSLEE, for 5 minutes, today.
Mr. TANCREDO, for 5 minutes, today.
Mr. GOHMERT, for 5 minutes, today.
Mr. BROUN of Georgia, for 5 minutes, today.

ENROLLED BILLS SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 6022. An act to suspend the acquisition of petroleum for the Strategic Petroleum Reserve, and for other purposes.

H.R. 6051. An act to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 16, 2008.

ADJOURNMENT

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, May 16, 2008, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6624. A letter from the President and CEO, Bay Area Counil Economic Institute, transmitting the Council's report entitled, ''Human Capital in the Bay Area: Why an Educated, Flexible Workforce is Vital to Our Economic Future''; to the Committee on Education and Labor.

6625. A letter from the Secretary, Department of Energy, transmitting a copy of proposed legislation to amend Section 145 of the Atomic Energy Act of 1954 (AEA) to ensure that in national security or public health and safety emergency situations the Department of Energy (DOE) has the authority to share Restricted Data with persons not in possession of a DOE ''Q'' or ''L'' security clearance; to the Committee on Energy and Commerce.

6626. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's Report to Congress on Postmarket Surveillance of Medical

Devices Used in Pediatric Populations, pursuant to Section 212 of the Medical Device User Fee and Modernization Act of 2002; to the Committee on Energy and Commerce.

6627. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, ''Ensuring Access to Health Insurance Coverage in the Large Group Market,'' in response to Section 2711(b) of the Public Health Service Act; to the Committee on Energy and Commerce.

6628. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Vehicle Identification Number Requirements [Docket No. NHTSA 2008-0022] (RIN: 2127-AJ99) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6629. A letter from the Chairman, Federal Trade Commission, transmitting a letter regarding the manipulation in wholesale crude oil, gasoline, or petroleum distillate markets; to the Committee on Energy and Commerce.

6630. A letter from the Chair, Firends of Cancer Research, transmitting the Annual Review entitled, ''Clearing the Way of Biomedical Innovation''; to the Committee on Energy and Commerce.

6631. A letter from the Secretary, Department of Education, transmitting in accordance with the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, the Department's Buy American Report for FY 2007; to the Committee on Oversight and Government Reform.

6632. A letter from the Senior Trial Attorney, Department of Transportation, transmitting the Department's final rule — Railroad Operating Rules: Program of Operational Tests and Inspections; Railroad Operating Practices; Handling Equipment, Switches and Fixed Derails [Docket No. FRA-2006-25267] (RIN: 2130-AB76) received February 20, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6633. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF34-8C1/-8C5/-8C5B1/ -8E5/- 8E5A1, and CF34-10E Series Turbofan Engines [Docket No. FAA-2007-29001; Directorate Identifier 2007-NE-36-AD; Amendment 39-15395; AD 2008-05-01] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6634. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Model F.28 Mark 0070 and 0100 Airplanes [Docket No. FAA-2007-0300; Directorate Identifier 2007-NM-191-AD; Amendment 39-15394; AD 2008-04-22] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6635. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 737-300, -400, and -500 Series Airplanes [Docket No. FAA-2007-0226; Directorate Identifier 2007-NM-187-AD; Amendment 39-15393; AD 2008-04-21] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6636. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes [Docket No. FAA-2007-0337; Directorate Identifier 2007-NM-111-AD; Amendment 39-15392; AD 2008-04-20] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6637. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR Model ATR42 and ATR72 Airplanes [Docket No. FAA-2007-29332; Directorate Identifier 2007-NM-172-AD; Amendment 39-15391; AD 2008-04-19] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6638. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; EMBRAER Model EMB-120, -120ER, -120FC, -120QC, and -120RT Airplanes [Docket No. FAA-2007-0075; Directorate Identifier 2007-NM-171-AD; Amendment 39-15390; AD 2008-04-18] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6639. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier Model DHC-8-102, DHC-8-103, DHC-8-106, DHC-8-201, DHC-8-202, DHC-8-301, DHC-8-311, and DHC-8-315 Airplanes, and Model DHC-8-400 Series Airplanes [Docket No. FAA-2007-0213; Directorate Identifier 2007-NM-233-AD; Amendment 39-15389; AD 2008-04-17] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6640. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Model BAe 146 and Model Avro 146-RJ Airplanes [Docket No. FAA-2007-29337; Directorate Identifier 2007-NM-150-AD; Amendment 39-15388; AD 2008-04-16] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6641. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives' Airbus Model A318, A319, A320, and A321 Series Airplanes [Docket No. FAA-2007-29249; Directorate Identifier 2007-NM-112-AD; Amendment 39-15294; AD 2007-25-12] (RIN: 2120-AA64) received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6642. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Williamsport, PA. [Docket No. FAA-2005-22491; Airspace Docket No. 05-AEA-019] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6643. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Honesdale, PA. [Docket No. FAA-2007-0153; Airspace Docket No. 07-AEA-12] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6644. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Wheatland, WY [Docket FAA No. FAA-2007-28649; Airspace Docket No. 07-ANM-10] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6645. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Lewisburg, PA [Docket No. FAA-2007-0276; Airspace Docket No. 07-AEA-16] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6646. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Emporium, PA. [Docket No. FAA-2007-0275; Airspace Docket No. 07-AEA-15] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6647. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Marienville, PA. [Docket No. FAA-2007-0162; Airspace Docket No. 07-AEA-13] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6648. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Lewiston, PA. [Docket No. FAA-2007-0274; Airspace Docket No. 07-AEA-14] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6649. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Lexington, OK [Docket No. FAA-2008-0003; Airspace Docket No. 08-ASW-1] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6650. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; La Pointe, WI [Docket No. FAA-2008-025; Airspace Docket No. 08-AGL-3] received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6651. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cameron Balloons Ltd. Models AX5-42 (S.1), AX5-42 BOLT, AX6-56 (S.1), AX6-56A, AX6-56Z, AX6-56 BOLT, AX7-65 (S.1), AX7-65Z, AX7-65 BOLT, AX7-77 (S.1), AX7-77A, AX7-77Z, AX7-77 BOLT, AX8-90 (S.1), AX8-90 (S.2), AX8-105 (S.1), AX8-105 (S.2), AX9-120 (S.1), AX9-120 (S.2), AX9-140 (S.2), AX10-160 (S.1), AX10-160 (S.2), AX10-180 (S.1), AX10-180 (S.2), AX210 (S.2), AX11-225 (S.2), and AX11-250 (S.2) Balloons [Docket No. FAA-2008-0195; Directorate Identifier 2008-CE-008-AD; Amendment 39-15387; AD 2008-04-15] (RIN: 2120-AA64) Received May 12, 2008, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6652. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification that the Department intends to use ''no year'' IMET funds for priority courses for Iraq, pursuant to Public Law 110-5; jointly to the Committees on Foreign Affairs and Appropriations.

6653. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting notification that the Department intends to use FY 2008 IMET funds for Serbia, pursuant to Public Law 110-161, section 620; jointly to the Committees on Foreign Affairs and Appropriations.

6654. A letter from the Inspector General, Special Inspector General for Iraq Reconstruction, transmitting the April 2008 Quarterly Report pursuant to Section 3001(i) of Title III of the 2004 Emergency Supplemental Appropriations for Defense and for the Reconstruction of Iraq and Afghanistan (Pub. L. 108-106) as amended by Pub. L. 108-375, Pub. L. 109-102, Pub. L. 109-364, Pub. L. 109-440, Pub. L. 110-28, and Pub. L. 110-181; jointly to the Committees on Foreign Affairs and Appropriations.

6655. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting certification to Congress regarding the Incidental Capture of Sea Turtles in Commercial Shrimping Operations,

pursuant to Public Law 101-162, section 609(b); jointly to the Committees on Natural Resources and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Pennsylvania: Committee on House Administration. H.R. 5803. A bill to direct the Election Assistance Commission to establish a program to make grants to participating States and units of local government which will administer the regularly scheduled general election for Federal office held in November 2008 for carrying out a program to make backup paper ballots available in the case of the failure of a voting system or voting equipment in the election or some other emergency situation, and for other purposes (Rept. 110–637). Referred to the committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 3819. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to reimburse veterans receiving emergency treatment in non-Department of Veterans Affairs facilities for such treatment until such veterans are transferred to Department facilities, and for other purposes (Rept. 116–638). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 5554. A bill to amend title 38, United States Code, to expand and improve health care services available to veterans from the Department of Veterans Affairs for substance use disorders, and for other purposes; with an amendment (Rept. 110–639). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 3889. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to conduct a longitudinal study of the vocational rehabilitation programs administered by the Secretary; with an amendment (Rept. 110–640). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 5664. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to update at least once every six years the plans and specifications for specially adapted housing furnished to veterans by the Secretary; with an amendment (Rept. 11–641). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 2790. A bill to amend title 38, United States Code, to establish the position of director of Physician Assistant Services within the office of the Under Secretary of Veterans Affairs for Health; with an amendment (Rept. 110–642). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 5826. A bill to increase, effective as of December 1, 2008, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans, and for other purposes (Rept. 110–643). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: committee on Veterans' Affairs. H.R. 3681. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to advertise in the national media to promote awareness of benefits under laws administered by the Secretary; with an amendment (Rept. 110–644). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 5729. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide comprehensive health care to children of Vietnam veterans born with Spina Bifida, and for other purposes; with an amendment (Rept. 110–645). Referred to the Committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 5571. A bill to extend for 5 years the program relating to waiver of the foreign country residence requirement with respect to international medical graduates (Rept. 110–646). Referred to the committee of the Whole House on the State of the Union.

Mr. CONYERS: Committee on the Judiciary. H.R. 3480. A bill to direct the United States Sentencing Commission to assure appropriate enhancements of those involved in receiving stolen property where that property consists of grave markers of veterans, and for other purposes; with an amendment (Rept. 110–647). Referred to the Committee of the Whole House on the State of the Union.

Mr. FILNER: Committee on Veterans' Affairs. H.R. 5856. A bill to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 2007, and for other purposes (Rept. 110–648). Referred to the Committee of the Whole House on the State of the Union.

Mr. RAHALL: Committee on Natural Resources. H.R. 4841. A bill to approve, ratify, and confirm the settlement agreement entered into to resolve claims by the Soboba Band of Luiseno Indians relating to alleged interferences with the water resources of the Tribe, to authorize and direct the Secretary of the Interior to execute and perform the Settlement Agreement and related waivers, and for other purposes; with an amendment (Rept. 110–649). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Oversight and Government Reform. H.R. 5687. A bill to amend the Federal advisory Committee Act to increase the transparency and accountability of Federal advisory committees, and for other purposes; with an amendment (Rept. 110–650). Referred to the Committee of the Whole House on the State of the Union.

Mr. WAXMAN: Committee on Oversight and Government Reform. H.R. 5787. A bill to amend title 40, United States Code, to enhance authorities with regard to real property that has yet to be reported excess, and for other purposes; with an amendment (Rept. 110–651). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Ms. WATERS (for herself, Mr. GUTIERREZ, Mr. WATT, and Mr. FRANK of Massachusetts):

H.R. 6062. A bill to amend the Fair Credit Reporting Act to prohibit the use of consumer reports and consumer information in making any determination involving personal lines of insurance with respect to a consumer, and for other purposes; to the Committee on Financial Services.

By Mr. UDALL of Colorado (for himself, Mr. GORDON, Mr. HALL of Texas, and Mr. FEENEY):

H.R. 6063. A bill to authorize the programs of the National Aeronautics and Space Administration, and for other purposes; to the Committee on Science and Technology.

By Mr. DOGGETT (for himself, Mr. BECERRA, Ms. CORRINE BROWN of Florida, Mr. CROWLEY, Mr. FILNER, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. HASTINGS of Florida, Mr. HINOJOSA, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mrs. JONES of Ohio, Mr. LARSON of Connecticut, Mr. LEWIS of Georgia, Mr. MCDERMOTT, Mr. MCNERNEY, Mr. MILLER of North Carolina, Mr. MORAN of Virginia, Mr. POMEROY, Mr. PRICE of North Carolina, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, Mr. STARK, Mr. THOMPSON of California, Mr. VAN HOLLEN, Ms. SCHWARTZ, Mr. STUPAK, Ms. CLARKE, Ms. TSONGAS, Mr. CARSON, Mr. JOHNSON of Georgia, and Mr. GONZALEZ):

H.R. 6064. A bill to encourage, enhance, and integrate Silver Alert plans throughout the United States; to the Committee on the Judiciary.

By Mr. KIRK (for himself, Mr. CARNEY, Mr. MARKEY, Mr. SESTAK, Ms. BORDALLO, Mr. GRIJALVA, Mr. LEWIS of Georgia, and Mr. MATHESON):

H.R. 6065. A bill to promote green schools; to the Committee on Ways and Means, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANK of Massachusetts (for himself, Ms. MOORE of Wisconsin, Mr. WATT, and Mr. HASTINGS of Florida):

H.R. 6066. A bill to require, for the benefit of shareholders, the disclosure of payments to foreign governments for the extraction of natural resources, to allow such shareholders more appropriately to determine associated risks; to the Committee on Financial Services.

By Mr. LAMPSON (for himself, Mr. EDWARDS, Mr. MARKEY, Mr. SHAYS, Mr. GENE GREEN of Texas, Mr. INGLIS of South Carolina, Mr. MOORE of Kansas, Mr. CRAMER, Mr. KIND, Mr. BARTLETT of Maryland, Mr. WELCH of Vermont, Mr. HILL, Ms. GIFFORDS, Mr. BOSWELL, Mr. BISHOP of Georgia, Mr. WILSON of Ohio, Mr. CHANDLER, Mr. HALL of New York, Mr. NADLER, Mr. INSLEE, Mr. KAGEN, and Mr. ISRAEL):

H.R. 6067. A bill to amend the Energy Policy and Conservation Act to help reduce the oil prices to consumers, to reduce the cost of petroleum acquisition for the Strategic Petroleum Reserve, to better match the composition of the Strategic Petroleum Reserve to refinery requirements in the United States, to fund energy research and development, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUTTERFIELD (for himself, Mr. YOUNG of Alaska, Mr. PAYNE, Ms. MATSUI, and Mr. JEFFERSON):

H.R. 6068. A bill to establish a grant program to assist States in inspecting hotel rooms for bed bugs; to the Committee on Energy and Commerce.

By Mr. CAMPBELL of California:

H.R. 6069. A bill to provide additional emergency and enhanced enforcement authority to the Securities and Exchange Commission; to the Committee on Financial Services.

By Mr. CARTER (for himself, Mr. BURGESS, Mr. CONAWAY, Mr. PEARCE, Mr. THORNBERRY, Mr. KUCINICH, Mr. WILSON of South Carolina, Mr. MCCOTTER, Mr. KING of New York, Mr. FERGUSON, Mr. MCHUGH, Mr. MCCRERY, Mr. MCCARTHY of California, Mr. DENT, Mr. REHBERG, Mr. BROWN of South Carolina, Mr. LATTA, Mr. BARRETT of South Carolina, Mr. TERRY, Mr. PUTNAM, Mr. GINGREY, Mr. COLE of Oklahoma, Mr. CULBERSON, Mr. BOUSTANY, Mr. MCDERMOTT, Mr. SIRES, Mr. HOLT, Mr. KENNEDY, Mr. CANTOR, Mr. DREIER, Mr. BOEHNER, Mr. BLUNT, Mr. RODRIGUEZ, Mr. BRADY of Texas, Mr. NEUGEBAUER, Mrs. BLACKBURN, Ms. GINNY BROWN-WAITE of Florida, Ms. GRANGER, Mr. SULLIVAN, Mr. EDWARDS, Mr. ROGERS of Michigan, Mr. MARSHALL, Mr. CUELLAR, Mr. POE, Mr. HINOJOSA, Mr. MILLER of Florida, Mrs. MUSGRAVE, Mr. DAVID DAVIS of Tennessee, Mr. GALLEGLY, Mr. HALL of Texas, Mr. ROSS, Mr. MICA, Mr. DEAL of Georgia, Mr. BROUN of Georgia, Mr. COBLE, Ms. FOXX, Mr. TURNER, Mr. HENSARLING, Mr. SMITH of Texas, Mr. SHUSTER, Mr. MCCAUL of Texas, Mr. KINGSTON, Mr. BOOZMAN, Mr. KLINE of Minnesota, Ms. ROS-LEHTINEN, Mr. RANGEL, Mr. LINCOLN DAVIS of Tennessee, and Mrs. MYRICK):

H.R. 6070. A bill to amend the Servicemembers Civil Relief Act to guarantee the residency of spouses of military personnel; to the Committee on Veterans' Affairs.

By Mr. FORBES (for himself and Mrs. BOYDA of Kansas):

H.R. 6071. A bill to amend the Public Health Service Act to require reinstatement upon payment of all premiums due of group or individual health insurance coverage terminated by reason of nonpayment of premiums; to the Committee on Energy and Commerce.

By Mr. FORBES:

H.R. 6072. A bill to establish a Commission to examine the long-term global challenges facing the United States and develop legislative and administrative proposals to improve interagency cooperation; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX:

H.R. 6073. A bill to provide that Federal employees receiving their pay by electronic funds transfer shall be given the option of receiving their pay stubs electronically; to the Committee on Oversight and Government Reform.

By Mr. KAGEN (for himself, Ms. HIRONO, Mr. HODES, Mr. JOHNSON of Georgia, Mr. ELLISON, Mr. CARSON, Mr. WILSON of Ohio, Mr. WALZ of Minnesota, Ms. SUTTON, Mr. WELCH of Vermont, Mr. BRALEY of Iowa, Mr. ARCURI, Mr. HALL of New York, and Mr. PATRICK MURPHY of Pennsylvania):

H.R. 6074. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal and for other purposes; to the Committee on the Judiciary.

By Mr. KENNEDY (for himself, Mr. ALLEN, Mr. KUHL of New York, Mr. MCGOVERN, Mr. MARKEY, Mr. BISHOP of New York, and Ms. MOORE of Wisconsin):

H.R. 6075. A bill to expand and improve mental health care and reintegration programs for members of the National Guard and Reserve, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MATSUI:

H.R. 6076. A bill to amend the Truth in Lending Act to permit deferrals on certain home mortgage foreclosures for a limited period to allow homeowners to take remedial action, to require home mortgage servicers to provide advance notice of any upcoming reset of the mortgage interest rate, and for other purposes; to the Committee on Financial Services.

By Ms. NORTON:

H.R. 6077. A bill to amend the Help America Vote Act of 2002 to permit local jurisdictions within a State to conduct early voting in elections for Federal office held in such jurisdictions, and for other purposes; to the Committee on House Administration.

By Mr. PERLMUTTER (for himself, Mr. HODES, Mr. FRANK of Massachusetts, Mr. MARKEY, Mrs. MCCARTHY of New York, Mr. KAGEN, Mr. BRALEY of Iowa, Mr. MURPHY of Connecticut, Mr. BLUMENAUER, Mr. WILSON of Ohio, Mr. ELLISON, Ms. SHEA-PORTER, Mr. WELCH of Vermont, Mr. CLEAVER, Mr. OLVER, Mr. EMANUEL, Mr. SALAZAR, Mr. SARBANES, Mr. INSLEE, Mr. UDALL of Colorado, Mr. ANDREWS, and Ms. TSONGAS):

H.R. 6078. A bill to encourage energy efficiency and conservation and development of renewable energy sources for housing, commercial structures, and other buildings, and to create sustainable communities; to the Committee on Financial Services.

By Mr. SCHIFF (for himself, Mr. KNOLLENBERG, Mr. PALLONE, and Mr. RADANOVICH):

H.R. 6079. A bill to direct the Secretary of State to submit a report outlining the steps taken and plans made by the United States to end Turkey's blockade of Armenia, and for other purposes; to the Committee on Foreign Affairs.

By Mr. WALBERG:

H.R. 6080. A bill to amend the Small Business Act to expand the ability of suburban areas to be HUBZones; to the Committee on Small Business.

By Mr. HOLT (for himself, Mr. ANDREWS, Mr. SAXTON, Mr. GARRETT of New Jersey, Mr. FERGUSON, Mr. ROTHMAN, Mr. FRELINGHUYSEN, Mr. SIRES, Mr. LOBIONDO, Mr. SMITH of New Jersey, Mr. PALLONE, Mr. PASCRELL, and Mr. PAYNE):

H. Con. Res. 351. Concurrent resolution honoring the 225th Anniversary of the Continental Congress meeting in Nassau Hall, Princeton, New Jersey, in 1783; to the Committee on Oversight and Government Reform.

By Mrs. MCCARTHY of New York (for herself, Mr. WALSH of New York, Mrs. CAPPS, and Mr. EHLERS):

H. Con. Res. 352. Concurrent resolution supporting the goals and ideals of National Better Hearing and Speech Month, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ISRAEL (for himself, Mr. KNOLLENBERG, Mr. LAMPSON, Mr. SCHIFF, Mr. WEINER, Mrs. GILLIBRAND, Mr. CROWLEY, Mr. ARCURI, Mr. BISHOP of New York, Mr. MOORE of Kansas, Mr. ROSS, Mr. ISSA, Mr. RADANOVICH, Mr. CANTOR, Mr. KIRK, Mr. TIBERI, Mr. NUNES, and Mr. MCNULTY):

H. Res. 1201. A resolution expressing the grave concern of the House of Representatives for Hezbollah, Syria, and Iran's continued actions to undermine the legitimate Lebanese Government of Prime Minister Fuad Siniora, and their systematic violation of United Nations Security Council Resolutions 1559, 1680, 1701, and 1747; to the Committee on Foreign Affairs.

By Mr. TOM DAVIS of Virginia (for himself, Mr. DICKS, Mr. TAYLOR, Mr. SMITH of Washington, Mrs. NAPOLITANO, Mr. SHAYS, Mrs. CAPPS, Mr. PLATTS, Mr. RAHALL, Mrs. CAPITO, and Mr. WILSON of South Carolina):

H. Res. 1202. A resolution supporting the goals and ideals of a National Guard Youth Challenge Day; to the Committee on Oversight and Government Reform.

By Mrs. CAPITO (for herself and Mr. ALLEN):

H. Res. 1203. A resolution expressing support for designation of the week beginning May 11, 2008, as ''National Nursing Home Week''; to the Committee on Energy and Commerce.

By Ms. CLARKE:

H. Res. 1204. A resolution recognizing the goals and ideals of Flag Day in the Republic of Haiti; to the Committee on Foreign Affairs.

By Mr. DELAHUNT (for himself, Mr. BERMAN, Mr. ACKERMAN, Mr. INGLIS of South Carolina, Ms. DELAURO, Mr. SHAYS, Mr. WOLF, and Mr. HASTINGS of Florida):

H. Res. 1205. A resolution noting that the Government of Iraq will likely enjoy $32 billion in surplus oil revenues in 2008 and requesting the Government of Iraq to dedicate $1 billion to address the needs of Iraqi refugees and internally displaced persons; to the Committee on Foreign Affairs.

By Mr. LATTA:

H. Res. 1206. A resolution expressing the sense of the House of Representatives that any comprehensive plan to reform our national energy policy must promote the expanded use of renewable and alternative energy sources; increase our domestic refining capacity; promote conservation and increased energy efficiency; expand research and development, including domestic exploration; and, enhance consumer education; to the Committee on Energy and Commerce, and in addition to the Committee on Science and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

280. The SPEAKER presented a memorial of the Senate of the State of Wisconsin, relative to Resolution No. 7 memorializing the Congress of the United States to enact the Employee Free Choice Act; to the Committee on Education and Labor.

281. Also, a memorial of the General Court of the Commonwealth of Massachusetts, relative to a Resolution memorializing the Congress of the United States to enact legislation to create an Office of the National Nurse; to the Committee on Energy and Commerce.

282. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 134 memorializing the Congress of

the United States and the United States Food and Drug Administration (FDA) to establish stricter standards for the drug approval process; to the Committee on Energy and Commerce.

283. Also, a memorial of the Senate of the State of Georgia, relative to a Resolution urging the Congress of the United States to withdraw the United States from the Security and Prosperity Partnership of North America and from any other bilateral or multilateral activity that seeks the economic merger of the United States with any other country; to the Committee on Foreign Affairs.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 154: Mr. LEWIS of Georgia, Ms. SCHAKOWSKY, Mr. ABERCROMBIE, Mr. TERRY, Mr. COHEN, Mr. NADLER, Ms. LEE, Mr. DEFAZIO, and Mr. SCOTT of Virginia.

H.R. 158: Mrs. CAPITO.

H.R. 303: Mr. MACK.

H.R. 471: Mr. PRICE of North Carolina.

H.R. 522: Ms. WOOLSEY.

H.R. 555: Mr. WU.

H.R. 631: Mr. MCCOTTER.

H.R. 643: Mr. STEARNS.

H.R. 769: Mr. HELLER.

H.R. 1078: Mrs. MCCARTHY of New York.

H.R. 1120: Mr. HUNTER.

H.R. 1134: Ms. ROS-LEHTINEN, Mr. DAVIS of Illinois, and Mr. LOEBSACK.

H.R. 1283: Mr. BILBRAY and Mr. MICHAUD.

H.R. 1286: Mr. SESTAK and Mr. WITTMAN of Virginia.

H.R. 1359: Mr. SENSENBRENNER.

H.R. 1363: Mr. CHANDLER.

H.R. 1439: Mr. RAMSTAD.

H.R. 1475: Ms. SPEIER.

H.R. 1584: Ms. GIFFORDS.

H.R. 1589: Mr. WITTMAN of Virginia.

H.R. 1610: Mr. WU and Mr. MOLLOHAN.

H.R. 1655: Mr. AL GREEN of Texas, Mr. WESTMORELAND, Mr. LARSEN of Washington, and Ms. LORETTA SANCHEZ of California.

H.R. 1738: Mr. KUHL of New York and Mr. HINCHEY.

H.R. 1783: Mr. BILIRAKIS.

H.R. 1792: Mr. WHITFIELD of Kentucky.

H.R. 1956: Mr. PATRICK MURPHY of Pennsylvania.

H.R. 2026: Mr. LOBIONDO.

H.R. 2060: Mr. LATHAM.

H.R. 2132: Ms. BERKLEY.

H.R. 2158: Mr. WITTMAN of Virginia.

H.R. 2188: Ms. PRYCE of Ohio and Mr. MCGOVERN.

H.R. 2231: Mr. PICKERING.

H.R. 2244: Mr. BOOZMAN.

H.R. 2268: Mr. GORDON, Mr. SALI, and Mr. ENGEL.

H.R. 2329: Mr. FILNER, Mr. MORAN of Kansas, and Ms. ZOE LOFGREN of California.

H.R. 2331: Mr. SPACE.

H.R. 2472: Mr. KING of New York, Mrs. MCCARTHY of New York, Mr KLEIN of Florida, and Mr. YOUNG of Florida.

H.R. 2606: Mr. DAVIS of Alabama.

H.R. 2609: Mr. CARSON and Mr. TURNER.

H.R. 2734: Mr. BACHUS and Ms. GINNY BROWN-WAITE of Florida.

H.R. 2784: Mr. WITTMAN of Virginia.

H.R. 2790: Mr. BUYER.

H.R. 2951: Mr. ABERCROMBIE.

H.R. 3094: Mr. DICKS.

H.R. 3186: Mr. YOUNG of Florida and Mr. LAMPSON.

H.R. 3187: Mr. ENGLISH of Pennsylvania, Ms. JACKSON-LEE of Texas, and Mr. YOUNG of Florida.

H.R. 3257: Mr. PRICE of North Carolina.

H.R. 3329: Ms. CASTOR and Ms. CORRINE BROWN of Florida.

H.R. 3397: Mr. AL GREEN of Texas, Mr. RYAN of Ohio, and Mr. HODES.

H.R. 3453: Mrs. MALONEY of New York.

H.R. 3457: Mr. CARTER.

H.R. 3573: Mr SAXTON.

H.R. 3681: Mr. BUYER.

H.R. 3819: Mr. BUYER.

H.R. 3865: Ms. SPEIER and Mr. HONDA.

H.R. 3871: Mr. PAYNE, Ms. GIFFORDS, and Mr SESTAK.

H.R. 3889: Mr. BUYER.

H.R. 3914: Mr. DEAL of Georgia.

H.R. 3980: Ms. WOOLSEY.

H.R. 3995: Mr. GARY G. MILLER of California.

H.R. 4061: Mr. WALZ of Minnesota.

H.R. 4141: Mr. MILLER of Florida.

H.R. 4173: Mr. STARK.

H.R. 4188: Mr. BOYD of Florida.

H.R. 4273: Mr. UPTON.

H.R. 4344: Mr. BOOZMAN.

H.R. 4544: Mr. TIAHRT.

H.R. 4688: Ms. ESHOO and Ms. SCHAKOWSKY.

H.R. 4880: Mr. FATTAH.

H.R. 4900: Mr. MAHONEY of Florida, Mr. DUNCAN, Mr. KNOLLENBERG, Mr. SCALISE, Mr. PETRI, and Mr. LATHAM.

H.R. 4926: Mr. HOBSON.

H.R. 5069: Mr. CARSON.

H.R. 5222: Mr. WITTMAN of Virginia.

H.R. 5235: Mr. WOLF and Mr. GINGREY.

H.R. 5244: Mr. AL GREEN of Texas and Mr. BARROW.

H.R. 5425: Mr. WITTMAN of Virginia.

H.R. 5454: Mr. UPTON, Mr. PICKERING, Ms. ZOE LOFGREN of California, and Mr. GOODE.

H.R. 5505: Mr. COSTELLO.

H.R. 5507: Mr. WATT and Mr. CAPUANO.

H.R. 5546: Mr. JONES of North Carolina.

H.R. 5567: Mrs. BLACKBURN.

H.R. 5626: Ms. HARMAN.

H.R. 5629: Mr. PATRICK MURPHY of Pennsylvania.

H.R. 5637: Mr. MCDERMOTT.

H.R. 5638: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 5646: Mr. YOUNG of Alaska.

H.R. 5654: Mr. PRICE of North Carolina.

H.R. 5664: Mr. BUYER.

H.R. 5673: Mr. SALI and Mr. HERGER.

H.R. 5684: Mr. HELLER, Mr. DREIER, and Mr. HULSHOF.

H.R. 5722: Ms. PRYCE of Ohio.

H.R. 5729: Mr. BUYER.

H.R. 5734: Mr. DELAHUNT, Mr. STARK, and Mr. ALLEN.

H.R. 5737: Mr. UPTON.

H.R. 5740: Mr. COBLE and Mr. WOLF.

H.R. 5767: Mr. CAPUANO, Mr. BACA, Mr. PERLMUTTER, Mr. CARNAHAN, and Mr. GONZALEZ.

H.R. 5793: Mr. WYNN, Mr. ROYCE, Mr. BARROW, Mr. CARTER, and Mr. UPTON.

H.R. 5797: Mr. JONES of North Carolina.

H.R. 5825: Ms. GIFFORDS.

H.R. 5826: Mr. BUYER.

H.R. 5839: Mr. HUNTER, Mr. BARTLETT of Maryland, Mr. WILSON of South Carolina, Mr. BUTTERFIELD, and Ms. JACKSON-LEE of Texas.

H.R. 5842: Ms. WOOLSEY.

H.R. 5882: Mr. CUELLAR.

H.R. 5890: Ms. MATSUI.

H.R. 5892: Mr. KAGEN and Mr. GOODE.

H.R. 5898: Mr. ROSKAM, Mrs. DRAKE, Mr. UPTON, Mr. HASTINGS of Florida, and Ms. GRANGER.

H.R. 5908: Mr. TERRY and Mr. MILLER of Florida.

H.R. 5921: Mr. CUELLAR and Mr. ABERCROMBIE.

H.R. 5935: Mr. MICHAUD and Mr. BACA.

H.R. 5936: Mr. PLATTS and Mr. PATRICK MURPHY of Pennsylvania.

H.R. 5942: Mr. REYES.

H.R. 5944: Mr. MCKEON, Mr. ROGERS of Michigan, Mr. MARIO DIAZ-BALART of Florida, Mr. AKIN, Mr. THORNBERRY, Mr. KELLER, and Mr. MANZULLO.

H.R. 5950: Mr. CUELLAR.

H.R. 5954: Mr. DEFAZIO, Mr. PETERSON of Pennsylvania, and Mr. TAYLOR.

H.R. 5955: Mr. KINGSTON.

H.R. 5971: Mrs. DRAKE and Mr. MILLER of Florida.

H.R. 6008: Mr. SALI and Ms. JACKSON-LEE of Texas.

H.R. 6020: Mr. CUELLAR and Mr. ABERCROMBIE.

H.R. 6023: Mr. PLATTS and Mr. ROGERS of Kentucky.

H.R. 6024: Mr. BACA.

H.R. 6026: Mr. MARIO DIAZ-BALART of Florida, Mr. WITTMAN of Virginia, Mr. GOHMERT, Mr. DREIER, Mr. DANIEL E. LUNGREN of California, Mr. DOOLITTLE, Mr. LAMBORN, Mr. WESTMORELAND, Mr. HOEKSTRA, Mr. MCHENRY, Mr. JORDAN, Mr. BURGESS, Mr. ROGERS of Alabama, Mr. CONAWAY, Mrs. BLACKBURN, Mr. WALBERG, Mr. DAVID DAVIS of Tennessee, Mr. LATTA, Mr. SALI, Mr. PENCE, Mr. ROSKAM, Mr. MCCARTHY of California, Mr. KING of Iowa, Mrs. BACHMANN, Mr. POE, Mr. SAM JOHNSON of Texas, Mr. PORTER, Mr. HELLER, Mr. HENSARLING, Mr. GOODLATTE, Mr. PRICE of Georgia, Mr. COLE of Oklahoma, Mr. ROGERS of Michigan, Mr. WELLER, and Mr. HUNTER.

H.R. 6030: Mr. LIPINSKI and Mr. LAHOOD.

H.R. 6031: Mrs. BIGGERT.

H.R. 6039: Mr. CUELLAR.

H.R. 6045: Ms. WATERS, Mr. MACK, Ms. LEE, Mr. RUPPERSBERGER, Mr. LATTA, Mr. BARROW, Mr. BOUCHER, Mr. MARKEY, and Ms. MOORE of Wisconsin.

H.R. 6048: Mr. BISHOP of Utah, Mr. FORBES, Mr. WILSON of South Carolina, Ms. ROS-LEHTINEN, Mr. ROGERS of Kentucky, Mr. WITTMAN of Virginia, Mr. CANNON, Mr. PEARCE, Mr. REICHERT, Mr. HAYES, Ms. FALLIN, Mr. COLE of Oklahoma, Mr. BROWN of South Carolina, Mr. BURTON of Indiana, Mr. SALI, Mr. DAVID DAVIS of Tennessee, Mr. LATTA, Mr. GINGREY, Mr. MILLER of Florida, Mr. SAXTON, Mr. AKIN, Mr. COBLE, Mr. HENSARLING, Mr. LUCAS, Ms. FOXX, Mr. MCKEON, Mrs. DRAKE, Mr. SHUSTER, Mr. LAMBORN, Mrs. MCMORRIS RODGERS, Mr. LOBIONDO, Mrs. TAUSCHER, Mr. DOOLITTLE, Mr. SULLIVAN, Mr. DAVIS of Kentucky, Mr. BOUSTANY, Mr. CONAWAY, Mr. HOBSON, Mr. CHABOT, Mr. HUNTER, Mr. ROGERS of Alabama, Mr. FORTENBERRY, Mr. TIM MURPHY of Pennsylvania, Mr. FRANKS of Arizona, Mr. LATOURETTE, Mr. THORNBERRY, Mr. KLINE of Minnesota, Mr. EVERETT, Mr. BONNER, Mr. BARTLETT of Maryland, Mr. JONES of North Carolina, Mr. MCHUGH, Mr. HERGER, Mr. CARTER, and Mr. POE.

H.J. Res. 68: Mr. WALZ of Minnesota and Mr. ORTIZ.

H. Con. Res. 134: Ms. RICHARDSON, Mr. LEWIS of Georgia, Ms. CLARKE, Mr. SCOTT of Georgia, Mr. BILBRAY, Ms. KAPTUR, Mr. HARE, Mr. THOMPSON of Mississippi, Mr. CROWLEY, Mr. KILDEE, Mr. LAHOOD, Mr. JOHNSON of Illinois, Mr. BRADY of Texas, Mr. DAVIS of Alabama, Ms. GRANGER, Ms. ZOE LOFGREN of California, Mr. BOUCHER, Mr. ANDREWS, Mr. OLVER, Ms. HARMAN, Ms. WATERS, Mr. FRANK of Massachusetts, Mrs. MALONEY of New York, Ms. SLAUGHTER, Mr. MOLLOHAN, Mrs. TAUSCHER, Ms. HOOLEY, Ms. DEGETTE, Mr. KUCINICH, Mr. DOGGETT, Mr. VAN HOLLEN, Mr. MCNULTY, Ms. WASSERMAN SCHULTZ, Mr. ALLEN, Mr. RYAN of Ohio, Ms. ROYBAL-ALLARD, Ms. BALDWIN, Mr. WEINER, and Mr. DEFAZIO.

H. Con. Res. 195: Mr. REYES, Ms. ROYBAL-ALLARD, Mr. ORTIZ, Mr. BACA, Mr. RODRIGUEZ, Mr. GONZALEZ, Mr. PASTOR, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. SOLIS.

H. Con. Res. 296: Mrs. CAPPS, Ms. MATSUI, and Mrs. CHRISTENSEN.

H. Con. Res. 299: Mr. WAXMAN, Ms. SUTTON, Mr. KAGEN, Mrs. TAUSCHER, Mrs. CAPPS, Mr. BERMAN, Mr. BILBRAY, Ms. NORTON, Mr. BOSWELL, Mr. BISHOP of Utah, and Mrs. DAVIS of California.

H. Con. Res. 315: Mr. ROSKAM.

H. Con. Res. 329: Mr. REHBERG.

H. Con. Res. 333: Mr. JONES of North Carolina, Mr. MCCRERY, and Mr. WALZ of Minnesota.

H. Con. Res. 334: Mr. JORDAN.

H. Con. Res. 341: Mr. DELAHUNT, Mr. MARCHANT, Ms. BALDWIN, and Mr. CAMP of Michigan.

H. Res. 18: Mr. WITTMAN of Virginia.

H. Res. 111: Mr. WITTMAN of Virginia.

H. Res. 169: Mr. WEINER.

H. Res. 258: Ms. BALDWIN and Ms. LEE.

H. Res. 389: Mr. HASTINGS of Florida, Mr. FORTUÑO, Ms. RICHARDSON, Mr. FATTAH, and Ms. CLARKE.

H. Res. 499: Mr. WITTMAN of Virginia.

H. Res. 529: Ms. CASTOR, Ms. SHEA-PORTER, Mr. LOEBSACK, and Mr. COOPER.

H. Res. 881: Mrs. BLACKBURN, Mr. TERRY, Mr. RYAN of Wisconsin, Mr. WILSON of South Carolina, and Mr. LAMBORN.

H. Res. 1010: Mr. SCOTT of Georgia, Mr. MORAN of Kansas, Mr. ELLSWORTH, Mr. WAMP, Mr. BOSWELL, Mr. WILSON of Ohio, and Mr. MOORE of Kansas.

H. Res. 1022: Ms. PELOSI.

H. Res. 1108: Mr. BUCHANAN and Mr. WALSH of New York.

H. Res. 1127: Mr. CANTOR, Mr. SCHIFF, Mr. TOWNS, Mr. TERRY, and Mr. KIRK.

H. Res. 1128: Mr. TANNER and Mr. ISRAEL.

H. Res. 1143: Mr. HASTINGS of Washington.

H. Res. 1153: Mr. RUSH, Mr. REICHERT, Mr. SALAZAR, Mr. LARSON of Connecticut, Ms. MCCOLLUM of Minnesota, Mr. SERRANO, Mr. DAVIS of Illinois, and Ms. WOOLSEY.

H. Res. 1172: Ms. WOOLSEY.

H. Res. 1183: Mr. BRADY of Pennsylvania, Mrs. MUSGRAVE, and Mr. COBLE.

H. Res. 1191: Mr. MARKEY, Ms. NORTON, Mr. LAMBORN, Ms. SUTTON, Mr. HASTINGS of Florida, Ms. SCHAKOWSKY, Ms. WATSON, Mr. CASTLE, Mr. HODES, Ms. ZOE LOFGREN of California, Mrs. MCCARTHY of New York, Ms. ROYBAL-ALLARD, Mr. SALAZAR, Mr. FARR, Mr. SIRES, Mr. BACA, Mr. GRIJALVA, Mr. ORTIZ, Mr. RYAN of Ohio, Mr. WILSON of Ohio, Mr. STUPAK, Mr. YARMUTH, Mr. SERRANO, Mr. ROTHMAN, Mr. MURPHY of Connecticut, Mr. PERLMUTTER, Ms. MATSUI, Mr. BERRY, Mr. HINCHEY, Ms. SLAUGHTER, Ms. WASSERMAN SCHULTZ, Mr. WEXLER, and Mr. CROWLEY.

H. Res. 1195: Mr. DELAHUNT.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. R. 891: Mr. CONAWAY.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

237. The SPEAKER presented a petition of the California State Lands Commission, relative to a Resolution encouraging the Federal Government to adopt policies that address climate change and allow California to impose strict greenhouse gas emission standards; to the Committee on Energy and Commerce.

238. Also, a petition of the Caribbean and North American Area Council, relative to a Resolution calling on the Congress of the United States to lift the embargo and normalize relations between the two countries; to the Committee on Foreign Affairs.

239. Also, a petition of the Lawrence County Board of Commissioners, South Dakota, relative to Resolution No. 2008-15 urging the Congress of the United States to support the fair and equitable resolution of R.S. 2477 rights-of-way by enacting R.S. 2477, Rights-of-Way Recognition Act; to the Committee on Natural Resources.

240. Also, a petition of the City Council of Yerington, Nevada, relative to Resolution No. 08-02 opposing the proposed Wilderness Area in Lyon County, Nevada; to the Committee on Natural Resources.

241. Also, a petition of the Board of Commissioners of Ashe County, North Carolina, relative to a Resolution in support of the Resource Conservation and Development (RC&D) Program; to the Committee on Natural Resources.

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PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, SECOND SESSION

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Senate

The Senate met at 9:31 a.m. and was called to order by the Honorable MARK L. PRYOR, a Senator from the State of Arkansas.

PRAYER

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

Let us pray.

Eternal God, our judge and redeemer, who orders our steps and directs our paths, use our Senators today as instruments of Your will. Commission them to meet the perils and possibilities of our times, humbly and courageously. Lord, deliver them from insulating privilege that obscures humanity's needs, as You keep them from pride that scorns to do the servant's task. Make them Your agents to restore those who are broken in body and spirit. Empower them to be messengers of hope to those from whom hope is gone. Use our lawmakers to bring a new day of justice and peace to our Nation and world.

We pray in Your omnipotent Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK L. PRYOR led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 15, 2008.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. REID. Mr. President, following leader time, the Senate will resume consideration of the conference report to accompany the Food, Conservation, and Energy Act, H.R. 2419. There will be 90 minutes for debate on the conference report.

I might add in passing that Senators worked until about 11 o'clock last night on this important piece of legislation.

The Senate will vote on any motions relating to the conference report prior to a vote on its adoption. Senators should expect the first vote of the day to begin about 11:05, 11:10, depending on how long Senator MCCONNELL and I take. Upon disposition of the conference report, we expect to begin the process of appointing conferees to the budget resolution conference. Senators should expect rollcall votes to occur throughout the day.

I would note that there is a 1 p.m. filing deadline for first-degree amendments to the collective bargaining legislation, H.R. 980.

As I mentioned last night, when we finish adoption of the conference report, it will be up to Senators JUDD GREGG and KENT CONRAD to determine how many motions will be filed to instruct conferees. Other Senators can do that, of course, but it would have to be through the two managers. There is a total of 10 hours on that. We would hope that time could be shortened significantly. We are going to finish that tonight, the appointing of conferees.

I have spoken to Senator DORGAN. We have the media cross-ownership matter that he has proceeded forward with under a statute Senator Nickles and I passed in the early 1990s. The statutory time limit on that is 10 hours. Senator DORGAN told me last night that he would take 1 hour. I would hope others wouldn't take much more time than that. That being the case, there is an opportunity to finish that tonight. I hope that is the case. Otherwise, we would finish that tomorrow.

Tomorrow, we have scheduled now a cloture vote on the collective bargaining matter we worked on this week. As I indicated last night, we are going to see if Senators KENNEDY and GREGG can work something out on that, along with the comanager of the bill, Senator ENZI. If they can give us some way to proceed to complete that, maybe we can work out a unanimous consent that we wouldn't have to do the cloture vote. I think the ability to do that is somewhat slim, but I never give up hope. It might be possible.

The point being, we have a lot to do. We are going to work late tonight unless there is some agreement that shortens the time significantly on the appointing of conferees and the cross-ownership issue dealing with the Dorgan proposal. I think that is what we have ahead of us.

The reason I am making sure we complete everything this week, the House is going to pass, sometime today, the supplemental. We have no votes on Monday. I would hope we could start maybe on that issue on Monday because we would like to do some other things next week. But that is a big issue to deal with. The House can jam things through, as we all know, because they have different rules than we do. But over here we have to follow our rules, which are not the

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

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House rules. So one of the first things we will do when we see what the House finally does, because we don't know yet, is I will sit down and talk to the Republican leader and find out if there is a way we can proceed to allow people to do what they think is necessary on the bill but at least make it so it is more understandable and we are not here this coming Friday, a week from tomorrow, 8, 9 o'clock at night, still trying to figure out what we are going to do on that. As contentious as this matter is, I would like to have an orderly process on which to move forward.

RECOGNITION OF THE MINORITY LEADER

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

SUPPLEMENTAL APPROPRIATIONS

Mr. McCONNELL. Mr. President, I think most of the items the majority leader mentioned we should be able to move to completion on. There remains a good deal of concern on this side about the way in which procedurally we are going to go forward on supplemental appropriations. But having said that, it certainly is an important piece of legislation. I am sure we will get to the end of the process at some point next week.

HONORING OUR ARMED FORCES

CORPORAL JOSEPH H. CANTRELL IV

Mr. McCONNELL. Mr. President, I rise today to pay tribute to the undaunted courage and fighting spirit of one soldier from the Commonwealth of Kentucky. CPL Joseph H. Cantrell IV was lost on April 4, 2007, in Taji, Iraq, when an improvised explosive device detonated near his vehicle during combat operations. The Westwood, KY, native was 23 years old.

For his valor in uniform, Corporal Cantrell received several awards, medals and decorations, including the National Defense Service Medal, the Army Commendation Medal, the Bronze Star Medal, and the Purple Heart.

After Corporal Cantrell was gone, his mother, Sondra Adkins, met a woman at a hospital who said that her nephew was also a soldier. He had been wounded and then saved by an Army medic, and now was going to name his son after the medic who had treated him. That medic's name was Joey.

''My son saved her nephew's life,'' Sondra reveals.

Those who knew Joey growing up in Boyd County, in northeastern Kentucky, were not surprised at the impact the young man could have on others. Sondra remembers when an excited Joey called her to say ''there is nothing more beautiful than bringing a baby into the world.''

''By chance, he got to deliver a baby during his Army training,'' Sondra says. ''He was high on life that day. That wasn't a planned event. He called and said, 'You're not going to believe this . . . I got to deliver a baby.' ''

Joey was an Army medic who saved lives in Iraq. He brought the same enthusiasm to his job that he once had as a child who would dress up in camouflage and green paint on Halloween and go out as ''G.I. Joey.''

At Westwood's Fairview High School, Joey was a member of Who's Who and the National Honors Society, and played football and ran track.

''I didn't want him to run track because he was so short,'' Sondra recalls. ''The hurdles came up to his hipbone. But he could clear those hurdles and come out . . . as the best hurdle jumper. . . . Track was his calling. He could flat-out fly.''

Joey's dad, Joe Cantrell, remembers eating lunch with his son just before a big hurdle race. ''We went to eat and Joey told me, 'Dad, I'm going to win this because they don't think I can,' '' Joe says. ''When the gun went off, all they saw was his back end. When he'd get his confidence built up, he was fun to watch in sports.''

''Joey had the perfect life in high school,'' Sondra adds. ''Dating the head cheerleader, excelling on the football team. He was very outgoing.''

Joey graduated from Fairview in 2002, and attended Ashland Community College. One day he came to his mother and said, ''Mom, I have something to prove.''

''I said, 'You don't have anything to prove to anybody,' '' Sondra says. ''He replied, 'You're right. I have to prove this to myself.' I was prepared for my son to move out, but I wasn't prepared for my son to live halfway around the world.''

Joey enlisted in the U.S. Army on March 31, 2005. ''He joined the Army to see how high he could fly without someone to catch him,'' his father, Joe, says. ''There was no quit in him.''

Joey was assigned to the 2nd Battalion, 8th Cavalry Regiment, 1st Brigade Combat Team, 1st Cavalry Division, based out of Fort Hood, TX, and in October 2006, he was deployed to Iraq in support of Operation Iraqi Freedom.

One day he called his mom from Iraq after saving a fellow soldier's life. ''Mama, the only thing the soldier was worried about was if he would be able to walk again and continue serving his country,'' he told her.

''He loved his job,'' Sondra adds. ''They're out there to do a job just like all of us—but theirs is the most dangerous of all.''

Joe says that Joey eventually wanted to study sports medicine. Sondra recalls Joey wanting to be a doctor, perhaps an obstetrician.

On the day of Joey's funeral, students from the local schools lined up alongside the road holding flags to watch the procession drive by. ''I couldn't believe the turnout from the community,'' Sondra says. The city of Westwood dedicated Main Street in Joey's memory.

Mr. President, our prayers are with the Cantrell family after their tragic loss. We are thinking of Joey's mother, Sondra Adkins; his father, Joe Cantrell; his brother, Chase Adkins; his stepfather, Bryan Adkins; his grandmother, Pehylien Mullins; his aunts Anita Hollo, Jeannie Mullins, Elisa Lambert, and Janie Hill; and other beloved family members and friends. Joey was predeceased by his grandfather, Claude Mullins.

At Boyd County High School in Ashland, a teacher named Mary Beth Leadingham Patton started ''Project Joey.'' Mary Beth is an old friend of Joey's mother, Sondra.

''She was one of the first visitors to come to my house to see my Joey when he was born,'' Sondra recalls.

Project Joey is simple: When Mary Beth's kids pass someone in uniform, they stop and say thank you.

''Those young men and those young women—we truly do not know what they've had to see in their lives,'' Sondra says. ''We should always be thankful that we have someone who's gone that extra mile for all of us.''

Sondra, of course, does know some of what our men and women in uniform have seen, as she watched her little Joey grow into a man, a patriot and a dedicated soldier.

And although he is gone, it is not too late to thank CPL Joseph H. Cantrell IV. This United States Senate is honored to pay tribute to his life of service, and we pause with reverence for the sacrifice he made on his Nation's behalf.

Mr. President, 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. HARKIN. 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.

RESERVATION OF LEADER TIME

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

FOOD, CONSERVATION, AND ENERGY ACT OF 2008—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the conference report accompanying H.R. 2419, which the clerk will report.

The legislative clerk read as follows:

Conference report to accompany H.R. 2419, a bill to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, as I understand it, there will be 3 hours evenly divided.

The ACTING PRESIDENT pro tempore. Ninety minutes, evenly divided.

Mr. HARKIN. I am sorry, an hour and a half—45 minutes on each side—and then we will proceed to start voting on the farm bill.

We had a great debate last night. I appreciate all the Senators who came over and spoke so forcefully and favorably for this bill. There are a few more speakers who want to speak this morning, and then we will have a little bit of a wrap-up again.

Mr. President, I yield the floor for others who want to start speaking on the farm bill.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I again thank Senator HARKIN for his leadership on this issue. We did have a good, long debate last night, and a number of folks had an opportunity to come over and voice their opinion about the bill. We look forward to wrapping this up this morning and having a vote, hopefully, around 11:15, 11:30.

I urge those folks who want to speak—we have had a number who have indicated they wish some time. Obviously, we are pretty squeezed with a compacted morning this morning, so folks need to make their wishes known and be here to be ready to speak.

I wish to start off by recognizing the Senator from Idaho, who has been a critical asset to us with respect particularly to the specialty crop section in this farm bill. I ask the Chair to recognize Senator CRAIG for 5 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Idaho.

Mr. CRAIG. Mr. President, it gives me great pleasure to come to the floor in the final hours of the debate over agricultural policy in this country and to, first and foremost, thank the two principals, who are here on the floor, the chairman and ranking member of the Senate Ag Committee. They have done yeoman work in a very difficult process—15 titles and 673 pages of policy—in what is, without question, one of the most complicated efforts at putting public policy and interest groups within the agricultural community together in some degree of harmony. I thank my colleagues for the work they have done.

Mr. President, I will be brief, as I have already come to the floor several times to discuss the valuable programs included in this bill. But I would be remiss not to take the opportunity to thank my colleagues—and this Congress—for producing a good product for the American people.

We have been ''tangled in inaction'' on so many issues. The American people want a functional Congress.

The 2008 farm bill conference report represents a monumental feat for the U.S. Congress. Every 5 years, we undertake the task of reauthorizing our farm policy. This version includes 15 titles; 673 pages.

Though some who have not yet served on an agriculture committee during the reauthorization of a farm bill may disagree, let me assure you this is one of the most complicated pieces of legislation considered by Congress, and it is also one of the most important.

In an age of skyrocketing energy prices, economic uncertainty, and now a global food crisis, there is at least one thing we should be able to be certain of: our Nation's food security. We cannot take for granted our ability to feed ourselves, lest we become dependent on other countries for our food in addition to our oil.

How do we achieve food security? Here are a few key principles.

First and foremost, we enact policy designed to keep our food producers productive and profitable, and ensure access to those foods for all Americans. This includes things such as a safety net to protect farmers from volatile price swings; and nutrition programs that give access to fresh fruits and vegetables in schools.

We enact policy that incentivizes state-of-the-art conservation practices to encourage the best possible stewardship of our agricultural lands. This will ensure these lands stay productive and profitable for future generations. And we enact policy that helps American agriculture continue to diversify—including becoming a larger player not only in our food security, but also in our energy security.

This bill does just that. This bipartisan work product—aptly named the Food, Conservation and Energy Act of 2008—sets a strong and secure direction for our food, conservation and energy future.

The bill has broad support from virtually every corner of my State of Idaho, and every corner of the Nation.

Congress has heard from rural farmers to urban food banks calling for passage of this vital piece of legislation.

Mr. President, 500 farm, conservation, nutrition, consumer, and religious groups sent a letter supporting passage of the farm bill conference report.

These groups—with one voice—recognized that the bill ''makes significant farm policy reforms, protects the safety net for all of America's food producers, addresses important infrastructure needs for specialty crops, increases funding to feed our nation's poor, and enhances support for important conservation initiatives.''

It is not a perfect bill—we all will admit this—but it is a great bill. I commend my colleagues for their work.

The President has stated his intention to veto this bill. It is not often that I so strongly disagree with our Commander in Chief, but on this I must. There are too many great things in this bill to deny its passage over a few areas of disagreement, too many important things for my State of Idaho, and for the Nation.

We began several years ago to ensure that specialty crops were adequately recognized in this new farm bill. We now have a new title devoted to horticulture and organic agriculture. It dedicates approximately $3 billion for specialty crop, pest and disease, nutrition, research, trade and conservation priorities important to this vital industry that represents nearly half of all crop cash receipts in our country, including: $466 million for Specialty Crop Block Grants to support local efforts to enhance competitiveness of local products; $1 billion to expand the Fresh Fruit and Vegetable Snack Program to all 50 States—which will help our school children develop healthy eating habits; $377 million for a pest and disease program to combat costly damage to crops such as our famous potatoes; $230 million for the Specialty Crop Research Initiative to address food safety, mechanization, plant breeding, and other priorities; $59 million for trade assistance and market promotion to maintain and grow our international markets; and many other programs.

Idaho's famous potatoes, our burgeoning table grape and wine grape industry, our apples and onions and carrots and nursery and ornamental crops—and this just touches the surface of both our current production and our potential to continue to diversify.

Now, it should be noted that this is only one part of the effort to ensure the competitiveness of our specialty crop industry. The next step is to ensure that we have an adequate workforce to conduct the labor in which the average American refuses to participate. The harvesting of those healthy fruits and vegetables—this, I contend, is as important, or more important, than these ''competitiveness'' priorities that we have finally set forward in the farm bill. So our work is not done.

And I could go on for a great deal of time, talking about: the commodity programs that create a vital safety net for our wheat, barley, peas, lentils, chickpeas, oilseeds, sugar, wool producers, and so on; the conservation programs that will help Idaho's booming dairy industry address environmental challenges associated with their growth, and our crop producers to incorporate better stewardship practices; the nutrition programs that are vital to improving the health of our youth; the rural development programs that will ensure funding for things such as water and wastewater programs, broadband, and rural housing; the energy programs that will help us reach the 36 billion gallon RFS by creating new incentives for cellulosic ethanol and beginning to pare down the subsidy for corn-based ethanol; the wildlife programs, such as the provision authored by my colleague from Idaho, that creates incentives for endangered species recovery; the forestry, trade, credit, disaster programs.

Those programs that will benefit the Nation—and my State of Idaho in particular—are simply too vast to cover.

I thank my colleagues once again, and urge support for this vital piece of legislation.

I will now speak, again, specifically to Idaho and to the specialty crops provision that Senator SAXBY CHAMBLISS spoke to that is now a very important part of agricultural policy.

We know specialty crops are about 51 percent of the gross revenue of American agriculture, and yet they were never mentioned in agricultural policy from a Federal level. Oh, yes, we had research and experimental programs, and we targeted money into the specialty crop area, but the program crops—those kinds of base crops we think about, be it cotton, soybeans, corn, wheat—all of those were the staples, if you will, of American agriculture, while today they do not represent the majority of the portfolio.

That is why several years ago I thought it was critically important we begin to work to include a specialty crop title. So we began that effort. Today, we have completed that effort with the help of these two Senators and a broad-based coalition to now have a title devoted to horticulture and organic agriculture.

In my State of Idaho, specialty crops are a big deal. Many people have heard about potatoes and Idaho. It is almost synonymous in the minds of the average American. Yet, by definition, that is a specialty crop. Is this a loan guarantee? No, it is not a loan guarantee. It is an effort to advance specialty crops in a variety of ways: specialty crop grants to enhance competitive local markets; expanding the Fresh Fruit and Vegetable Snack Program in our high schools and grade schools in all 50 States; pest and disease management control; research programs in these areas; initiatives for food safety, mechanization, plant breeding and priorities to keep our edge, if you will, our world-class edge in the area of specialty crops; along with trade assistance and market promotion.

That is a full title. Not only did these two Senators—our chairman and ranking member—who led the effort for us, get this in the bill, they also got money behind it. Frankly, I thought maybe we would have to go the first 5 years simply authorizing the program and then beginning to fund it. But there is now substantial money behind it. It will go a long way toward helping the specialty crop areas and organic agriculture in the kind of farming many of our agricultural areas are moving into.

When you get at the edge of urbanization and agriculture and agricultural farmland, boutique farming, small specialty crop farming oftentimes becomes the transitional form of agriculture. To keep it profitable on the land, so we can keep the land in agricultural production, is very important, and I think that is offered in all of this.

I also thank my Idaho colleague, MIKE CRAPO, who has worked a long while on making the Endangered Species Act and those private properties that care for endangered habitat—to have a relationship, to have an advantage, to incentivize landowners to appreciate the reality of having an endangered species on their property. He has done that. Our colleagues have recognized it. It is very important we do that.

I could go on a great deal more about the programs that are there: the commodity programs that create a vital safety net for our wheat, barley, peas, lentils, chickpeas, oil seeds, sugar, wool products, and so on; conservation programs that are adjusted and important.

A great deal of effort has been focused on energy over the last several years and agriculture's role in that. It is not by accident that this bill has a title that recognizes energy, and that being a part of—a very valuable part of—American agriculture. To transition dollars out of a mature market in corn-based ethanol into cellulosics is a major step and a correct step in the right direction.

My time is up, but I want to thank my colleagues for the effort at hand. We had a solid vote out of the House last night. I think we are going to have a strong vote in the Senate today on this conference report.

Let me say in closing, to the White House and to our President: Mr. President, you and your people have been at the table working on this program with us for well over a year. It is time you recognize the value of this program, what has been put into new agricultural policy, and support us in that effort.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I yield 5 minutes—and maybe more if he needs it—to the Senator from North Dakota, who has been so instrumental in getting us to this point.

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

Mr. CONRAD. Mr. President, I thank the Acting President pro tempore, and I especially thank the chairman of this committee, Senator HARKIN. I said last night that without his vision, we would not have a vehicle of this quality that is this forward looking. I think now of the chairman of the committee as the father of a new conservation movement in this country because it was the steady pressure from the chairman of the committee that has pushed us in a new direction for farm policy, one far more oriented toward conservation. I believe in future years Chairman HARKIN will be looked upon as somebody who led a fundamental reorientation of agriculture policy, and he will be recognized as someone who broke the path for this new direction, and he deserves enormous credit for it.

I also again thank the ranking member, Senator CHAMBLISS, who is a pro's pro. If ever you were to want a partner in a very complicated endeavor, one in which trust among colleagues was absolutely essential to an outcome, you would want Senator CHAMBLISS involved because his word is like gold. All of us who have dealt in difficult negotiations know how critically important that is.

I also salute his superb staff: Martha Scott Poindexter, and Vernie Hubert, who played such a critical role in advancing this legislation. At the same time, I want to recognize the staff of the chairman: Mark Halverson, who I said last night has actually gone gray in this exercise—that is how much he has put into it—and Susan Keith, who has played a central role in the developing of the policy, deserves our credit as well.

I also recognize Senator BAUCUS, the chairman of the Senate Finance Committee, for the extraordinary contribution he has made throughout. He has provided the kind of leadership you would hope for in an endeavor of this complexity, and I will be forever in his debt for what he has done for not only production agriculture but what he did to construct the financing of this bill that made it possible to achieve widespread bipartisan support.

Certainly I thank his ranking member, Senator GRASSLEY, who played such a critical role as well.

I conclude my thank-yous by again thanking my staff: Tom Mahr, my legislative director, who is exceptional and extraordinary and whose intelligence and good judgment have made such an important contribution to this result; and certainly to my lead negotiator, Jim Miller, who, as I said last night, is encyclopedic in his knowledge, but also wise in his construct of policy, and especially in his dealing with people, including me. Jim, I deeply appreciate the extraordinary sacrifices you and your family have made to help us write this bill. And finally, I thank Scott Stofferahn, my other lead negotiator, who also has a deep knowledge of farm policy, and who played such a key role in the disaster provisions that themselves represent significant reform.

Let me conclude by saying: Why a bill at all? Well, because our major competitors have much more ambitious support for their producers than we have for ours. This is a fact. The Europeans are providing more than three times as much support to their producers than we provide to ours. If we pulled the rug out from under our producers, it would be a calamity for farmers and ranchers in this country. Where does the money go? Well, this chart shows it I think as well as any could. Two-thirds of the money in this bill goes for nutrition. This is misnamed when we call it a farm bill. This is a food bill. This is an energy bill because it helps reduce our dependence on foreign energy, a critically important priority for this country, and it is a conservation bill. Conservation of our natural resources is critically important to the future.

The other point I wished to make in conclusion is that this bill is paid for. It is pay-go-compliant. These are not my estimates; these are not the Agriculture Committee's estimates, these are the professional estimates of the Congressional Budget Office and the Joint Committee on Taxation, which show this budget saves $67 million—not a lot of money, but nonetheless it does not add to the deficit; in fact, it slightly reduces it. It saves $67 million over 5 years, and it saves $110 million over 10 years. It is completely paid for with no tax increase.

Final point: I received last night from the IRS what I think is a very interesting set of facts. We have seen reported in the mass media that a couple could earn $2.5 million and still get benefits. Well, that is akin to the chance of getting struck by lightning because it turns out there are no tax returns in the entire country between $1 million and $1,250,000 that would have farm income below $750,000 and nonfarm income below $500,000. Zero. So all these press reports they have written about how millionaires are going to be able to qualify, they are wrong because there are no people in those rarified categories. You would have to have $750,000 of farm income and $500,000 of nonfarm income and both husband and wife would have to be in precisely those categories. Do you know what the problem with all those stories is? There are no people in those categories. That is not my report; that is the report from the Internal Revenue Service.

Again, I wish to close by thanking those who have provided such extraordinary leadership, and I would be remiss in not mentioning HARRY REID, who played behind the scenes a very quiet but strong leadership role in helping us bring together all the people necessary to get this bill done. We should also thank the Speaker of the House on the other side and certainly the chairman, Chairman PETERSON, who gave blood, sweat, and tears to this effort, and our own Congressman EARL POMEROY, the only Member serving on both the Ways and Means Committee and the Agriculture Committee, who made an important contribution to helping us get a breakthrough in the Ways and Means Committee on the financing.

This is good legislation. It is good for the country and certainly good for my State but also fair to the taxpayers of this country because it is paid for, and it represents the most dramatic reform since the 1949 act itself. That is a fact.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I yield 10 minutes to the Senator from Minnesota, Senator COLEMAN, who also has played a very valuable role in crafting this bill. He has been a strong member of the Senate Agriculture Committee and a great advocate for not just the farmers and ranchers in Minnesota but farmers and ranchers all across America.

Mr. COLEMAN. Mr. President, I thank my friend from Georgia. Along with all the thanks that have been set forth by the Senator from North Dakota, I wish to thank the Senator from North Dakota.

I went to Lake Bronson in northwest Minnesota in 2005, and the room was filled with family farmers who were talking about disaster assistance. We look at the farm bill—and today we are at a time when commodity prices are high. Folks look at that and say: Why do we need a safety net? Why do we need a farm bill? Two years ago, I had people who were struggling. The pain and fear on their faces was something I wish I had a picture of that I could show you.

My colleague from North Dakota has been a champion—a champion—for ensuring that there is a safety net, particularly regarding disaster assistance. With all the partisan divide we have in this body, here we have an example where it is not about partisan politics; it is about doing the right thing. Folks have dirt under their fingernails who are helping provide the safest, most affordable food supply in the world, and we are talking about a safety net. My colleague from North Dakota has been a tremendous champion, and I wish to express my thanks.

Also, I see the chair of the Finance Committee, Senator BAUCUS, who has also been involved in providing the kind of safety net that when bad things happen, we are going to be proud of this bill; we will be proud. So I wish to express my deep appreciation for the continuous effort that finally has yielded some fruit right here. It will be a shame if we don't make sure this becomes law.

These are tough times right now. Folks are worried about their jobs, they are worried about the cost of food, they are worried about the cost of energy. I don't need an economist to tell me whether we are in a recession or talk to Minnesota families and business owners to know folks are worried out there. We need something that promotes job growth.

I come to the floor to ask my colleagues to work with me to pass one of the most critical economic stimulus packages this body will have a chance to vote on all year. This is a balanced proposal, both ensuring the viability of a key economic sector—agriculture—and helping the many Americans who are struggling to put food on the table. It is a farm bill that we will soon vote to send to the President. At only 1.9 percent of the Federal budget, this farm bill will have enormous impact—providing, as I said, a safety net for American agriculture that in turn employs one out of five Americans and contributes roughly $3.5 trillion a year to the U.S. economy. In my State of Minnesota, agriculture generates $55 billion in economic activity and underpins 367,000 jobs.

We labeled this bill, as folks have said, a farm bill, when in reality it is a food bill, a nutrition bill. Over 66 percent goes to the nutrition safety net. We have all seen the rise in foreclosures and the impact of food prices depleting our food shelters. Families are being hit hard right now. This farm bill helps meet the increased needs. It provides an additional $10 billion above baseline to nutrition.

As the ranking member of the Nutrition Subcommittee, I worked hard to see that nutrition programs—and the Emergency Food Assistance Program, EFAP, in particular—saw substantial increased funding. Well, we got it. The farm bill conference agreement will provide an additional $1.3 billion for our food banks. I have been to Second Harvest and Heartland in St. Paul. The needs are great, and we are meeting those needs today.

The Food Stamp Program receives an almost $8 billion boost in this bill. Our Nation is too prosperous not to lend a helping hand when it is needed.

Despite the importance of the farm bill safety net for hungry families, most of the attention is centered on the commodity programs. Commodity prices are high, critics say. The farmers are doing well. Why should they get a safety net? The reality is the critics don't understand agriculture. They don't understand that although the importance of agriculture to our economy is certain, the survival of individual farm families is not. Once again, the farm bill supports a sector of the American economy that provides millions of jobs, and it is insulting to farmers who put their necks on the line every year to wake up with the Sun and work all day to say they should be able to farm without a safety net.

I urge my colleagues to step into the shoes of one of my Minnesota farmers for a moment. We see high prices in the world market today, but we have no way of knowing whether the drought in Australia is going to continue or whether the consumption habits in countries on the other side of the world will change. Input costs for diesel and fertilizer are going through the roof. Meanwhile, depending on where your farm lies, Minnesota weather has kept you off the tractor, threatening your yields, and not knowing whether you will even have a product to sell for those high prices.

What price is too high for a safety net that keeps farmers, such as those in Minnesota, farming, despite all the uncertainty that allows the agricultural economic engine to continue generating trillions of dollars? How about 0.27 percent of the Federal budget? That is what this bill's commodity title costs. By the way, this bill's safety net is based on the structure of the 2002 farm bill that costs $20 billion less than expected.

From a jobs perspective, this bill is a bargain, and from a commodity payment reform perspective, this bill is historic. I firmly believe we should

eliminate waste, fraud, and abuse in farm programs and try to get the Ted Turners of the world out of the commodity payment business. At the end of the day, no bill is perfect, but this bill is something we can be proud of.

This bill will prevent payments from going to nonfarmers with an adjusted gross income over $500,000, an 80-percent reduction from current law; repeal the triple-entity rule, reducing title I benefits by 50 percent for some producers. We require direct attribution of all benefits to natural persons so we know exactly where it is going—100 percent transparency. We explicitly prevent farm benefits from ever going to a deceased person. There are other reforms. I could go on and on.

I read a headline the other day: ''Fiscal Hawks Eye Farm Bill.'' They should, because this is a fiscally responsible piece of legislation that delivers big bang for the buck.

When I talked with my farmers, again, they told me the 2002 farm bill had the right safety net, it just needed to be improved. And in this conference report, that is what we do. Building on the existing safety net, the bill updates target prices and marketing loan rates for key Minnesota commodities such as wheat, barley, and soybeans. For sugar beet farmers who have been waiting 15 years for updated loan rates, there will finally be an increase. Minnesota's dairy farmers will be relieved to hear the payment rate for the MILC Program will return to 45 percent. I have appreciated Senator LEAHY's leadership on this issue.

In addition to tweaking the current safety net, this farm bill also creates entirely new programs that American farmers desperately need. One I have talked about: permanent agriculture disaster assistance. The other is about sugar to ethanol. I take great pride in the sugar-to-ethanol provision in this bill. This was a proposal that was once met with indignation when I first raised it a few years ago. Even some folks in Minnesota sugar country said it couldn't be done. But I believed then as I believe now—and clearly the conference report lays this out—that it only makes sense to take excess sugar from trade agreements, get it off the market, and use it to help address our dependence on foreign oil. I saw what Brazil was achieving with oil independence, largely as a result of the production of sugar ethanol. The technology for sugar ethanol isn't out of reach. It is at our fingertips. U.S. sugar producers now share this vision and when this sugar ethanol program is implemented, we will be able to quickly add more diversity to our economic food stocks. We have to end our dependence on foreign oil. We have to stop sending billions of dollars out of this country into the pockets of thugs and tyrants, such as Ahmadinejad and Chavez, and we need to do it again with the renewables being a part of it. This bill does it.

The renewable energy vision doesn't stop there. It looks to the future by paving the way for the next generation of biofuels: cellulosic ethanol. Included in this bill is a program I have supported to promote the production, harvesting, and processing of biomass. The bill's biomass loan program will prioritize local ownership—local ownership—so it is not the fat cats on Wall Street, as some say, but it is folks in our local communities who will benefit from America's energy independence movement, which is renewables, which is biofuels.

On the tax side, there will be a $1 production tax credit for cellulosic ethanol. All in all, this bill provides $1.2 billion in new energy investment.

This conference report is a real victory for Americans fighting hunger and working to feed the Nation, but it is also a victory for bipartisanship. I wish to thank the chairman, Senator HARKIN, Senator CONRAD, and Senator BAUCUS for committing to a bipartisan process from the very start and working with me throughout this process. It has been a pleasure to sit across from them and my colleague, Senator CHAMBLISS, and I appreciate the work they have done to produce something this Nation needs right now.

I am disappointed the President intends to veto this bill. If he does that, that is a mistake. I will work hard with my colleagues to override that veto. This country needs this farm bill. I urge my colleagues to join with me in supporting this bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I am going to yield 10 minutes to the Senator from Montana, Senator BAUCUS. Before I do, let me publicly thank Senator BAUCUS, the chairman of the Finance Committee, who is also a very valuable member of our Agriculture Committee, for all his help on this farm bill. I can honestly say we wouldn't be here today had it not been for the effort and the work of Senator BAUCUS and of course his ranking member, my colleague from Iowa, Senator GRASSLEY, to come up with the funds we needed not by raising taxes but by closing loopholes and thereby saving some money that they were able to give us so we could meet our needs in this farm bill. Senator BAUCUS and I came to Congress together in 1974. We were classmates. We have been friends throughout all these years.

I thank Senator BAUCUS for all of his diligence also in attending all of the meetings of our conferences which went on and on for hours at a time. He was always there as a valuable member giving his input into getting us to this point. The farmers and ranchers of Montana and the people who live in rural communities in Montana have no stronger voice, no better champion for them than the senior Senator from Montana. I publicly thank him for all of his help on this bill.

I yield 10 minutes to the Senator from Montana.

Mr. BAUCUS. First, I deeply thank my good friend from Iowa, Mr. HARKIN. It has been a wonderful experience working the conference on the farm bill where everybody worked together—both sides of the aisle—and, frankly, both bodies. Basically, there were eight members of the conference, led by Senator HARKIN and Senator CHAMBLISS, who were also invaluable. All of the core members of the conference could go on and on about how great everybody was to work with. I have not experienced anything like this before.

Mr. President, I am glad the Senate debated the farm bill. I am proud we will pass a strong farm bill. This farm bill is very important to my home State of Montana and for farmers and ranchers across America.

But too few Americans realize how important America's farmers and ranchers are to the economy and the security of this country.

As we finish debate on the farm bill I want to take the opportunity to discuss how important a robust American agriculture sector is.

I also want to address some of the criticisms aimed at America's farmers and ranchers.

Over the last few years, major newspapers and Washington special interest groups have been busy demeaning our Nation's farmers and ranchers.

The articles come with some pejorative titles, such as ''High Plains Grifters,'' ''Farmers at the Trough,'' and ''Hungry Kids, Greedy Farmers.''

These attacks are disappointing to many of us who have worked hard over the years to enact successful, supportive agriculture policy.

But there is a wide gulf between the claims being made in these articles and the reality of what is going on in farm and ranch country.

The articles waver between portraying farmers and ranchers in completely opposite ways. Either the corporate businessman leaching off the Government dole or or the hayseed farmer unable to compete in the market economy without a handout.

Either the corporate businessman leaching off the Government dole or the hayseed farmer unable to compete in the market economy without a handout.

These portrayals are disappointing to me and disheartening to rural America. And they are false.

I know that in this high-tech age it is tempting to downplay the importance of those who put food on our table and clothes on our back. But the better part of history would teach us to avoid the temptation.

The portrayals also inaccurately depict the agriculture economy while entirely missing the underlying problems that plague farmers and ranchers.

One common attack on U.S. farm policy is that it is no longer for the family farm and ranch, but rather has become corporate welfare.

But even the most basic of research quickly uncovers that today nearly all

producers in America remain family farms and ranches not corporations and conglomerates. In fact, only 2.2 percent of farms are nonfamily farms.

Negative articles frequently refer to ''protectionist'' policies intended to shield farmers and ranchers from competition and to raise consumer prices.

One group recently stated that we should simply ignore all the subsidies and trade barriers of other countries. Unilaterally disarm our own farmers and ranchers. And then sit back and enjoy the benefits of cheaper imported food.

This makes zero sense. American consumers today spend a lower percentage of their disposable income on food than consumers anywhere else around the world. In fact, American families are the only families in the world who spend less than 10 percent of their disposable income on food.

Agriculture is also important to our economy, as became apparent earlier this decade when farmers and ranchers helped get the country through a manufacturing crisis.

Our farmers and ranchers managed this even as the average foreign tariff rate on agriculture products was and remains about 62 percent, while the United States average tariff is only around 12 percent.

President John F. Kennedy once said ''the Farmer is the only man in our economy who buys everything at retail, sells everything he sells at wholesale, and pays the freight both ways.'' That is true.

Farmers and ranchers are—and in my memory always have been—in the middle of a never-ending cost squeeze. For too many years we have asked our farmers and ranchers to do more and more and always with less.

So while all the negative news articles focus on the symptoms, they never seem to get around to identifying and discussing the real problems that plague our farmers and ranchers: skyrocketing costs and stagnant returns.

The next generation of farmers and ranchers, growing up all across rural America, has a more accurate view of what farming and ranching life is really about than do urban newspapers and think tanks.

They see long days in the fields, unpredictability caused by droughts, hail storms, hurricanes and floods and a low payoff at the end of the day. Too frequently, they decide it is not worth the effort to come back to the family farm.

That is one reason I was proud to champion the dependable, reliable disaster program that is included in the farm bill. It is wrong when our farmers and ranchers are forced to wait up to 3 years for a disaster payment. We can do better for our farmers, and we can do better for our taxpayers.

Farmers deserve a program and provides dependable, equitable relief when disaster strikes. Taxpayers deserve a program that requires farmers to manage their risk through crop insurance. We have done both.

As we finish debate on this farm bill, I am proud to say that my goal has been, and will always be, to increase the net income of America's farmers and ranchers. I want a strong agricultural economy in this country. I want a strong, homegrown source of safe, affordable, and abundant food and fiber.

I believe this farm bill will strengthen our farm economy. I want to mention a couple provisions in the farm bill that will increase producer's bottom line as well as strengthen rural America's Main Streets.

One of the biggest reforms in this farm bill is the country-of-origin labeling compromise. The conference report simplifies COOL and makes it workable for both our ranchers and our packers. These changes are a major step forward and will help as we undergo the transition this fall to mandatory COOL. I call this COOL reform.

Another major reform we have fought for since the 1990s is allowing interstate shipment of State-inspected meat. There is no reason our smaller packers should not be able to sell their meat out of State. Now, nearly 20 years later. This farm bill establishes a program that allows smaller, State-inspected packers to market their high quality meat nationwide. This is a huge win for ranchers, packers and rural America.

Whether it's a dependable disaster program, COOL reform, interstate shipment, a $10 billion bump to our nutrition programs, or a $4 billion increase to our working-land conservation programs, there is a lot to be proud of in this farm bill.

While the urban media creates visions of agriculture producers lining up for Government payments, I am more worried about our next generation of producers lining up to leave those family farms and ranches. It's so hard and such a tough life.

The great irony in the debate that swirls around U.S. farm policy today is that it is getting so much criticism from so many different quarters and yet it remains one of the truly great success stories in the world.

As with anything else, there is always room for improvement. And I believe we have made improvements in this farm bill. But, every now and again, especially in an age of such cynicism, I know my Montana farmers and ranchers would like to open their papers, turn on their televisions or radios, and just hear a simple thank you.

We really appreciate what you do to keep us clothed and fed like nobody else in the world has ever been before.

Mr. President, Emerson wrote:

> What is a farm but a mute gospel? The chaff and the wheat, weeds and plants, blight, rain, insects, sun—it is a sacred emblem from the first furrow of spring to the last stack which the snow of winter overtakes in the fields.

The farm bill conference report before us today is a tribute to that sacred emblem, that mute gospel, the farm. This bill will help to address some of the challenges facing the farmer and rural America.

The conference report provides permanent disaster assistance for farmers and ranchers. And the conference report also includes farm tax reforms that fund farm tax relief as well as agricultural and trade measures.

The tax package in the conference report will help farmers to preserve land and to protect endangered species. It will provide tax relief for farmers and ranchers, and it will help America find homegrown energy independence.

The trade-related measures in the conference report accomplish a number of vital purposes for this agriculture legislation. Trade provisions help to fund the farm bill's provisions. And trade provisions level the trade playing field for softwood lumber producers.

The new program in this conference report for relief from agricultural disasters is a notable achievement. Currently, Congress addresses agricultural disasters through ad hoc bills. Ad hoc disaster bills are not dependable. They are never timely. And they are often unfair.

After a disaster strikes, farmers and ranchers often have to wait years to receive disaster assistance. We need a permanent disaster relief program for our farmers and ranchers. We need a program that is dependable, timely, and equitable. The new program in this conference agreement will provide that.

Many Americans—including many leaders in Congress—say that America's farm policy is ripe for reform. The farm bill conference report includes important farm tax reforms.

The conference report will prevent the use of farm losses as a tax shelter by limiting the amount of farming losses that a taxpayer may use on nonagricultural business income. It will ensure that farmers know their tax obligations by requiring the Commodity Credit Corporation to always provide the IRS and the farmer with information returns when the farmer repays a CCC market assistance loan. It will allow farmers to pay additional self-employment taxes to qualify for Social Security.

Taken together with a slight decrease in the ethanol tax credit and other offsets, these reforms fully offset the tax and trade package in this conference report.

American farmers and ranchers want to be responsible stewards of their land. But the financial pressure to sell to developers can be extreme. The farm bill conference report includes tax incentives to encourage and enable private landowners to promote conservation on their land.

The conference report provides conservation tax relief for retired and disabled farmers. It would exempt CRP payments to these individuals from self-employment taxes. And it would keep these payments from reducing their Social Security or disability payments.

Nearly two-thirds of endangered and threatened species are found on private lands. So the conference report establishes a tax deduction for the cost of landowners' actions to implement recovery plans under the Endangered Species Act.

More than 10 million acres of conservation easements are held by land trusts nationwide, many of them donated. The enhanced charitable tax deduction for conservation easements has proven to be a valuable incentive for making these kinds of gifts. So the conference report extends the enhanced deduction for conservation easements.

The conference report also includes important provisions to protect American timber jobs and American lands. This conference report will help the American timber industry to remain globally competitive. And it will help to keep timber land from being sold for development.

America's farming families sacrifice a lot to feed this country. The farm bill conference report includes a number of tax relief provisions to help them to start farming, help them to stay financially afloat, and help to make the Tax Code fairer for those who make a living working the land.

The conference report improves ''Aggie Bonds.'' These are tax-exempt bonds that provide low-interest loans for first-time farmers and ranchers.

Agricultural chemicals and pesticides purchased for legitimate uses are increasingly vulnerable to theft because of the drug trade and national security threats. The conference report provides support for agricultural businesses by providing a credit for the costs of protecting these agricultural chemicals and pesticides.

Some State water rules keep farmers and ranchers from selling their land when they need to or want to. The conference report will allow the tax-free exchange of stock that represents a holding of water rights. This will allow this stock to be treated like real property under section 1031 of the Tax Code.

As summer approaches, American families are paying higher prices than ever for gasoline. Our country needs to break its dependence on foreign oil and fossil-based fuels. And America's agricultural sector can help, with homegrown energy solutions.

Cellulosic biofuels can be produced from agricultural waste, woodchips, switchgrass, and other nonfood feedstocks such as brewer's spent grains. With an abundant and diverse source of feedstocks available, cellulosic biofuels hold tremendous promise as a homegrown alternative to fossil-based fuels.

But because cellulosic biofuels are very expensive to make, government assistance can help to spur these fuels to commercial viability. The farm bill conference report includes a new, temporary production tax credit for cellulosic biofuels. The credit will be worth up to $1.01 per gallon. And it will be available through December 31, 2012.

The farm bill conference report also contains a number of trade-related measures. Enforcement of the softwood lumber agreements is one of these provisions. Timber is an important agricultural product. And America both produces and imports significant amounts of timber-related products, including softwood lumber.

As the downturn in the housing market continues to hurt American softwood lumber producers, America's trading partners must be held to fair trade standards for softwood lumber.

The conference report includes an importer declaration program that will require American importers of softwood lumber to ensure that their imports are consistent with America's international agreements. The softwood lumber provision will also force the administration to take affirmative steps to enforce American softwood trade agreements.

And, Mr. President, this is a good conference report. We should pass it, and send it to the President.

Let us pay tribute to that sacred emblem, that mute gospel, the American farm. Let us address the challenges facing the farmer and rural America. And let us pass this much-needed conference report.

I have never been more proud of what all you do in helping to provide food and fiber for America.

Mr. HARKIN. Mr. President, I thank the Senator from Montana, my good friend for all these years. We first came here in 1974. I thank him for working diligently to make sure we had funding for this bill and some tax provisions we had in this bill that help correct inequities we did in the past. I thank the Senator. I will have more to say.

I have other speakers we need to recognize. I yield 4 minutes to the Senator from New Mexico.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I thank my colleague. I will start by congratulating Senator HARKIN and Senator CHAMBLISS for their good work on this legislation, and also Senator BAUCUS. I know Senator CONRAD also had a very important role in completing this legislation. This is a good bill for New Mexico, a good bill for the Nation. I plan to vote for the conference report.

Mr. President, I am pleased with the numerous provisions in this bill that help promote specialty crops like chile and pecans, conserve natural resources, invest in food and nutrition for children, increase production of advanced biofuels, promote broadband service in rural areas and provide fresh fruits and vegetables for schools. The bill includes the consensus language I support on country-of-origin labeling of meat and vegetables.

I also appreciate the conferees including a provision authorizing a new Southwest Border Regional Commission. I originally introduced the Southwest Border Authority bill, which created this Commission, in 2002. I have been working since then with Senators BOXER, FEINSTEIN, and HUTCHISON toward its passage. I would also like to commend the work of Congressman SILVESTRE REYES, who championed the bill in the House. The new commission will give the Southwest border region the ability to coordinate economic activity and innovation. There can be no question that the Southwest border is an area of tremendous promise and economic activity. Unfortunately, this region has long suffered from a lack of coordinated effort among and between the border counties. The Southwest Border Regional Commission will, for the first time, provide the tools and personnel necessary to harness the opportunity in the area and create a dynamic economy that will benefit the entire Nation.

Nevertheless, there are provisions in this bill that cause me concern. The dairy industry is New Mexico's single most important agricultural commodity. My State is currently the Nation's ninth largest dairy State and sixth in total cheese production. Dairy producers in my State see little in the bill to help them deal with today's high production costs and believe this bill will hurt them. It is unfortunate that the bill extends and expands a subsidy program called the milk income loss contract at a cost of $1.6 billion over 5 years. I led the opposition to the MILC subsidy in the 2002 farm bill and voted against the extension of it in 2006. I do believe the program unfairly favors producers in only a few States and is not a good use of taxpayers' money.

I am also disappointed that the conferees did not include my bipartisan provision that promoted water conservation for producers in the Ogallala aquifer. The Ogallala aquifer is a critical source of groundwater for agricultural and municipal uses. My voluntary program would have helped slow the rapid depletion of this vital resource. In place of my provision, the bill has a new Agriculture Water Enhancement Program. I intend to work with USDA to ensure that priority is given to States and agricultural producers in the Ogallala region to coordinate Federal assistance with State programs and to encourage cooperation among States in implementing conservation programs and efficient use of water.

Let me conclude my statement by spending a minute or two talking about the provision in this bill to expand trade preferences for Haiti, and the situation in Haiti more broadly.

Haiti is the poorest country in the Western Hemisphere. According to United Nations Development Programme data, approximately 76 percent of Haiti's population subsists on under $2 per day and 55 percent on under $1 per day. As much as three-fifths of the population is unemployed or underemployed. One in five Haitian children is malnourished.

Since late 2006, President Préval, in conjunction with the United Nations

Mission for the Stabilization of Haiti, or MINUSTAH, has made real progress in reclaiming the streets from the toughest gangs in Cité Soleil and other Port-au-Prince slums. Last month's food riots—and the dismissal of Prime Minister Alexis, and the Haitian parliament's rejection of Ericq Pierre, the Inter-American Development Bank official nominated to replace him—now threaten to reverse these hard-won gains.

On balance, though, for the first time in many years, Haiti has a real opportunity to build a future. And we owe it to the Haitian people to help them in this task—partly for reasons of preserving stability in the Caribbean, and partly to provide an alternative to emigrating to the U.S., but mostly because it is the right thing to do.

As part of this ongoing commitment, we must take two immediate actions to consolidate stability by fostering economic growth in Haiti. I am pleased that one of these steps is taken by this farm bill.

The HOPE-II Act contained in this conference report has significant potential to create jobs in Haiti's apparel sector by expanding its duty-free access to the U.S. market. It also gives Haiti a degree of access to ''third country'' fabric, whose low cost makes the business case for opening an apparel factory in Haiti much more attractive. And it helps Haiti to adopt best practices on working conditions by authorizing a program under which the International Labor Organization assesses the apparel industry's compliance with core labor standards and Haitian labor law. I would like to commend my colleague, Chairman RANGEL, for his efforts to get this provision included, and my colleagues Senators CORKER and HARKIN and NELSON from Florida, for all of their hard work and attention to the urgent needs of Haiti.

The second immediate action we must take is to address the food crisis in Haiti. I am pleased that the upcoming emergency supplemental appropriations bill will call for significantly increased levels of food aid. I urge my colleagues and the Bush administration to place a priority on Haiti when allocating that aid. Specifically, Haiti needs, at bare minimum, $75 million in food aid. I also believe we must continue working with the administration to ensure that our food aid is dispersed as efficiently as possible by allowing at least 25 percent of it to be used for purchases of food in developing countries.

We must not let this pivotal moment slip out of our hands. In an era when too many countries around the world distrust the U.S., let us work together to build goodwill among the people of Haiti.

Again, I thank Chairman HARKIN and Senator CHAMBLISS for all their good work on this bill. I will support the conference report, and I hope it will soon be passed into law.

Again, I congratulate my colleagues for the good work on this bill, and I yield the floor.

Mr. CHAMBLISS. Mr. President, may I inquire how much time remains?

The PRESIDING OFFICER (Mr. SALAZAR). The Senator from Georgia has 28 minutes.

Mr. CHAMBLISS. At this time I yield 5 minutes to another very valuable member of the committee, a Senator who has had an awful lot of input into this bill, both policywise and otherwise, Senator THUNE of South Dakota.

Mr. THUNE. Mr. President, I thank the distinguished Senator from Georgia and the Senator from Iowa, the chairman of the Agriculture Committee, for their extraordinary leadership on this bill and for the imposing staff work that was involved in bringing this to conclusion. At long last we are going to have a farm bill.

This farm bill is important for a lot of reasons. I don't have time to get into all the details of why I think this bill is important, but it does preserve a strong safety net. It does provide a permanent disaster title, which is something many of us have sought to achieve for some time, and fought long and hard for. It has conservation provisions that increase funding for certain conservation programs.

On balance, this is a farm bill that is reflective of all the needs, the desires, the priorities of the Members—not only of the Agriculture Committee but also of this Congress. I think it will move agriculture forward in a positive direction. I congratulate the leaders on the committee and those who have been involved all through this process for their hard work in bringing us to where we are today.

I want to make one point, though, because I think if there is anything in this bill as important as any of it, it is the energy title in this farm bill. The reason for that is we have an energy crisis in this country. You cannot go anywhere in my State of South Dakota, I daresay anywhere in this country, without hearing people talk about the high cost of gasoline. There is one thing we have done that is positive in terms of reducing the cost of oil, reducing the cost of gasoline in this country, and that is biofuels, bioenergy.

There is a lot of debate. I want to set one thing straight for the record because there has been a lot of criticism lately of corn-based ethanol and we talk about this whole food versus fuel debate going on in the country today. So people know what the facts are, here are the facts. In 2002, the United States grew 9 billion bushels of corn. Of that, we turned 1.1 billion bushels into 3 billion gallons of ethanol.

In 2007, farmers grew 13.1 billion bushels of corn and turned 3 billion bushels of it into 8 billion gallons of ethanol, leaving 10.1 billion bushels for food, more than the 7.9 billion bushels in 2002.

If you do the math, despite a nearly threefold increase—growth—in the corn ethanol industry, the net corn food and feed product of the United States increased 34 percent since 2002.

Even though we dramatically increased the amount of ethanol we are producing in this country, we still, because of the great hard work of our farmers in this country and the productivity and increases in technology, produced dramatically more corn, so much so that we have 34 percent more corn in 2007 than we did in 2002, notwithstanding the threefold increase in renewable fuels.

I say all that to set the record straight because there is a real debate going on in this country about whether ethanol is to be blamed for higher food prices. Frankly, oil has way more to do with the cost of food and everything else we purchase in this country than does ethanol. But that is not enough. We can do a lot more. The reason the energy title in this bill is so important is because it moves us in a new direction. The next generation of biofuels is what we call cellulosic ethanol, made from biomass, made from wood chips, made from corncobs, made from switchgrasses and other types of grasses that are grown in abundance on the prairies of South Dakota and other places across this country.

We have an enormous opportunity here to not shrink the amount of biofuels we have in this country, but to grow the amount of biofuels because it is the one thing that is keeping gas prices under control. According to an analysis that was done by Merrill Lynch that was reported upon in the Wall Street Journal a couple of weeks back, if it were not for ethanol, gas prices and oil prices in this country would be 15 percent higher than they are today. That is about 50 cents a gallon for gasoline. We do not need less volume of biofuels, we need more volume of biofuels. That is why the energy title in this farm bill is so important, because it provides important incentives for the next generation of biofuels, cellulosic ethanol, to encourage farmers to grow energy-dedicated crops that can be converted into cellulosic ethanol. As we transition from corn-based ethanol to cellulosic ethanol, we have an incredible opportunity for this country to become less dependent upon foreign sources of energy, to grow our domestic supply of energy in this country in a way that is environmentally clean, in a way that helps support the economy of the United States of America and does not ship billions and billions of dollars every single year outside the United States to purchase imported oil.

This is an important farm bill for a lot of reasons, but the energy title is critical and I hope my colleagues here in the Senate, if for no other reason, will support it because of its energy provisions.

I see my time has expired, so I yield the remainder of my time and yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. I yield 3 minutes to the Senator from Washington State, Senator MURRAY.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, farming is a critical part of the economy in my home state of Washington. Many people don't know it, but Washington is the Nation's 11th-largest farm State. And we are the third-largest producer of fruits and vegetables—which are also known around here as specialty crops. So the farm bill we are considering today will help keep my state healthy and strong. It will help them find markets for their crops here and abroad—and it will help fund research to ensure they have healthy and safe crops in the future. This isn't a perfect bill. But it is a very good bill for Washington state farmers. And that is why I rise today.

The biggest victory for Washington state in this bill is the more than $3 billion to help farmers who grow apples, cherries, grapes, potatoes, asparagus, and many other fruits and vegetables. This is the first time Congress has passed a farm bill that includes comprehensive provisions addressing the needs of specialty crop farmers. This legislation will really help our farmers by carrying out programs that I have been pushing for over the last several years. And I want to thank my colleagues, Senators HARKIN, CONRAD, CHAMBLISS, BAUCUS, and GRASSLEY for their hard work on this bill.

The farm bill conference report includes $224 million in block grants, which will allow local fruit and vegetable growers to increase the competitiveness of their crops and $15 million in badly needed aid for asparagus farmers. Asparagus farmers in my home State—and elsewhere—are struggling to compete with a flood of cheap asparagus being imported from Peru. I worked very hard through conference negotiations to make sure that this market loss program stayed in the bill, and I am very grateful to our conference chairs for keeping it in.

This bill helps farmers find new markets abroad for their crops, which will allow them to better compete in the global marketplace. For example, it increases funding for the Technical Assistance for Specialty Crops program, which helps our farmers overcome barriers that threaten our exports. And, farmers in my home State are really eager for this program. Last fall, I held a listening session in Yakima, WA, where I heard from cherry farmers who are trying to develop a new market in Japan. And this bill would help them build on those efforts.

I am especially pleased that this bill includes $20 million for the National Clean Plant Network. Farmers who grow apples, peaches, and grapes depend on this program to ensure we have a source of clean plant stock to help prevent the spread of viruses. A single infected plant or grape vine can wipe out an entire established orchard or vineyard. So this is very important. Washington State University has been leading the effort to ensure our farmers have virus- and disease-free plant stock. And I am proud that they will be an important part of this national network.

Now, a lot of people don't realize that the farm bill isn't just about farmers. Well over half of this bill authorizes funding for school lunches, food stamps, and other nutrition programs. And since obesity is one of the biggest nutrition challenges we face in this country, this bill specifically targets funding to ensure that families receiving food stamps, and kids getting school lunches will have more access to fresh fruits and vegetables. My home State of Washington would get $9 million in nutrition program funding next year alone.

And finally, this bill will be a lifeline for food banks and other emergency food providers, which have struggled with rising food prices and the downturn in the economy.

As I said from the beginning, this bill isn't perfect. I wish that we were able to include important improvements to the safety net that is so critical to our wheat farmers. I have been working for several years with wheat farmers in Washington State to improve the countercyclical payment program to really make it work for them. Unfortunately, we couldn't make significant changes in this bill. But I am happy that it continues to provide a safety net for our wheat growers.

Now, I have just walked through numerous examples of how this farm bill is good for my State—and for the Nation. And that is why I am so disappointed to hear President Bush say that he plans to veto it. At the end of the day, none of us got everything we wanted in this bill—including the administration. But the conference report does do a lot of good. It helps farmers, who are struggling as gas prices soar and foreign competition threatens their livelihoods. And it helps millions of low-income families, who are struggling just to put food on the table.

Mr. President, we have got to get beyond politics on this. Making sure that our farmers and our kids both benefit from investments in the programs in this bill is absolutely critical. We are not just talking about numbers. These programs can make or break people's livelihoods. And I urge my colleagues to support them by approving this bill.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that I receive 4 minutes of the time of the majority.

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

Ms. KLOBUCHAR. Mr. President, yesterday afternoon the House of Representatives passed the farm bill conference report by a vote of 318 to 106. The Senate will vote in a few minutes and we expect to have an overwhelming majority in favor of this farm bill. I thank Senator HARKIN for his great leadership, and Senator CHAMBLISS—it was a bipartisan effort—as well as Senator CONRAD and Senator BAUCUS, all the members of the committee, and I want to take special note of my good friend Representative COLLIN PETERSON from the State of Minnesota who showed such leadership in the House.

America's farm safety net was created during the Great Depression as an essential reform to help support rural communities and protect struggling family farmers from the financial shocks of volatile weather and equally volatile commodity prices.

Almost 75 years later the reasons for maintaining that strong safety net are still there. The weather is still volatile, as we have seen this year. Crops are still subject to blight and disease. Farming is still a very risk-intensive business. We have seen prices going up and down—recently down in Asia—as we have seen investment and speculation in the farm market. I think it is very important that we have a safety net as we look at our food security so we don't get in the same place as we are with our lack of energy security.

I want to mention a few important things to my State in this bill—the sugar program, the dairy program, and the conservation program. I know we have people here in attendance from Pheasants Forever. The conservation groups worked very hard on this—the nutrition assistance. But I especially wanted to mention the part of the bill that I worked on, the cellulosic piece, which looked to the next generation of biofuels—looking at prairie grass, switchgrass, other forms of biomass. As we look to, say, the country of Brazil, which is energy efficient—energy independent, based on sugarcane—we can do it in this country.

I believe we have to go beyond our crop-based ethanol and look at these other forms of ethanol and this bill creates the incentives so we can use energy crops such as switchgrass and prairie grass and do it in a way that is consistent with conservation, which is why I am so proud we have the support of the conservation groups that are with us today.

I was a strong proponent for reform in this bill. It didn't have everything I asked for, as Senator MURRAY was discussing; no bill is perfect. But we had significant problems in the last few years with a small number of people—real estate developers from Florida, art collector from San Francisco, 100 people from the Beverly Hills 90210 area code—collecting money. This bill eliminates the three-entity rule. Also, the conferees have included substantial income limits for those who participate in the commodity program—$500,000 in nonfarm income, and they are banned from getting subsidies; and then third, $750,000 for farm-related income.

Frankly, you can go a long way in Minnesota without bumping into a farmer who made $750,000 after expenses. The reform in this bill may not be perfect but it is a lot better than where we were before.

The 2002 farm bill spurred rural development by allowing farmers in Minnesota and across the country to take risks to expand production. Because of productivity gains and innovation, including advances in renewable energy, the farm support programs in the 2002 farm bill actually came in $17 billion under budget.

As the Senate considers the conference report, it is important not to underestimate the value of a strong bill for states such as Minnesota where agriculture is so vital to our economy and way of life.

That is why, as a member of the Senate Agriculture Committee, I support the new farm bill. It includes an increased focus on cellulosic-based ethanol, continued support for a strong commodity safety net and a permanent program of disaster assistance.

And, of particular importance is that we have balanced our budget in this farm bill, with every dollar of new spending fully off-set.

Traveling around the state during the campaign I was visiting all 87 counties this year, so I have had a good opportunity to talk to farmers around our State. They have told me that the 2002 farm bill has worked well for them, and they wanted to see that continued.

I am very pleased that this bill continues the same basic structure of the three-part safety net—direct payments, countercyclical payments and marketing loans—and I am especially pleased that we have succeeded in rebalancing the commodity programs to be more equitable to northern crops like wheat, oats, barley, soybeans and—canola, beginning in 2010.

Another top priority for Minnesota farmers was creating a permanent program of disaster assistance for farmers. I would like to thank Senators CONRAD and BAUCUS for their efforts to see this program through. Farmers are tired of coming back to Congress year after year with a tin cup in their hands.

Minnesota has been hit with drought, flooding and everything in between over the several years, and they have had to wait years on end for Congress to pass adhoc disaster relief bills.

The permanent program of disaster relief in this farm bill will give farmers security moving forward, and quick relief when they need it.

This bill holds some good news for Minnesota's dairy farmers—we were able to restore the MILC payment rate that had been cut to 34 percent, back to 45 percent. We also added a feed cost adjuster to the MILC program, which means that when the price of feed goes up, the payment rate will also go up. This is really going to help dairy farmers cope with the high cost of feed and energy.

The new farm bill is also going to work well for Minnesota's sugarbeet growers. It raises the sugar loan rate by ¾ of a cent—it may sound small to you and me, but it's a big deal to the farmers in the Red River Valley.

We have language in the bill that will give U.S. sugar producers the right to supply 85 percent of the domestic market each year before USDA can allow additional sugar imports. And it creates a new sucrose-to-ethanol program to give us a new source of energy, and provide an outlet for potential increases in imports as a result of this administration's trade policies.

One of my major goals for this farm bill was to include a strong cellulosic ethanol program. Farms can and should play a bigger part in the future of this country's energy security.

Instead of investing in oilfields of the Mideast, we should be investing in the farmers and workers of the Midwest.

Our corn-based ethanol and soybean-based biodiesel have taken off in Minnesota, and we are ready to expand to the next generation of biofuels: energy from native, perennial crops like switchgrass and prairie grass that require less fertilizer, yield more energy, and protect soil, water and wildlife.

I was proud to draft first-of-its-kind legislation to provide farmers with an incentive to grow cellulosic energy crops, and I would like to thank Chairman HARKIN and Chairman PETERSON for working with me to include many of my provisions in the farm bill.

Energy crops like switchgrass and prairie grass hold great promise for farmers because they can be grown on marginal land that can't produce a high yield of corn or soybeans, and they restore the land while they're growing. Their deep root systems sequester carbon and put organic material back in the soil.

Native grasses can also save fuel and fertilizer because they don't require lots of passes with farm equipment or heavy fertilizer applications.

The fact that these crops put carbon back in the soil and take less fossil fuel to produce offers us the promise of producing a carbon-neutral motor fuel for this country, which would be a huge advance in the fight against global warming.

In short, the Biomass Energy Reserve Program is going to allow us to expand upon corn ethanol and soy diesel to a new generation of farm-based energy, and greater freedom from imported oil.

I am also pleased that the committee has prioritized beginning farmers and ranchers in the credit title. There are real opportunities today to start out in farming, especially in growing areas like organic farming and energy production. But beginning farmers also face big obstacles, including limited access to credit and technical assistance, and the high price of land.

The beginning farmer and rancher programs in this farm bill provide mentoring and outreach for new farmers, and training in business planning and credit-building—the skills they need to succeed and stay on the land.

So there are a lot of good things for Minnesota and the country in this farm bill. There is, however, one critical area where I fought for more reform, and that was in stopping urban millionaires from pocketing farm subsidies intended for hard-working farmers.

This kind of reform is in the best interests of Minnesota farmers. Here are the facts.

Sixty farmers collected more than $1 million each under the 2002 farm bill, but none of them have been Minnesotans, even though Minnesota is the fifth-largest agricultural State. The average income of Minnesota farms, after expenses, is $54,000. But under the current system, a part-time farmer can have an income as high as $2.5 million from outside sources and still qualify for Federal benefits.

It made no sense to hand out payments to multimillionaires when this money should have been targeted to family farmers.

And what we saw so clearly in the media coverage of this farm bill was that big payments to big-city investors were undermining public support for the entire bill, even though commodity payments account for just 16 percent of funding in this bill.

But this bill is going to do better for our farmers by closing loopholes and tightening income eligibility standards.

First, the new farm bill eliminates the ''three-entity rule.'' This will cut down on abuse by applying payment limits strictly to individuals—and married couples—and ending the practice of dividing farms into multiple corporations to multiply payments.

Second, I am pleased to report that the conferees have included substantial income limits for those who participate in the commodity programs, which is an area where I fought hard for reform. What the bill says is, if you earn more than $500,000 in nonfarm income—so if you have a high-paying job off the farm, or income from investments, or any other source of income off the farm in excess of $500,000—you cannot participate in the commodity programs.

This makes good sense to me. This will take care of multimillionaires, like David Letterman and Paul Allen of Microsoft, or Maurice Wilder, the real-estate developer in Florida, getting farm payments intended for family farmers.

The bill also says that if you have more than $750,000 in farm-related income, you lose your direct payments. I think this also makes sense. I would venture to say that any farm bringing in that much money after expenses is of a size and scope that they no longer need the support of taxpayers.

So the reform in this bill is not perfect, but it is a lot better then where we were before. And I thank the conferees for taking these important steps in the bill.

In conclusion, there are a lot of important changes in this bill, and there is a lot that is good for rural America, and the safety net is vital for farmers. We have made important advances in

conservation, and made much-needed improvements to our nutrition programs. Perhaps most importantly, this bill lays the groundwork for farmers to play an even greater role in our country's energy security and will advance us to the next generation of biofuels. For all of these reasons, I will be proud to vote for this bill, and I urge my colleagues to do the same.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CHAMBLISS. At this time I wish to yield up to 10 minutes to the Senator from South Carolina, Mr. DEMINT.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Mr. President, I do not like to be the one to rain on a parade, but I am rising today to speak against the farm bill. I wish to do it in the context of thanking the chairman and the ranking member for their work. I think if we assume it is our job to manage the farming industry in this country, they had very little choice but to do what they have done and try to go through all aspects of farming and include it in this bill. That took over 2 hours to print out. It came out less than 2 days ago. We are getting ready to vote on it. Not one Member of the Senate has read probably even part of it—certainly not the whole bill. Yet I think everyone, or at least a large number of Senators, want to leave here today saying they voted for the farm bill.

I realize nothing I can say that is wrong with the bill—whether it violates budgets or even our own Senate rules, as far as what we are supposed to do in conference—is going to make that much difference. I wish to express some concerns—maybe, before I talk specifically about the farm bill, some broader concerns.

I heard one of my colleagues yesterday say it in a pretty good way: The Congress is comfortably sitting on a raft floating down a slow, deep river. But some of us hear the waterfall around the corner, and it is the waterfall I wish to talk a little bit about today.

We all need to remember our oath of office. I don't want to be preaching to my more veteran colleagues, but our oath of office is simply to protect and defend the Constitution. The whole point of that is the Constitution limits the scope of what we are supposed to do at the Federal level. It keeps us from getting involved in all aspects of American business and social life. It limits us so that we can, in effect, keep America free. But as we all know, we have continued to expand the scope of the Federal Government, essentially making a mockery of our oath of office now to the point where we are trying to manage the education system in America and we are trying to manage the health care system in America.

This week, we are trying to tell local and State governments how they are to deal with their public safety officers. We are trying to manage the farming industry in this country, which is very complex. I cannot pretend to understand it or to tell any other Member of the Senate how we are to manage it. But the fact is, we no longer limit the scope of what we do at the Federal level. There is no concern in this country or around the world that this body would not take up, and we seldom even talk about any restrictions the Constitution might have on what we do.

We also do not limit how much we can spend. We have no requirement that we balance our budget year to year. So we don't have to select priorities and cut programs when we add programs. So we continue to grow our budget, approaching now $10 trillion in debt as a Nation and adding to that every year. Here we are at a time of war and economic downturn, and there is nothing that is too much for us to spend. The President has proposed $50 billion of AIDS support to Africa. That is wonderful, but there is enough human need around the world to bankrupt this country 100 times.

This farm bill expands spending. It does not modernize the program in any way that does more to make the free and private market work. It takes us deeper and deeper into managing an aspect of the private economy, as we have done with health care and education, and every year we get deeper into trying to manage the private sector. Our role as a government should be to make the private sector work better, to make freedom work for everyone and not to use problems as an excuse to replace freedom and the private market with more Government. That is essentially what we are doing.

I am not just jumping on the farm bill and those who have worked on it. We know we continue to subsidize some millionaires, and we eliminate some key payment limits. I can go through the list my staff has given me of what is wrong with the bill. As I said before, I realize there are provisions that solve problems throughout, that there are constituencies for little aspects of this bill throughout. We pulled it together, and we are going to present it now to our country. What is wrong with the bill, frankly, has very little relevance today.

I appeal to my colleagues, I know we are not going to stop this bill, but we do need to hear the waterfall around the corner. We do need to accept there are some restrictions, some limits on what we are supposed to do as a Federal Government, some need to balance our budget or to begin to cut our debt and look at, if we are going to expand spending in one area, where can we cut it and pay for it in another area. We are stretched out as a country. We are on an unsustainable fiscal course. We at least need to bring that into our debate. That is what I would like to bring to everyone's attention today.

Again, I appreciate the chairman, the ranking member, and all those staff members who worked so hard on this bill. But, frankly, as a group, as a Senate, our direction to the committee and those working on it should be to reform a system and try to figure out how we can pull the Federal Government out of some aspects of American business. We did not do it with this bill. We have not read it. It is crazy for us as a Senate to pass a bill that we have not had for 2 days and have not read that spends the hundreds of billions of dollars that this bill does. But I do want to say I appreciate the work, but I recommend to any of my colleagues who are thinking about the future of America to please vote against this bill.

I yield back the remainder of my time to the ranking member from Georgia.

Mr. HARKIN. Mr. President, I yield up to 4 minutes to another great member of our Agriculture Committee, the Senator from Pennsylvania, Mr. CASEY.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, first of all, I thank Chairman HARKIN for his great work and Ranking Member CHAMBLISS for their leadership on this bill, a very difficult piece of legislation.

Chairman HARKIN was so patient with me when I kept coming to talk about dairy farmers over and over again, as he listened and worked so hard to help so many of our farmers in his home State of Iowa and across the country. We are grateful for his help.

Also, I wish to mention Senator CHAMBLISS's work and Senator CONRAD, Senator BAUCUS, and so many others.

On my staff, I mentioned Caryn Long, who did great work, Kasey Gillette, who has done great work from the beginning of this process, and Alex Davis from my staff as well. All have done great work.

Let me do some quick highlights of the bill from the perspective of Pennsylvania but also I think from the perspective of our country overall.

With regard to dairy, dairy farmers who lead lives of struggle every day and have had to work under and survive under the most adverse circumstances one could imagine, this bill is historic in the context of what it will do to help our dairy farmers, 98 percent of whom in Pennsylvania are family farms. For the first time, we are considering the cost of production. I know the Presiding Officer has heard that phrase a lot in our deliberations. But for the first time, we are considering cost of production when we put forth programs and policies for dairy farmers.

This farm bill strengthens the safety net provided by the Milk Income Loss Contract, the so-called MILC Program, by adding a feed adjuster. I won't go into the details of that, but it is going to help enormously on the cost of production.

This is an idea I worked with many Members of the Senate on, of both parties. Senator SPECTER from my home

State of Pennsylvania has been very concerned about our dairy farmers as well over many years. Senator LEAHY worked hard on this issue in conference. I appreciate his work.

I am also very pleased that some of the amendments I worked on in committee are retained, such as the mandatory daily price reporting for dairy products, the feed and fuel cost being part of the so-called make allowances which are very important to balance between what happens to our farmers and what happens to processors.

Specialty crops were mentioned before. In our State, fruits, vegetables, and other speciality crops have never had the kind of focus this bill provides.

International food aid is part of this bill. I don't have time to go into that, but everyone knows that prices have enveloped the world. Almost one-fifth of the nations of the world are having problems that relate to food and security.

States such as Pennsylvania have been underserved by the Federal Crop Insurance Program for many years. This bill includes reforms that help producers in these States to increase the number of acres they have enrolled in the Crop Insurance Program.

The reform overall in this bill is very significant. There is $300 million in cuts to direct payments, reforms in the marketing loan program, it closes loopholes, reduces program abuses, on and on. These are changes that are made in this bill.

In terms of conservation, the Chesapeake Bay will be provided dollars to restore this tremendous natural resource.

The Conservation Farmland Protection Program is helped enormously.

I conclude with the nutrition program. This farm bill makes substantial investments in domestic food assistance programs and improves the Food Stamp Program for our families. Mr. President, 1 in 10 Pennsylvanians is currently receiving food stamps, and we have tremendous help for those families in this bill.

This is a good bill, and I urge my colleagues to adopt the conference report, and if the President vetoes it, we will override his veto.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. CHAMBLISS. Mr. President, I yield 3 minutes to the Senator from Louisiana, Mr. VITTER.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I stand in strong support of this consensus, bipartisan farm bill, and I encourage all of my colleagues, Democratic and Republican, to show strong bipartisan support.

I support this bill fundamentally for three reasons: First, as the last farm bill, it establishes predictability for our farmers, a stable environment so they can plan and prosper in the future. Second, it does that in a fiscally responsible way—no tax increases, payment limit reform, and other reforms—to move us down the path of fiscal responsibility. Third, it does some very crucial and important work for Louisiana farmers in particular in a number of different areas.

In the area of sugar, we have a three-quarter of a cent loan rate increase, the first such loan rate increase since 1985. It is long overdue.

In the rice industry, the industry requested changes to the uniform loan rate for different types of rice to make that more uniform and helpful to the industry, and we have done that.

In the area of timber, there are tax provisions that reduce maximum taxes on gains from certain timber from 20 percent, the capital gains rate, to a maximum of 15 percent. That is enormously important.

In the area of milk, as my colleague from Pennsylvania mentioned, there are important improvements and provisions, changes to the MILC Program that will help domestic dairy farmers.

There are plenty of good, solid, responsible reasons to be for this bill. Fundamentally, it will create that predictability, that stability our farmers need to plan into the future and to prosper into the future, which is good not just for them but for all Americans, including Americans as consumers, which, of course, is all of us.

I encourage all of my colleagues to support this bill. I encourage President Bush to reconsider his veto threat and not veto the bill. But certainly, if it is necessary, I will stand and vote to support overriding that Presidential veto. I encourage my colleagues to also be firm in that regard.

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

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I yield 4 minutes to another valuable member of our committee, Senator BROWN from Ohio, whose signature on this bill is the option that farmers have on the ACRE Program. I thank him for all of his efforts in making sure we had that in the bill.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I thank the Senator from Iowa for his terrific work as chairman of this committee, especially the work he does on conservation, nutrition, and for family farmers.

We have for many months been debating the farm bill, legislation that wears many hats, all of them important. It is an agriculture bill, it is a food bill, it is an energy bill, it is a conservation bill, it is a world development bill, and it is an economic development bill. Melding these priorities, each one critical to our Nation's future, is a profound accomplishment. I particularly applaud Chairman HARKIN for his work.

Last spring, I held a series of roundtables throughout Ohio and heard directly from farmers about what this year's farm bill should look like. They told me a safety net that lends stability to market segments buffeted by unpredictable costs and volatile prices is essential. Farmers need a safety net that makes sense, but it is important to understand that farmers are not looking for a handout. Rather, farmers are looking for assistance when prices drop or natural disasters strike.

This bill incorporates a safety net proposal I put forward with Senator DURBIN, the Average Crop Revenue Program, which will help family farmers in Ohio and consumers and taxpayers across the country by strengthening and diversifying the farm safety net. For the first time ever, farmers will be able to enroll in a program that insures against revenue instability, which, for many farmers, makes more sense than the traditional price-focused safety net.

Conservation programs were another frequent topic at the roundtables I held. One point is clear: Farmers do not want Washington rhetoric about conservation and alternative energy; they want commonsense programs and meaningful incentives, which this bill begins to provide.

As I traveled around Ohio, I met with Mark Schwiebert, a corn farmer in northwest Ohio, who will take advantage of the Average Crop Revenue Election Program. By targeting overall revenue rather than simply price, farmers can receive better protections against two things: natural disasters—therefore, low yield—and price volatility.

I met the same week with Ralph Dull, a hog farmer from Montgomery County who uses wind turbines to run his farm. Promoting sustainable farm-based renewable energy, such as the wind energy that Ralph's turbines produce, is another key element of the farm bill.

Encouraging these ventures will help expand and diversify U.S. energy sources, while invigorating rural economies.

During a roundtable in Chillicothe, I met with fruit and vegetable farmers who asked for more support as they provide fresh and healthy produce to Columbus and that region of the State.

The farm bill creates a new program, the Healthy Food Enterprise Development Center, that will connect local farmers to communities that need access to healthy, affordable food.

During a roundtable in Wayne County, I talked with dairy farmers such as Bryan Wolfe who told me about the difficulty he has had meeting rising feed costs. The bill provides relief for these dairy farmers by linking the dairy safety net to the cost of feed.

This bill does something else. It fights hunger. When the purchasing power of food stamps erodes, so does our Nation's progress against hunger. This bill increases food stamp benefits and indexes the benefits to inflation. Nearly 400,000 people in Ohio will receive additional benefits from this bill.

In Hocking County, OH, more than 2,000 residents went to the local food bank in a single day. That is over 7 percent of the local population. While we need to do more, this bill is a major step, especially in nutrition. We need to keep our eye on McGovern-Dole to make sure these dollars are available for nutrition all over the world.

But this bill moves us forward. Ohio's families need this farm bill, and Ohio's rural communities deserve this farm bill.

The PRESIDING OFFICER. Who yields time?

The Senator from Georgia is recognized.

Mr. CHAMBLISS. Mr. President, I have one more speaker. I think Senator HARKIN probably is prepared to wrap up. While Senator COCHRAN is on his way over here, let me make some comments relative to wrapping this up. We are finally here. This has been a long process. The Presiding Officer is a member of our committee and knows what we have been through to get to this point. It has been a lot of hard work, a lot of strong leadership on the part of the chairman, who has done a terrific job, as I said earlier.

My friend KENT CONRAD and I have spent countless hours together working through this extremely complex piece of legislation. I cannot say enough good things about his leadership, his intellect, as well as his understanding of what good agricultural policy is all about.

I want to thank also all of the members of the conference committee on our side, Senators COCHRAN, LUGAR, ROBERTS, and GRASSLEY. What terrific work they did. It was a long conference, having been begun back in December, and from December until now, we have met on a regular basis, and decisions that have been made were sometimes extremely difficult and very emotional. But what great leadership all of these Senators have shown.

To the other members of the committee on my side, Senators COLEMAN, CRAPO, Thune, and GRAHAM, again, we would not be where we are without their input. I thank each of them.

I also want to say a special thanks to Majority Leader REID and Minority Leader MCCONNELL. They have provided terrific leadership on both sides of the aisle. They have been extremely cooperative in allowing us to do the technical things we need to do, and at the same time to push Senator HARKIN and myself when we needed pushing. And we, again, would not be where we are were it not for their strong leadership, their cooperation. I thank each of them individually.

Following is a list of folks over at CBO I want to thank: Jim Langley, Greg Hitz, Dave Ull and the entire ag team at CBO, as well as Kathleen FitzGerald, Dan Hoople, Megan Carroll, Kathy Gramp, Tyler Kruzich, Kim Cawley, Teri Gullo, Sheila Dacey, Mark Booth, Zach Epstein, Andrew Langan, Lisa Ramirez-Branum, Burke Doherty, Amy Petz, Susan Willie, Sunita D'Monte, Matthew Pickford, and Mark Grabowitz.

As we go through the process of putting a bill like this together, we have to constantly call up CBO and ask them for immediate scores on portions of the bill, and I have to say, CBO has worked overtime to make sure they accommodated every single request we had, and they did it on rush-hour time. They have done a great job over there. I thank each of them.

Another thing we take for granted around here that we never should is the staff of this Senate. I want to say a particular thanks to Dave Schiapa and the folks on his staff, as well as to Lula Davis and the folks on her staff. This has been a partnership that so many people have talked about on both sides of the aisle from an Ag Committee standpoint, but it has also been a partnership between the staff.

I do not want to leave out our folks who show up every day early and stay late: our clerks, our Parliamentarians, who have been unbelievable. They are always here and provide us the professional leadership we need on the technical issues. To each of them, we say thank you.

At this time, I want to turn to Senator COCHRAN before I ultimately conclude. As I turn to Senator COCHRAN and give him 5 minutes, let me say as a former chairman of this committee, he is an icon in the ag community all across this great country. Senator COCHRAN has been a dear personal friend of mine for many years before I came to the Senate. As a friend and as somebody whom I looked up to when it comes to agricultural policy, it is my pleasure to turn to him now and to yield 5 minutes to him.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator from Georgia, the ranking Republican member of this committee, for his kind words and for his hard work and diligent efforts to bring us to a successful conclusion of this conference report.

The chairman of the Committee, Mr. HARKIN, has also been relentless and thoughtful in the way he has managed the responsibilities of the chairman of this committee through this very difficult task.

This was not an easy task. I applaud both of them for their leadership, their fairness, and their support for farmers' and ranchers' interests, and truly for the interests of all Americans.

I also compliment the staff members of the committee for their tireless work on this bill: Mark Halverson, the majority staff director of the committee and all of his staff who worked to resolve the many issues important to our region of the country; Martha Scott Poindexter, a former staff member of mine who is now serving as the staff director for Senator CHAMBLISS, deserves high praise for the successful efforts to help resolve the issues important to agriculture producers and the consumers in our State of Mississippi.

I also want to thank Vernie Hubert, Alan Mackey, Hayden Milberg, Cameron Bruett, Betsy Croker, Jane Anna Harris, Anne Hazlett, Matt Coley, Kate Coler, Patty Lawrence, Christy Seyfert, Dawn Stump, and Carlisle Clarke for their contributions to this effort.

This has been a team effort. I have been very fortunate to have had the pleasure and privilege of working with all of those I mentioned in the drafting and negotiation of this very important legislation.

Mr. President, the Food, Conservation, and Energy Act of 2008 strikes a careful balance between the many important programs within the farm bill. I am pleased that the bill continues the farm income safety net program developed in the 2002 farm bill. Farmers in Mississippi believe these programs have worked well to ensure an adequate support during times of depressed prices. Currently, our farmers are fortunate to be benefiting from strong commodities prices. However, we have learned from past experiences, that these prices can fall as quickly as they have risen and having a safety net in place is necessary for farmers to make the significant investments needed to operate.

Conservation is an important part of a farm bill. The continuation of programs such as the Wildlife Habitat Incentives Program, Wetlands Reserve Program, and Environmental Quality Incentives Program which have broad participation throughout Mississippi. Farmers understand how critical the environment is to the continuation of agriculture and the health of the community of which they live. The increased funding for these incentive based conservation programs will allow producers to adapt these programs with greater success to their land and provide real benefits for their good efforts.

The additional funding for nutrition programs will address many of the needs facing many of America's poor, children, and elderly. The nutrition programs authorized in this committee touch the lives of one out of every five people in this country, including over 37 million children. Also, I am pleased the conference recognizes the success of the fruit and vegetable pilot program and have expanded the program to all States.

There are many titles of the farm bill that are often overlooked but are important to agriculture and our rural economies. The research title of the farm bill is crucial to keeping U.S. agriculture a leader in food and fiber production. The streamlining of grant programs in the research title will allow for efficiency and oversight of the appropriated funds. The rural development title provides assistance to rural communities through housing assistance, rural broadband access, water and wastewater programs, and small

business development. I am pleased that the conference has maintained and improved upon these important programs.

The issue of payments limits is always a point of contention in every farm bill. The reductions in payment levels in this bill are a significant reform from the current payment limit rules. The payment limit levels in this bill will result in a significant hardship for many producers in Mississippi. Some of the best, most diversified producers in Mississippi will be ineligible for income safety net programs. It is important that the supporters of stronger payment limits understand that this will not reduce farm bill spending. The land will be farmed by another producer and be eligible for program benefits. The adjusted gross income limitation has the effect of moving one farmer off the land and putting another farmer in their place. The Government doesn't ask other businesses to go out of business if they grow and expand, why should farmers be treated differently?

Again, I want to thank Senator HARKIN and SENATOR CHAMBLISS for their good work on this bill. I encourage my colleagues to support the conference report.

Mr. CHAMBLISS. Mr. President, how much time remains on both sides?

The PRESIDING OFFICER. The Senator from Georgia has 6 minutes 20 seconds remaining, and the Senator from Iowa has 5 minutes 40 seconds remaining.

Mr. CHAMBLISS. Mr. President, let me again thank Senator COCHRAN for his generous comments and for his leadership on the committee. He has been such a valuable member of the conference committee but, more than that, he has been a dear friend.

I want to continue to acknowledge the hard work of a number of folks on the other side of the aisle. We had Senator BAUCUS, chairman of the Finance Committee, who worked so closely with Senator GRASSLEY and every member of the conference committee on our side of the Capitol to try to find the funding for this bill. It is completely offset as scored by CBO.

In addition, he worked out a very fair and equitable tax package for agricultural issues, and I emphasize that, to be included in this farm bill. And it is that particular amount of spending that has been totally offset as scored by CBO. So Senator BAUCUS and Senator GRASSLEY deserve an awful lot of credit.

To my good friend, Senator BLANCHE LINCOLN, what a real ally she has been to all of us on the committee. Senator STABENOW has been a tireless worker from a conference committee standpoint.

This truly has been a bipartisan effort. But the real work hard that has been done on this bill—the policy decisions are made by the membership—was done by the staff.

I say to Mark Halverson and Susan Keith, and all of the members of the minority committee, how much we appreciate them for their hard work, their commitment to agriculture. Beginning in December, after these folks had worked so hard to get the bill done and to get the bill to the Senate floor, their real work began. Every single day since this bill was passed, including weekends, these folks have been working tirelessly to try to accommodate the policy decisions the Members have been making. It has been an unbelievable process. Without their hard work we simply would not be here.

Senator COCHRAN thanked all of the members of my staff, and I will not go back through those again. They know how much I love them and how much I appreciate them. But to Martha Scott Poindexter, Vernie Hubert, and Hayden Milberg I owe a special thanks, because they have had to put up with me and me telling them what they needed to do and when they needed to do it. And that is not an easy task from their side. So I have tremendous appreciation for all of the staff who worked so hard to make this happen today.

There are some other staff members I particularly want to acknowledge because they have been, again, tremendous and they have been right there side by side with all of the Ag Committee staff from day one. That is Amanda Taylor, Elizabeth Paris on Senator GRASSLEY's staff; on Senator BAUCUS's staff, John Selib, Brandon Willis, Rebecca Baxter, Kathy Kock; on Senator LINCOLN's staff, Ted Serafini; and on Senator CONRAD's staff, Tom Mahr and Jim Miller. Tom and Jim particularly have been involved with my staff since literally about a year ago in attempting to craft the farm bill that ultimately came to the floor of the Senate. They have been tremendous in providing us numbers, providing us information to help Senator CONRAD and myself make policy decisions. To those two gentlemen, I want to say a special thanks.

This bill is going to finally come to a vote on the conference report. This is not a perfect bill, as has been said by several different folks here. There have been some folks who stood up and pointed out some objections they have to the bill.

This is my third bill, two as a Member of the House and now one as a Member of the Senate. All farm bills are extremely controversial. All farm bills are portrayed by the media as being a giant welfare program for farmers.

Nothing is further from the truth, particularly in this farm bill. In this farm bill, about 11 percent of the outlays are projected to go to farm programs, 11 percent, and 74 percent of the outlays are going to go for nutrition programs to feed hungry people in this country. We have an obligation, as the richest and most abundant, from a food standpoint country in the world, to take care of those folks who are in need, and we are doing so in this bill.

In addition, we are providing conservation measures that are going to save the land, save rural America from being developed in many areas where it ought not to be developed. We are also going to make sure that we provide future generations with alternative energy sources, and that we do it in the right way.

I want to close by making a comment on the point of order Senator GREGG made. He knows how much respect I have for him. He did a terrific job when he was chairman of the Budget Committee and now as the ranking member.

Again, he is doing a good job. He knows I have tremendous respect for his position on any issue relative to the budget. But here is what I wish to explain to my colleagues. His point is that we are going to spend more money above the budget than we actually say we are going to spend.

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

Mr. CHAMBLISS. I ask unanimous consent that we have an additional 4 minutes equally divided between Senator HARKIN and myself.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. Reserving the right, I ask for an additional 2 minutes as well.

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

The Senator from Georgia.

Mr. CHAMBLISS. If anybody in this body can tell me today what the price of corn, cotton or soybeans is going to be 5 or 10 years from now, then we would not have to worry about projecting exactly what the expenditure, from a budget standpoint, in this farm bill is going to be. The fact is, we can't even project what the price of corn and soybeans and other commodities is going to be tomorrow, much less what we can predict it will be 5 years from now. In fact, the 2002 farm bill, which is currently in place, had the same budget point of order made against it in 2002, when it was passed. The fact is, in that farm bill, not only did we not spend what was projected to be spent, but we spent between $15 and $18 billion less than what was projected to be spent. The reason is that commodity prices have been high; therefore, payments coming out of Washington have been either nonexistent or very low. That is where the $15 to $18 billion in savings has come from. In this bill, as long as commodity prices remain high, again, farmers are going to have what they want, which is their stream of income coming from the marketplace versus Washington. Washington is going to have what we want, which is a reduction and limitations on payments going to farmers. The budget point of order, obviously, is correct in saying we don't know exactly how much money is going to be spent under countercyclical programs. That is the nature of farm bills. But the fact is, we spent less under 2002. We are going to spend less under this farm bill, in all probability. But we cannot say that for certain. Therefore, I urge my colleagues to vote in opposition to the

budget point of order and to vote in favor of the underlying bill.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Iowa.

Mr. HARKIN. How much time remains on this side?

The PRESIDING OFFICER. The Senator from Iowa has 8 minutes. The time of the Senator from Georgia has expired. Senator GREGG has 2 minutes.

Mr. HARKIN. I will let Senator GREGG go first, so I may finish debate on the bill.

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

Mr. GREGG. Mr. President, I understand that as chairman of the committee, Senator HARKIN should have the right to complete his statement. I am happy to proceed at this time.

I would simply make the point, in response to the discussion about this bill and the budget, there is no way anybody with a straight face can represent that this bill is fiscally responsible in the context of the budget. When this bill left the Senate, it was at $285 billion. It is now at $300 billion. This bill has $18 billion worth of gimmicks in it. The tax years are changed for corporations to pick up money. There is an attempt to adjust programs so some basically disappear after a certain number of years on the theory that then they would not score, knowing full well that those programs are going to be continued. We also have a situation where this bill violated the pay-go rules of the House and would violate the pay-go rules of the Senate, to the extent they are ever enforced around here, if we had passed the Senate budget.

The irony is that this bill comes to the floor before the budget, which was voted on and voted in favor of by the Democratic membership. That Democratic budget is violated in this bill. I have to tell my colleagues, if a Democratic budget, which spends a heck of a lot of money, is violated, then, obviously, the bill itself is spending a lot of money. In addition, it uses gimmicks such as custom user's fees. It uses gimmicks such as this adjustment of pay-go. It ends up, even using all those gimmicks, $18 billion worth of gimmicks, still with a budget point of order against it which is legitimate.

The budget is violated. This bill spends money outside the budget. That budget point of order should not be waived.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Iowa has 8 minutes.

Mr. HARKIN. Mr. President, let me bring to a close this debate on the farm bill. First, let me recap. This is not called the farm bill. It is called the Food, Conservation, and Energy Act for good reason—because 67 percent of all the new money in this bill goes to nutrition to help low-income Americans, to help our kids in school get a better diet of fresh fruits and vegetables. We also lifted the childcare cap that has been there since 1993. Right now it is $175 a month. The average cost of childcare is $631 dollars a month. We have lifted the cap on childcare deductibility for those low income Americans who need food assistance. Let me read this quote from Second Harvest, Vicki Escarra, president of America's Second Harvest:

> On behalf of our nation's food banks, I urge Senators to vote in favor of this hunger-fighting farm bill for the millions of low-income Americans on the brink of catastrophe, facing some of the most difficult economic times they have had to endure in years. I urge Senators to support this vitally important and necessary legislation.

On specialty crops, we have done more on specialty crops than any farm bill before. We put a new title in this bill, almost $3 billion going to fruits and vegetables, horticulture, all the things that, again, lend themselves to a healthier diet and a healthier America. There is also a quote from the organization supporting specialty crops that says in part: This farm bill represents a sea change in U.S. agriculture policy and a historic investment in the future of the fruit and vegetable producers across this country. We have taken a bold step to expand the fresh fruit and vegetable snack program to all 50 States, which makes certain this farm bill doesn't just help farmers but helps schoolchildren have greater access to fruits and vegetables. ''This is truly a win-win for both agriculture and the public.'' On livestock, we improved the protections for livestock producers when they make contracts. I wish to publicly thank my colleague from Iowa, Senator GRASSLEY, for making sure we had those provisions in this bill. The country of origin labeling now will go into effect this fall so we will know where our meat products come from and, finally, we will have the interstate shipment of State-inspected meat after all these years. On conservation, we have done more for conservation in this bill than any farm bill ever passed, almost 41 percent of all the money that is paid to agricultural producers will be paid through conservation programs to protect our soil, wildlife habitats, and clean water.

Lastly, I showed this picture yesterday. I show it again. This is the countryside that we want where farmers can plant and grow crops, but they do it in an environmentally sound way, with clean water and clean streams, with buffer strips, wildlife habitat all across the country. That is what is so good about this bill because we have improved the conservation programs.

This is a bipartisan bill. In fact, I got a note this morning that our former Secretary of Agriculture, Mike Johanns, has now said he would vote for the bill. He would support it.

In all my years here—this is my seventh farm bill in 30-some years—I have never seen so many groups come together to support a farm bill, over 500 groups. Farm groups, conservation groups, hunters and fishermen, energy groups for renewable energy, antihunger groups, religious groups—I have never seen such a broad coalition of over 500 groups in support of this bill. Now we have the former Secretary of Agriculture saying he would support it. All these groups support the farm bill. The President says he wants to veto it. Evidently, he is right and everybody else is wrong. I beg to differ. This is a great bipartisan bill.

We keep hearing from people: Why can't you people work together, quit bickering, get things done? We did that here. We worked together in a year and a half to produce this great product.

I wish to especially thank my ranking member, Senator CHAMBLISS, for all his great work. Senator CHAMBLISS reminds me a little bit of old Senator Sam Ervin, who used to say ''I am just a poor, little old country lawyer from the rural South.'' Senator CHAMBLISS may say something like that, but I can tell you he is one smart, intelligent, good negotiator. He brought this farm bill forward when he was chairman. I couldn't have asked for a better partner and working relationship in getting this bill through. I can honestly say, without any fear of contradiction, had it not been for Senator CHAMBLISS and all his hard work, we would not have gotten the 79 votes we got for this bill in December. The fact that I think we will have an overwhelming vote today is a tribute to Senator CHAMBLISS's leadership and hard work on behalf of all agriculture. One thing I will say about Senator CHAMBLISS, he is a proud conservative. The only thing he is liberal about is giving out those Georgia peanuts. I want him to know, I appreciate those peanuts.

Let me thank all the members of our committee. In particular, I thank the members of our conference committee. I mentioned Senator GRASSLEY, who worked so hard on the Finance Committee portion of the bill; Senator BAUCUS, who as chairman of the Finance Committee got the money for us. I wish to especially thank Senator CONRAD, our budget chairman, for his expertise, knowledge, diligence. Senator CONRAD was there for every meeting. He hung in there on this farm bill from the beginning to the end. We could not have gotten where we are without the help, the support, the knowledge, the expertise of Senator CONRAD. I wish to say, again, that the farmers and ranchers of North Dakota have no better fighter for them, no stronger advocate than they have in Senator CONRAD. I can tell you nothing escapes his attention. When it comes to fighting for the farmers and ranchers of North Dakota, Kent Conrad is always in the lead.

I wish to publicly thank him and his staff for all the help on this bill.

Senator LEAHY, the former chairman, who also fights for Vermont farmers, especially dairy producers. He had a great seat at this table. He made sure

we took care of dairy farmers and nutrition. There is no stronger fighter for our dairy farmers and nutrition than Senator LEAHY. Senator LINCOLN, who chairs our Subcommittee on Production, Income Protection, and Price Support, a strong advocate for Arkansas rice and grain and oilseed farmers. Senator LINCOLN is a strong fighter for rural residents, people who live in small towns and communities. Senator STABENOW, another conferee I am now going to refer to as the Senator of specialty crops, because it was Senator STABENOW's strong advocacy that led to the first-ever inclusion of a specific title for specialty crops in this bill and nearly doubled the support for it.

Lastly, let me reach across to the other Chamber and thank Congressman PETERSON from Minnesota. We have been working together on this over a year, Saturdays and Sundays, and weekdays and nights, on the phone. I also want to thank Congressman BOB GOODLATTE. What a great companion he has been to fight for conservation and rural development, working hard to bring forth this bill.

Again, they say the art of good legislation is cooperation and compromise. We had good cooperation between parties, between the House and the Senate, and we have a farm bill we can all be proud of.

Mr. President, I ask unanimous consent that a letter from over 500 organizations supporting the Food, Conservation, and Energy Act of 2008 be printed in the RECORD.

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

MAY 13, 2008.

U.S. SENATE,
Washington, DC.

DEAR SENATOR: As the U.S. House of Representatives prepares for final consideration of the 2008 Farm Bill, the organizations listed below strongly urge you to vote in favor of the Conference Report.

Communities across the nation, from urban to rural have been waiting too long for this legislation. The Conference Report makes significant farm policy reforms, protects the safety net for all of America's food producers, addresses important infrastructure needs for specialty crops, increases funding to feed our nation's poor, and enhances support for important conservation initiatives.

This is by no means a perfect piece of legislation, and none of our organizations achieved everything we had individually requested. However, it is a carefully balanced compromise of policy priorities that has broad support among organizations representing the nation's agriculture, conservation, and nutrition interests.

Our organizations applaud the strong bipartisan leadership demonstrated in Congress to authorize and approve a strong new five-year Farm Bill. Sound policy and long-term certainty are absolutely essential to everyone served by the Farm Bill, and the final Conference Report provides both.

Again, we urge you to support communities across America—rural, urban and suburban, by voting in favor of the 2008 Farm Bill Conference Report.

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

The Senator from Missouri is recognized.

Mrs. MCCASKILL. Mr. President, I raise a point of order under rule XLIV, paragraph 8(a), section 12034 of the farm bill conference report violates this rule in that it is a new directed spending provision.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, I move to waive paragraph 8 of rule XLIV with respect to all provisions of the conference report to accompany H.R. 2419, the Food, Conservation, and Energy Act, and 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.

GREGG POINT OF ORDER

The PRESIDING OFFICER. The question is now on agreeing to the motion to waive section 203 of S. Con. Res. 21 against the conference report.

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

I further announce that, if present and voting, the Senator from Minnesota (Ms. KLOBUCHAR) would vote ''yea.''

Mr. KYL. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN) and the Senator from Virginia (Mr. WARNER).

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

The yeas and nays resulted—yeas 74, nays 21, as follows:

[Rollcall Vote No. 128 Leg.]

YEAS—74

Akaka	Dorgan	Murray
Alexander	Durbin	Nelson (FL)
Baucus	Feinstein	Nelson (NE)
Bayh	Graham	Pryor
Biden	Grassley	Reed
Bingaman	Harkin	Reid
Bond	Hutchison	Roberts
Boxer	Inhofe	Rockefeller
Brown	Inouye	Salazar
Brownback	Isakson	Sanders
Byrd	Johnson	Schumer
Cantwell	Kennedy	Shelby
Cardin	Kerry	Smith
Carper	Kohl	Snowe
Casey	Landrieu	Specter
Chambliss	Lautenberg	Stabenow
Cochran	Leahy	Stevens
Coleman	Levin	Tester
Conrad	Lieberman	Thune
Corker	Lincoln	Vitter
Cornyn	Martinez	Webb
Craig	McCaskill	Whitehouse
Crapo	McConnell	Wicker
Dodd	Menendez	Wyden
Dole	Mikulski	

NAYS—21

Allard	DeMint	Hatch
Barrasso	Domenici	Kyl
Bennett	Ensign	Lugar
Bunning	Enzi	Murkowski
Burr	Feingold	Sessions
Coburn	Gregg	Sununu
Collins	Hagel	Voinovich

NOT VOTING—5

Clinton	McCain	Warner
Klobuchar	Obama	

The PRESIDING OFFICER. On this vote, the yeas are 74, the nays are 19. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader is recognized.

Mr. REID. Mr. President, I ask unanimous consent that the subsequent two votes on this agricultural matter be 10 minutes in length.

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

MCCASKILL POINT OF ORDER

The question is on agreeing to the motion to waive paragraph 8 of rule XLIV against the conference report.

The yeas and nays are ordered.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. KYL. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN) and the Senator from Virginia (Mr. WARNER).

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

The yeas and nays resulted—yeas 62, nays 34, as follows:

[Rollcall Vote No. 129 Leg.]

YEAS—62

Akaka	Dorgan	Murray
Alexander	Durbin	Nelson (FL)
Baucus	Feinstein	Nelson (NE)
Bennett	Grassley	Pryor
Biden	Harkin	Reed
Bingaman	Inouye	Reid
Boxer	Isakson	Rockefeller
Brown	Johnson	Salazar
Byrd	Kennedy	Sanders
Cantwell	Kerry	Schumer
Cardin	Klobuchar	Shelby
Casey	Kohl	Smith
Chambliss	Landrieu	Snowe
Cochran	Lautenberg	Stabenow
Coleman	Leahy	Stevens
Conrad	Levin	Tester
Craig	Lieberman	Webb
Crapo	Lincoln	Whitehouse
Dodd	Menendez	Wicker
Dole	Mikulski	Wyden
Domenici	Murkowski	

NAYS—34

Allard	DeMint	Martinez
Barrasso	Ensign	McCaskill
Bayh	Enzi	McConnell
Bond	Feingold	Roberts
Brownback	Graham	Sessions
Bunning	Gregg	Specter
Burr	Hagel	Sununu
Carper	Hatch	Thune
Coburn	Hutchison	Vitter
Collins	Inhofe	Voinovich
Corker	Kyl	
Cornyn	Lugar	

NOT VOTING—4

Clinton	Obama
McCain	Warner

The PRESIDING OFFICER. On this vote, the yeas are 62, the nays are 34. Three-fifths of the Senate duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Ms. CANTWELL. Would the Senator yield to me for purposes of a colloquy?

Mr. HARKIN. I would be pleased to yield

Ms. CANTWELL. Section 8105 of this bill authorizes the Secretary of Agriculture to ''provide free of charge to Indian tribes any trees, portions of trees or forest products from National Forest Service land for traditional and cultural purposes as long as those products are not used for commercial purposes.'' Several Indian tribes in Washington State are successors in interest to tribes and bands who were signatory to treaties with the United States which expressly reserved the right to gather forest products from lands which currently include National Forest System lands. These treaties are regarded as the supreme law of the land and cannot be modified by Congress unless Congress clearly intends to do so. Am I correct that section 8105 is not in any way intended to modify or supersede the treaty rights of these tribes?

Mr. HARKIN. The Senator is correct. Section 8107 of the bill contains a ''savings'' provision that explicitly states that nothing in this legislation ''alters, abridges, diminishes, repeals, or affects any agreement between the Forest Service and an Indian tribe''. Section 8105 of this bill does not in any way affect valid treaty rights of tribes to gather forest products from National Forest System lands.

Ms. CANTWELL. I thank the Senator.

• Mr. MCCAIN. Mr. President, despite my great admiration for America's hardworking farmers and my support for additional food aid for our Nation's most vulnerable, I must oppose the conference agreement to H.R. 2419, the Food and Energy Security Act, also known as the farm bill. I recognize that in the days ahead, attempts will be made to use my opposition to this bill for another's political gain, but I have always worked to do my best for America and that is why I must oppose this conference report. And, the American people deserve to know the truth about this farm bill: It is a bloated piece of legislation that will do more harm than good for most farmers and consumers.

In today's economy, when hardworking American families buy groceries they feel the sting of misguided Federal agriculture policies. Instead of fine tuning our farm programs to improve their efficiency, we have allowed them to swell into mammoth government bureaucracies that generally exist to serve special interests at the behest of congressional benefactors. Sixty-nine years after the Great Depression and the advent of the farm bill, well into the 21st century, commodity prices have reached record highs. I believe American agriculture has progressed to the point where we no longer need government grown farms.

Don't misunderstand. I am not opposed to providing a reasonable level of assistance and risk management to farmers when they need America's help. Farmers never abandon America, and America mustn't abandon them. When a farmer suffers from a natural disaster such as droughts or floods, they rightly deserve assistance. But they need a hand up, not a hand out.

The American taxpayer has been told before that farm bills and their thirst for subsidies were a necessary evil to provide our country and the world—with affordable, abundant food. Today, as food prices reach historic highs, they're being told the same thing. We must challenge that notion as grocery bills soar, food banks go bare, and food rationing occurs on a global scale. We must question policies that divert over 25 percent of corn out of the food supply and into subsidized ethanol production. Do Americans really want a support system that costs consumers $2 billion annually in higher sugar prices? Will we truly reduce our dependency on foreign oil by extending tariffs that make it too expensive to invest in sugar ethanol production? Can we honestly demand fair and free trade at Doha while domestic cotton growers dump subsidized cotton on the world market?

The farm bill conference report is expected to cost taxpayers around $289 billion. According to the Congressional Budget Office, this bill will exceed the government's budget by $10 billion. But the administration points out that with clever accounting made famous by congressional budget dodgers, the real cost of the bill will exceed the government's budget by about $18 billion. And even though Democrats and Republicans in both Chambers have promised to rein in pork barrel spending, this bill betrays that promise. Buried within its hundreds of pages are special favors like: $170 million bailout for the west coast salmon industry included at the insistence of the Speaker of the House; $93 million in special tax treatment for race horses; $260 million in tax cuts for the timber industry; $15 million for asparagus growers. During debate on the Senate farm bill last year, my colleague Senator GREGG offered an amendment, which failed, to strike this provision. This is a crop that has never before received farm subsidies; $175 million would be transferred to Bureau of Reclamation for activities at three Nevada lakes; $500,000 to the Walker River Paiute Tribe for legal and professional services in support of settling tribal water claims. Other tribes have dealt with water rights without a half million dollar earmark; $5 million for joint planning and development activities for water, wastewater, and sewer facilities by the city of Fernley, Nevada, and the Pyramid Lake Paiute Tribe.

The bill authorizes a myriad of grant programs including grants for research into pig genetics, grants for the preservation of historic barns, and $300 million for the Sun Grant Program, which provides grants to 6 universities and science centers that conduct bioenergy research.

Twenty million dollars goes to the collection and storage of seeds for research purposes; $75 million for a crop research facility in El Reno, OK; $35 million to promote the production of ''hard white wheat.''

A $4 billion disaster assistance package on top of an existing crop insurance program that's subsidized by the Federal Government. And these are only a few examples of the questionable provisions expected to hit the President's desk.

As you may know, farm subsidies were originally designed to ensure farmers get a fair return on their labors, but the majority of subsidies go to large commercial farms that average $200,000 in annual income and $2 million in net worth. Indeed, these payments aren't going to the average hardworking American farmer working in the Heartland. This farm bill actually increases subsidy rates for some crops and a majority of those payments are funneled only to a few staple crops. During debate on the Senate farm bill last fall, I proudly cosponsored an amendment which would have capped subsidies for farmers whose income exceeds $250,000. That amendment, which was rejected, was written by Senators BYRON DORGAN of North Dakota and CHUCK GRASSLEY of Iowa—two distinguished colleagues who understand rural America better than most. Instead of fixing a system that provides farm payments to millionaire land owners, sometimes when they don't grow anything at all, Congress ignored the cries for reform from small farmers themselves. In fact, this farm bill contains a phony payment limit designed to allow farmers to earn up to $750,000 and $500,000 off the farm before hitting any subsidy ceiling. Astounding.

This Congressional feeding frenzy is tragic because other areas of the bill have merit, like the increased funding and focus on food assistance and nutrition programs. In particular, the bill would index food stamps to reflect the current cost of living and fill shortfalls in the Emergency Food Assistance Program. Unfortunately, the bad outweighs the good in this bill.

More than hand-outs, more than ballooning disaster payments, the families and small businesses throughout the Heartland are demanding affordable quality health care, better education for their children, lower taxes, and relief from government regulation. Rural America has seen farm bill after farm bill passed without policies that adequately promote economic development or address population loss. We must improve rural life, provide high-tech connectivity essential for jobs and education, open trade markets, maintain our competitiveness, and reduce overregulation for farmers and ranchers.

For now, we need to put an end to flawed government policies that distort the markets, artificially raise prices for consumers, and pit producers against consumers. We have once again failed farmers in that regard, which is why I oppose this bill.•

Mr ENZI. Mr. President, I wish today to speak about the farm bill conference report. Without a doubt, our Nation's rural communities are in need of a new national agricultural policy. Since the last farm bill was passed in 2002, there have been substantial changes in agriculture and this bill is needed to keep American farmers and ranchers on track during a time of growing demand on our food system. In recent weeks, I have come to the floor to ask my colleagues to do something about health care, do something about high energy prices, and today I am asking that we do something for our agricultural producers.

When this farm bill passed the Senate in December, it passed with substantial support. Today we are considering a farm bill that reflects that support and takes steps to improve American agriculture. That being said, for many agricultural producers this farm bill is coming months late and dollars over budget. The opportunity to consider a farm bill is rarer than an October harvest moon and lawmakers must take special care to ensure that the seeds we sow today will reap a bountiful harvest tomorrow. I wish to make the point that addressing the needs of both producers and consumers goes beyond the language of this farm bill. Successful farm policy begins with lower energy costs, affordable health care, and competitive domestic and foreign markets.

As the Senate considers this farm bill, the question that should be on all our minds is at what cost does this farm policy come to our producers, our consumers, and our country. This conference report comes to the floor at a time when U.S. farm income is expected to reach an all-time high of $92.3 billion. It is true that our Nation's producers are facing higher costs to fill their tanks, fertilize their fields, feed their livestock and pay for their health care. However, this farm bill does not go far enough to cut the subsidies handed out to the wealthiest of farmers. I supported and applauded the efforts of my colleagues when the Senate considered amendments to the farm bill in December to limit these payments. Family farms are the backbone of American agriculture and the farm safety net should only be extended to only those who are in the most need, not to those making nearly $750,000 a year. This farm bill balloons to nearly $300 billion because the conference report makes only modest cuts to the largest payments. There is nothing wrong with helping our farmers guarantee a safe and secure food supply, but that assistance does not deserve to go to farmers who fashion diamond studded coveralls and golden pitchforks.

It is not just a financial travesty that these payoffs to agribusiness are in the bill, it is a policy travesty because this farm bill does have some very good policy contained within its pages. Many of these provisions I have worked to pass for a long time, but like gophers in the garden, these payments to millionaires have ruined a good product.

I support provisions that were included in the farm bill that help livestock producers and come at no expense to the U.S. Treasury. For the first time, the farm bill contains a livestock title to promote competition and fairness in our agricultural markets. In the past, I labeled the farm bill as, ''Do No Harm, Do No Good'' for ranchers across this country. I said this because the farm bill never addressed the needs of hard-working independent livestock producers like those found in Wyoming. Well this farm bill includes something I have been working on since I came to the Senate 11 years ago and that is language to implement mandatory country of origin labeling, often referred to as COOL. COOL provides consumers with important information about the source of food and allows our livestock producers, who hands down produce the highest quality meats in the world, to remain competitive in a growing global market. No more excuses, no more foot dragging, the time is hot for COOL.

The livestock title also contains provisions that will improve the Livestock Mandatory Reporting Act by making market information easily accessible online and will improve the enforcement of the Packers and Stockyards Act by requiring the USDA to report annually on its investigations into violations. All important provisions for livestock producers who simply wish to have a fair and competitive market for their animals. I was disappointed to see that the conference committee left out an important provision that was passed by the Senate last year, just as it did in 2002. The ban on packer ownership was an important step in ensuring that independent livestock producers have access to markets in light of growing consolidation among meat packers. Finally, I would like to address language in the livestock title that promotes the ability for local ranchers to market their product across State lines when processed at State-inspected plants. The interstate meat inspection language is critical for the small mom-and-pop processing plants who meet Federal standards but cannot afford to pay for a full-time Federal inspector. These facilities, that already meet rigorous state inspection standards, will now be able to sell specialized products across State lines and ultimately help producers find value-added marketing opportunities for their livestock.

For Wyoming and a number of other Western States, another provision in this bill that costs little but yields significant results, is this Nation's investment in animal health programs. I was pleased to see language that makes brucellosis a high-priority research initiative in the U.S. Department of Agriculture and clarifications for the Animal Health and Disease Research Program that provides vital applied animal research to producers on the ground.

For conservation, this bill makes significant improvements to the incentives and financial assistance offered to land owners who use the Environmental Quality Incentives and Conservation Reserve programs. I am especially pleased to see that the CRP program offers additional assistance to beginning farmers and ranchers since we all know that one of the greatest challenges to the future of agriculture is attracting young people into the industry.

There are some positive changes made in the farm bill, but the conference report clearly lacks alternatives and only makes small steps to improve the condition of agricultural producers across our country. One alternative that I would like to present to my colleagues is to continue promoting new markets for American agricultural products through trade overseas and develop better markets domestically by promoting fair and competitive markets for our livestock producers. In addition to these steps, there are scores of things this Congress can do today to ease the burden on rural America that cannot be solved in farm legislation. The Senate should take action to address the cost of rising energy costs and more importantly reduce the cost of health care for Americans. For the past several months, I have come to the Senate floor to speak about my 10 steps to transform health care in America and policies to lower energy prices by increasing supply and developing domestic sources of production. All of these things being said, this country desperately needs a new agricultural policy, and I hope that we will not stop merely with this farm bill. Sound farm policy goes beyond commodity payments and nutrition programs. It begins with providing the men and women sitting in the saddle with affordable energy, affordable health care, and fair and competitive markets to sell their products.

Mrs. BOXER. Mr. President, I rise in support of the farm bill conference report.

The bill takes many positive steps to level the playing field in American agriculture by recognizing the importance of specialty crops to the nation's economy and the need to provide more funding for programs that promote renewable energy, protect our environmental resources, and keep our children healthy.

This is by no means a perfect bill, but it is a great improvement over our current, outdated farm policy that for too long has hurt California's farmers and growers.

California is the Nation's largest agricultural state, with more than 350 different crops worth $32 billion per year. Yet our State has been largely overlooked when it comes to the billions in federal support for agriculture.

For the first time, the farm bill is recognizing the importance of specialty crops to our Nation's economy.

Included in the Senate bill is mandatory funding for specialty crops block

grants, organic farmers, farmers market programs, trade assistance and foreign market access programs, the community foods program, and important specialty crops and organics research.

The bill also provides over $1 billion in funding for the Fresh Fruit and Vegetable Snack Program, expanding participation in the program to all 50 States. This program provides a critically important strategy in the fight to prevent and reduce childhood obesity by providing as many as 3 million low-income elementary school children in 5,000 schools nationwide the ability to receive a fresh fruit or vegetable snack every day at school.

Numerous studies have indicated that eating fruits and vegetables can prevent cardiovascular disease, diabetes, cancer, and hypertension, in addition to obesity. Yet less than one out of every six children eats the USDA recommended amount of fresh fruit, and only 1 out of 5 children eats the recommended amount of vegetables. The funding included in the farm bill will ensure that schools in California and in every State in the Nation can implement this important child nutrition program.

Also included in the nutrition title are much needed modernizations and updates to the food stamp assistance program. The bill not only renames this program as the Supplemental Nutrition Assistance Program, or SNAP, but it also provides critical improvements that will greatly help families in need. As a result of deep cuts to the Food Stamp Program in the mid-1990s, the purchasing power of families' food assistance benefits has eroded greatly over time. The farm bill invests significant resources; $5.4 billion over the next 10 years, to end that erosion and partially restore benefit levels that have been lost. The bill increases the minimum SNAP benefit to $14, up from the current $10, and indexes that level to future inflation. The bill also increases assistance to families with high childcare expenses by allowing a full deduction for childcare expenses in calculating family income and benefit levels.

And with our Nation's food banks experiencing unprecedented shortages during this period of high demand for supplemental food assistance, the bill nearly doubles the amount authorized for the Emergency Food Assistance Program, providing $1.25 billion over 10 years and providing $50 million in emergency money for food banks currently enduring severe shortages.

The farm bill also provides an important opportunity to increase protection of our Nation's natural resources and its open space. Farmers can enroll in a number of conservation programs that allow them to provide habitat protection for native species, protect wetlands and grasslands, and undertake initiatives to make their farms more environmentally friendly—but the last farm bill did not do enough to provide farmers with the resources they need to fully participate in conservation activities.

In 2004, California had a $143 million backlog in payments and enrollments in conservation programs due to lack of funding and low acreage caps. An average of 4,000 farmers and landowners in California are rejected each year when they apply to USDA conservation programs. Sixty-eight percent of California's farmers seeking Environmental Quality Incentives Program, EQIP, funding turned away. Nationwide, $18 billion worth of conservation applications have gone unfunded during the life of the 2002 farm bill.

As a result of inadequate funding for conservation programs, California is rapidly losing thousands of acres of farmland and open space. Ninety-five percent of the wetlands in the Central Valley have been lost, and 171,000 acres of farmland were lost in California from 2002 to 2004.

The conference report takes important steps to provide farmers with more access to conservation programs, and while I am disappointed that more funding was not included, the $4 billion in new spending will allow many more farmers and landowners in California to participate in important resource protection programs like the Wetlands Reserve Program, the Grasslands Reserve Program, and EQIP.

I am also grateful that the conferees pushed back against efforts to restrict full-time farmers from participating in conservation programs. The purpose of conservation programs is to encourage farmers and landowners to provide a public benefit by protecting their land from development, and in the future we must ensure that income eligibility caps are not applied to conservation programs, as these would be very detrimental to resource protection efforts in California.

The farm bill also authorizes a number of programs that will benefit California's rural communities, such as low-interest loans to rural electric cooperatives for renewable energy production and grants and loan guarantees to develop broadband access in rural areas.

I am also pleased that the bill contains significant investments for farm-based energy, including the development of cellulosic ethanol. I am concerned about the impact of corn ethanol on food and feed prices, especially in light of the fact that alternative, renewable fuels can be created from a number of other agricultural sources, many of which are produced in California. This farm bill takes great steps to encourage the development of cellulosic fuels that can be produced in California by providing loan guarantees to encourage farmers to grow biomass crops and incentives to drive the advancement of commercial scale biorefineries for advanced biofuels.

The conference report also includes important reforms to commodity programs, including the elimination of the three-entity rule, a direct attribution requirement, and income means tests to prevent very wealthy farmers from receiving certain commodity payments. I would have liked to see some additional reforms, but the conference report represents a positive first step in the effort to improve and update our commodity programs.

I would also like to thank Chairman HARKIN and the conferees for including a number of provisions I authored into the farm bill.

Air quality improvements in agricultural areas: In rural areas around the country, smog and soot are threatening public health, fouling communities, and reducing crop productivity from pollution generated on farms. I joined forces with Congressman CARDOZA to include language authorizing a new program in the existing Environmental Quality Incentives Program, EQIP, that will allocate $150 million in funds over the next 5 years toward air quality mitigation efforts in agricultural communities with poor air quality. USDA has invested money in California since 1998 that has produced measurable and permanent pollution reductions in a region that has some of the worst air quality in the Nation. With this new program in place, these efforts can be expanded in California and replicated throughout the Nation.

Pollinator Protection Act: This provision authorizes up to $100 million over 5 years for high priority research dedicated to maintaining and protecting our honey bee and native pollinator populations. There has been a loss of about 25 percent of the Nation's honey bee population, and it is estimated that crops nationwide that depend on a healthy honey bee and native pollinator population are valued near $18 billion.

Protecting sugar beet farmers and hundreds of jobs in Fresno County: I helped negotiate a change in the national sugar allocation program that will provide a sugar beet grower cooperative in the Central Valley with the necessary allocation to continue growing sugar beets and keep the Mendota sugar refinery open. The grower cooperative is working to purchase the sugar refinery from an out-of-state owner, and if successful, they will keep the refinery operating and save 400 full-time and seasonal jobs in Fresno County, where the March unemployment rate was 11.1 percent.

Pest Detection and Surveillance Act: This provision authorizes $407 million to give USDA the authority to enter into cooperative funding agreements with States to enhance their pest and disease detection and surveillance programs and increase inspections at domestic points of entry, implement pest trapping systems, and create pest eradication and prevention programs, among many other pest detection and surveillance initiatives. This program will help protect California's agricultural economy from harmful pests and diseases and keep our farmers competitive.

Preservation of 40-year-old meat inspection laws: The House-passed bill included language that would allow meat and poultry plants to forgo Federal inspections in favor of more lax and uneven State-run inspections—potentially putting the health of millions of Americans at risk. I worked with Senator HARKIN, consumer groups, and labor unions to protect the integrity of the Federal meat inspection process. In the wake of the largest recall of beef in our Nation's history, Congress should be working to strengthen food safety standards, not rolling back the Federal Government's crucial role in protecting our people.

Agricultural watershed enhancement: The Sacramento River watershed and other national regional watersheds have been identified by conservation groups as watersheds most in need of water quality and water quantity enhancement. I worked to ensure that the Sacramento River watershed is treated as a priority-funding area.

Protection against use of harmful pesticides: I led an effort to prevent the inclusion of language that would have jeopardized the ability of conservation managers to encourage the use of the safest, least toxic, and most environmentally friendly pesticides in carrying out activities under key farm bill programs. The House-passed bill included this harmful provision at the urging of pesticide manufacturers, and it would have tied the hands of local managers to encourage viable alternatives to pesticides that can be harmful to our air, water, wildlife, pollinators, and human health.

Edible schoolyards: The bill strengthens the Access to Local Foods and School Gardens Program by supporting the development of school curriculum that teaches the principles of ecology, origins of food, and promotes healthy food choices. This language supports the replication of the successful Edible Schoolyard Program in Berkeley, CA. The bill also includes $50 million over 5 years in mandatory funding for the Community Foods Program, which funds programs like edible schoolyards.

I also worked with Chairman HARKIN and the conferees to include an avocado marketing order agreement, a national study on biofuels infrastructure, language prioritizing edible schoolyards programs in schools under the Community Foods Program, and a $15 million asparagus market loss program to help growers in California.

This bill had significant and widespread support from stakeholders in California and throughout the Nation. I want to recognize and thank the groups from my State that expressed their support for the bill. These groups include Western Growers Association, California Farmers Union, California Farm Bureau Federation, California Grape and Tree Fruit League, California Cattlemen's Association, California Rice Commission, California Citrus Mutual, California Association of County Agriculture Commissioners, California Association of Winegrape Growers, The Wine Institute, California Rangeland Conservation Coalition of California, California Apple Commission, Nisei Farmers League, California Kiwi Commission, Merced-Mariposa Cattlemen's Association, Northeast California Farm Credit, Blue Diamond Growers, Buy California Marketing Agreement, California Dried Plum Board, California Fig Institute, California Fresh Fig Growers Association, California Strawberry Commission, California Table Grape Association, California Walnut Commission, California-Arizona Watermelon Association, Grower-Shipper Association of Central California, Sunkist Growers, California Association and Nursery and Garden Centers, California Association of Wheat Growers, California Association of Food Banks, Alameda County Community Food Bank, California Food Policy Advocates, California Hunger Action Coalition, California School Employees Association, Catholic Charities, Diocese of Stockton, Coalition of California Welfare Rights Organizations, Congregation Emanu-El, Desert Cities Hunger Action, Emergency Food Bank Stockton/San Joaquin, Food Bank Coalition of San Luis Obispo Co., Food Bank of Monterey County, Food Bank of Contra Costa and Solano, Food Bank of San Luis Obispo County, FOOD Share, Inc., Fresno Metro Ministry, Fresno Community Good Bank, Grace Resource Center, HRC Food Bank, Calaveras County, Imperial Valley Food Bank, Insight Center for Community Economic Development, Interfaith Council of Amador, Oceano Community Center, Peggy Cole Ministries Int'l, Redwood Empire Food Bank, San Luis Obispo County YMCA, San Luis Obispo Food Bank Coalition, San Luis Obispo Supported Living, Inc., Transitional Food and Shelter, Inc., Transitions Mental Health Association, Village Community Resource Center, Los Angeles Regional Food Bank, Stockton Food Bank, Oakland Insight Center for Community Economic Development, Greater Stockton Emergency Food Bank, Second Harvest of Santa Clara County, Second Harvest of Santa Cruz County, Second Harvest of San Benito County, Second Harvest of San Mateo County, Food Bank for Humboldt County, Community Action Partnership of Orange County, San Francisco Food Bank, San Diego Hunger Coalition, Alameda County Community Food Bank, and Eureka Food for People.

This farm bill is important for California's farmers, families, its environmental resources, our consumers, and for the State's economy, and I am pleased support it.

Mr. LAUTENBERG. Mr. President, I rise today to speak on the farm bill conference report, which would provide unprecedented amounts of funding for nutrition programs and food stamps. These programs are vital, especially in this time of high food prices and our struggling economy. The farm bill invests nearly $396 billion over 10 years into the Food Stamp Program, which is nearly $10 billion more than current law. In addition, for the first time this farm bill recognizes that the minimum benefits provided through food stamps should be indexed for inflation, so they increase as the cost of living increases. We have a responsibility to help those who are most in need, and this farm bill recognizes that.

This farm bill also makes substantial investments in Conservation Program. With the high price of land in New Jersey and the competitive markets facing New Jersey's farmers, there is a great incentive to over-farm and not enough money to implement the best environmental practices. Providing $2.4 billion for programs like the Environmental Quality Incentive Program, EQIP, will help farmers bring their products directly to market while preserving their land for the future and without taking a toll on the environment. This is a dramatic improvement from the Senate-passed bill, which did not include any funding for this program. New Jersey's farmers frequently utilize EQIP to improve the environmental condition of their farms, and the increase of funding in this conference report is critical.

This farm bill also recognizes for the first time the importance of fruits and vegetables to our health and to our agricultural economy. New Jersey is the second largest producer of blueberries and the third largest grower of cranberries. These crops are not only nutritious, but they are vital to New Jersey's economy. This farm bill makes major investments for fruit and vegetable growers, as well as purchasers. It provides nearly $500 million to the Specialty Crop Block Grant Program, which provides assistance to these farmers—an increase of approximately $200 million over the Senate-passed farm bill. It would also provide over $1 billion for the Fruit and Vegetable Snack Program, which provides healthy, nutritious fruits and vegetables to our schools, so that our children can avoid the health risks of a poor diet.

Finally, this farm bill takes incremental steps towards providing the kind of real reform that our Nation's agricultural policy needs. It imposes payment limitations to restrict farmers above certain income levels from being eligible for commodity payments, and it reduces spending for direct payments by over $300 million. These reforms are a significant improvement from the Senate-passed bill, and I thank the bill's managers for responding to the increasing chorus of calls for farm bill reform.

I still believe that we need more substantial reform of our agricultural policy and that the FRESH Act that I offered on the Senate floor with Senator DICK LUGAR would provide that much needed reform. I will continue to work with Senator LUGAR and all of my colleagues in the Senate to replace the

current system of subsidies for just a handful of crops and implement a system that benefits all crops. And I will continue to advocate and fight for a policy that provides more incentives for the production of healthy foods such as fruits and vegetables. While the farm bill that has emerged from conference is by no means perfect, it is better than the farm bill the Senate originally passed, and I intend to support it.

Mr. KOHL. Mr. President, I intend to support this conference report and encourage my colleagues to do likewise.

Achieving consensus on farm bills is a notoriously difficult task. For all their hard work on this measure, I want to express my appreciation to Chairman HARKIN, Ranking Member CHAMBLISS, and the talented staff who put in long hours to get us to this point.

The end result of these hard-fought negotiations is a better safety net for dairy producers in Wisconsin and across the Nation. This bill restores and strengthens the original MILC Program, which was a hard-won effort designed to end regional dairy battles and provide a safety net for small and midsized producers. Since its implementation 6 years ago, MILC has proven to be a critical backstop for thousands of family farmers when milk prices plummet. The ''feed cost adjuster'' included in this bill acknowledges that rising feed costs have become a real challenge for dairy farmers. My colleague and friend Senator LEAHY and his staff played a pivotal roll in guiding these provisions and I commend their work.

This measure also moves forward in allowing interstate commerce in State-inspected meat products. This has been a significant priority for me. Wisconsin has more State-inspected plants run by Main Street entrepreneurs than any other State in the Nation. They make great products. At a time of further proposed market concentration among major slaughterhouses, we ought to find a way for these smaller entrepreneurs to safely expand their markets and compete across State borders. Doing so will be good for livestock producers, consumers, and Main Street businesses.

The nutrition title of this bill is also noteworthy. It incorporates urgently needed updates to the Food Stamp Program, to be known hereafter as the Supplemental Nutrition Assistance Program. Over the years, low-income households have suffered erosion of benefits due to inflation. The current minimum food stamp benefit has not been raised in over 30 years. This bill raises the minimum benefit and indexes it to inflation. It removes disincentives for retirement and education savings and takes childcare costs into consideration when calculating eligibility. It strengthens support for food banks and will help get more fresh fruits and vegetables into our schools.

The conference report includes a compromise on easement valuations under the Wetlands Reserve Program, WRP. Administrative changes to the WRP have diminished its usefulness in Wisconsin and other parts of the Nation, and these changes are intended to correct that problem. This is an area, like several others, where I intend to closely monitor the USDA's implementation of the law

I am very pleased that the 2007 farm bill conference report includes the authorization of funds for the Housing Assistance Council. HAC is a nonprofit organization that is dedicated to the development of affordable rural housing. The Housing Assistance Council offers loans and technical support to local nonprofit entities across the country to develop safe and affordable housing in rural communities. With nearly one-fifth of the Nation's population living in rural communities and 7.5 million of that population living in poverty, decent affordable housing is in short supply. HAC provides the necessary tools to create and develop housing opportunities in areas of our country that are often overlooked.

This bill, like any bill, has shortcomings in some people's eyes. Many of us wish more could be done to reform payment limits and target benefits. But at the end of the day this bill is superior to extension of current law and makes some meaningful improvements in critical areas.

As chairman of the Senate Agriculture Appropriations Subcommittee, I have the honor and responsibility of working on a farm bill each year in the form of an annual appropriations bill for the USDA. There are a number of provisions and programs in this measure which are directly tied to discretionary, appropriated funding. Of course, the subcommittee's ability to act on those objectives in the appropriations process is directly tied to the resources made available to the subcommittee. I look forward to working with my colleagues and the executive branch as we try to balance all of these critical health, safety, conservation, nutrition, research, and rural development objectives.

Mr. MCCONNELL. Mr. President, as this Senate takes up the farm bill conference report, I want to share with my colleagues several important ways that this bill will benefit the farmers and the people of Kentucky.

Agriculture generates $4 billion in cash receipts in Kentucky every year. We rank fourth in the Nation in the number of farms per State, and 54 percent of Kentucky's acreage is farmland. We are the largest beef-cattle producing State east of the Mississippi, and we produce a diverse array of crops. So the contents of this report are very important to Kentucky.

I received a letter this week from the Kentucky Farm Bureau reiterating this bill's importance to Kentucky and America. They wrote, ''While the bill is not perfect, it is a carefully crafted bill . . . that continues to provide a solid foundation for American agriculture to continue production of food and fiber not only for Americans, but the world.''

Because agricultural production varies greatly across my State, Kentucky benefits from a wide array of conservation efforts, including the Conservation Reserve Program, the Environmental Quality Incentives Program, the Wildlife Habitat Incentives Program, the Farm and Ranch Lands Protection Program, and others.

As a supporter of conservation efforts with a long record of working to protect Kentucky's natural resources, it is important to me that this conference report continues to support these initiatives.

Approximately 50 percent of Kentucky's land is forested, so it was important that this legislation open many USDA conservation programs to forest landowners. That will yield improved air quality, cleaner drinking water, and less soil erosion, among other environmental benefits to our State.

Kentucky also has an interest in the production of renewable fuels; this conference report includes important incentives to spur the growth of this industry as well.

On another note, I am glad the conference committee has seen fit to include my provision addressing the need for better nutrition for our schoolchildren. I cast the deciding vote to save the School Lunch Program in 1995, and educating our kids about the food they eat remains a priority.

This provision calls on USDA to survey what schools are serving to our children. This information will help USDA provide guidance to schools to serve healthier meals and it is sorely needed, as USDA's most recent data on this question is over a decade old.

In the last 30 years, the childhood obesity rate has more than tripled. Today, over 4.5 million American children are facing a lifetime of all the increased health risks that obesity causes. This nutrition provision can be the first step towards reversing that unfortunate trend.

Let me also note that this conference report retains a number of provisions I authored to support Kentucky's largest agricultural product, the horse industry. While the world's eyes focus on Kentucky one day each year for the running of the Kentucky Derby, I point out to my colleagues that the horse industry employs 50,000 Kentuckians and contributes $3.5 billion to our economy year-round. I want to ensure this important part of our farm economy is treated fairly.

On one final topic, I would be remiss if I didn't mention my disappointment that this bill will unfairly punish Kentucky's small farmers by making all farmers with less than 10 base acres ineligible for farm payments. That disproportionately hurts Kentucky because we have such a high proportion

of small farms. I am concerned this punitive portion of the bill will have broader consequences than the authors realize and will punish some of those farmers who might be most in need of assistance.

However, the good appears to outweigh the troubling aspects of this conference report, and a lot of Kentuckians will benefit from the many important programs that are promoted and preserved in this bill. I will support it and by doing so, support the hardworking farmers in Kentucky who are feeding our Nation and the world while providing a living for so many citizens in America.

Mr. WARNER. Mr. President, I rise today in support of the conference report to H.R. 2419, the Food and Energy Security Act of 2007.

I am pleased to vote in favor of passage of the conference report, as this legislation includes a number of programs of paramount importance to the Commonwealth of Virginia, including the creation of the Chesapeake Bay Watershed Program to replenish the bay.

Virginia, Maryland, and others in the Chesapeake Bay Watershed have worked diligently to implement programs to reduce nutrient run-off and other sources of pollution that enter the Bay, all in an effort to achieve a cleaner Chesapeake Bay. The Chesapeake Bay Watershed Program will provide the Federal assistance necessary to support regional and State efforts to reach this important goal.

In addition, this bill will enhance conservation across the United States. Its provisions, such as technical assistance and conservation easements, will help protect more land for preservation and environmental initiatives.

Also, I note that provisions of this conference report provide greater research support and assistance for growers of specialty crops and significant changes to the nutrition title to promote better health for schoolchildren and increase support for our Nation's food banks.

(At the request of Mr. REID, the following statement was ordered to be printed in the RECORD.)

• Mr. OBAMA. Mr. President, I urge my colleagues in the Senate to join me in supporting final passage of the farm bill conference report.

I would like to thank the Senator from Iowa, Mr. HARKIN, for his leadership in crafting this 5 year, $289 billion bill, which, for the first time, directs more than two-thirds of the spending towards nutrition and food assistance. It provides a strong safety net for farmers, and gives them the certainty needed in a sector that provides an important human resource—food—amidst the unpredictable dynamics of weather and markets. The bill provides stronger financial support for conservation programs and needed improvements for livestock producers when dealing with the packing industry.

It is not a perfect bill, but it is a good bill. Of particular note is $10 billion in new spending for food assistance programs for low-income individuals, which is particularly timely in this period of high food prices. Potential recipients are no longer disqualified because of child care or if they have money saved in tax-deferred education or health care accounts. For the first time, food assistance is indexed for inflation, and for the first time in 30 years, the minimum monthly benefit is increased from $10 to $14. This is good news and will help reach more of the 35 million Americans who struggle each day to feed their children and families.

The bill provides $4 billion in new conservation spending, with greater focus on working lands. It provides a more fiscally responsive approach to disaster assistance funding by establishing a permanent program.

The bill also recognizes our national priority to begin shifting to greater production of cellulosic ethanol as part of our biofuels mix. The bill includes an important tax incentive for cellulosic ethanol production—first proposed by my colleague from Indiana, DICK LUGAR, and myself. There are also several incentives that will help to establish croplands dedicated to cellulosic feedstock production, and concurrent research and development towards these objectives.

I am particularly pleased that this legislation includes a program authored by my esteemed senior colleague from Illinois, Mr. DURBIN, which creates a new optional revenue-based program for farmers, called the average crop revenue election, a forward-thinking initiative that will help Midwestern corn growers.

No, this bill does not include the level of reform to farm programs that I think was warranted. I believe that the payment and income limitations could have gone much further. The bill does, however, provide long overdue improvements to existing law. It stops the remarkable practice of sending payments to deceased farmers. It ends the so-called three entity rule, which was the abuse of manipulating current law by collecting triple payments. It requires direct attribution of farm payments to a person, rather than a company or an entity. And it refocuses the original intent of farm payments to serve as a safety net to those who need it most by ending payments to individuals who make more than $750,000 in farm income or $500,000 in nonfarm income.

And this bill provides important relief to America's black farmers. For far too long, our country's hardworking African-American farmers were discriminated against by the Federal Government and county committees, which denied them credit and benefit programs because of their race. This injustice ran deep and had devastating effects.

Because so many of these farmers were denied credit and benefits, the number of African American farmers from 1920 until the early 1990s declined by almost 98 percent. During this time, too many African-American farmers saw their land foreclosed upon or were forced out of farming altogether.

In 1999, the Department of Agriculture settled a class action lawsuit with African-American farmers in the case of Pigford v. Glickman, which allowed many of these farmers to file claims against the USDA for failing to respond to racial discrimination. A Federal court approved this settlement as ''a good first step towards assuring that this kind of discrimination that has been visited on African American farmers since Reconstruction will not continue into the next century.'' This Pigford settlement brought relief to more than 20,000 Black farmers.

Yet the USDA underestimated the number of potential claimants and gave inadequate notice to farmers about the Pigford settlement. Therefore, many farmers were unable to file their claims before the filing deadline. About 75,000 additional African-American farmers who filed their claims of discrimination after the filing deadline were denied any opportunity to have their claims heard and evaluated on the merits.

That is why I introduced legislation in the Senate to provide tens of thousands of eligible late Pigford claimants a right to go to court and have their cases heard. Thanks to bipartisan support by the Senate Agriculture Committee, this legislation is included in the conference report before us today.

Again, I thank Senator HARKIN for his efforts on this important legislation, and I call on my colleagues to support it.•

Mr. NELSON of Florida. Mr. President, I rise today in support of the conference report to accompany the Food, Conservation, and Energy Act of 2008. It is a good bill for Florida and I commend Chairman HARKIN, Senator CHAMBLISS, Chairman BAUCUS, Senator GRASSLEY, and the members of both committees for all of their tireless work to pass this bill.

First and foremost, this bill provides a substantial increase in food assistance to our Nation's low-income families. Nearly three-fourths of the total spending of the farm bill goes in fact to nutrition programs such as food stamps, now known as the Supplemental Nutrition Assistance Program. Not only do we increase purchasing power of these benefits but we also change how a family's need may be calculated; it will take into account childcare costs and education and retirement savings.

For the first time in history the farm bill also takes into account an agricultural sector that is of the utmost importance in Florida—specialty crops. Florida is the leading producer of citrus, tomatoes, cucumbers, snap beans, bell peppers, squash and watermelon, and is the second leading producer of strawberries, sweet corn, and greenhouse and nursery products. This legislation recognizes the importance of

crops such as these as an integral part of our Nation's food supply, and provides nearly $3 billion in research, block grants to states, pest and disease control, farmers' market promotion, and the Fresh Fruit and Vegetable Program.

Of similar importance are the strides made in this bill for conservation and energy programs. Florida's natural resources stand to benefit tremendously from increased funding for conservation, which will allow the State to optimize participation in land preservation, environmentally friendly land management practices, and easement programs. Correspondingly, the bill notably encourages advancements in cellulosic energy, which will allow us to explore the production of ethanol from agricultural products that we don't otherwise eat—products in which Florida is rich.

There are many significant improvements for Florida in this conference report. It is not a perfect bill, but it increases funding and support for integral programs while also making reforms to a sometimes abused system. It is a good bill for Florida, and I encourage the President to support it.

Mr. DURBIN. Mr. President, I rise to speak in support of the 2008 farm bill. I thank the chairman, TOM HARKIN of Iowa, and Senator SAXBY CHAMBLISS of Georgia for their leadership on this bill.

This is, on balance, a good bill, but it could be better. In particular, I am concerned that we were not more aggressive in making sure that the commodity program payments are targeted and justified. At a time when millions of middle-class Americans are struggling to keep up with higher gas prices, grocery bills, and health care costs, the Federal Government should not be in the business of sending checks to millionaire land owners.

Currently, most full-time farmers are eligible for farm subsidies regardless of income. Many of my colleagues and I began this process hoping that Congress would change this situation in the farm bill. Unfortunately, the conference agreement rejected all farmer income tests for the countercyclical and marketing loan subsidy programs and includes only a weak net income cap for direct payments: $750,000 for single farmers and $1.5 million for married farmers after all business deductions.

The conference report also waives payment limits for the Marketing Loan Program. The current cap is $75,000. Millionaire land owners are now eligible for unlimited LDP payments without any income test.

In addition, the bill puts in place provisions that shield our domestic sugar program from all international competition. Sugar growers secured an increase in price supports and a guarantee of 85 percent of the domestic sugar market at these guaranteed prices. This isn't reform and it isn't justified.

I am disappointed with other aspects of the bill as well.

There is less than $100 million in the bill for rural development. Rural communities are aching for water and wastewater infrastructure, high speed telecommunications, and financing for business development. This bill underfunds that key priority. In conference, a program designed to improve broadband deployment by providing cost-share assistance to statewide nonprofits was removed. This was a missed opportunity to improve access to broadband in rural areas at a time when the United States is falling farther and farther behind in this key area.

The bill provides marginal funding for agricultural research. The bill provides less than $100 million for the McGovern-Dole School Feeding Program, which uses U.S. commodities to feed some of the world's poorest children in schools.

However, the bill makes significant investments in nutrition, conservation, and renewable energy programs. It creates a forward-thinking revenue-based safety net. The members of the Senate Agriculture Committee can be proud of these components of the package.

The most significant impact of this package may be in the nutrition title.

In Illinois, over 158,000 households experienced hunger in 2005. If we include households that have had to struggle to put food on the table or have had to skip meals to make sure the food would last through the week, it adds up to 500,000 households in Illinois living with food insecurity. These are working families who just are not able to make ends meet.

This farm bill provides $10 billion more over 10 years for domestic nutrition programs that help lower income families put food on the table, including $7.8 billion for the Food Stamp Program, $1.25 billion for the Emergency Food Assistance Program, TEFAP, and $1 billion for the fresh fruits and vegetables snack program.

In Illinois, over the next 10 years, this bill will provide $373 million in additional funding to help families that haven't been able to outrun hunger.

In the Food Stamp Program, the bill will raise the standard deduction and the minimum benefit and index them for inflation. Nationwide, that helps 11 million low income people, including families with children, seniors, and people with disabilities. The adjustment to the standard deduction will increase benefits for 415,000 Illinois residents, and the minimum benefit increase will boost benefits for 27,000 Illinois recipients.

This farm bill also eliminates the cap on the dependent care deduction and no longer counts retirement accounts and education accounts toward the asset limit.

The conference report helps food banks and soup kitchens meet the growing demand for assistance by increasing funding for commodity purchases for TEFAP—The Emergency Food Assistance Program—by $110 million each year. The bill increases the availability of fruits and vegetables in low-income schools.

And, I am glad to report that this package includes a modified version of the Hunger Free Communities Act, a grant program I have long supported that will help fight hunger in communities. This antihunger grant program is the first program that will encourage communities to work together to identify and address hunger locally.

What we see here is strong bipartisan support to end hunger. Even with a war abroad and budget deficits at home, this Senate made the decision that progress against hunger is possible.

This farm bill makes another important investment, to protect open lands and restore habitat for future generations to enjoy. The USDA administers the largest conservation easement programs and this bill continues and expands those programs.

In Illinois, there are a total of 78,000 contracts statewide and more than 1 million acres in the CRP program, including more than 55,000 acres of wetlands. The Wetlands Reserve Program is aiding in what will become the second largest restoration of wetlands in the United States, in Emiquon in Fulton County, IL.

These open spaces provide important wildlife habitat and recreation benefits and prevent erosion of sensitive ground. The conservation title makes significant investments in the Wetlands Reserve Program, the Environmental Quality Incentives Program, the Conservation Security Program, and the Farmland Protection Program.

Unfortunately, a key provision that I originally authored in the 2002 farm bill to prevent over-planting on sensitive land, called Sodsaver, was significantly weakened in conference. These weak protections, combined what can only be called the most generous Commodity Title in history relative to market conditions, provides perverse incentives to overproduce, which will result in the breaking up of sensitive ground.

The investments made in conservation are tempered by the fact that we are missing an opportunity to protect wildlife and native habitats in some of the few areas that have never been farmed in this country.

Another important feature of the bill is that we were able to secure a modified version of a revenue-based safety net that Senator BROWN and I originally proposed last summer. The version in the conference report allows farmers to elect to enter into this program starting in 2009 and provides a revenue guarantee to producers in the program depending on market conditions and previous earnings.

It is a good step forward for Illinois producers and for the future structure of our commodity programs. At this time of high prices, the program provides producers a risk-management tool they can really use.

The energy title funds renewable energy technology, particularly focused on next-generation biofuels. These should diversify our energy portfolio and help us lower U.S. dependence on petroleum. America's heartland is poised to become this nation's power plant if we make the right investments in wind, solar, and bioenergy.

The bill provides $230 million for grants and loan guarantees to build and develop next-generation biofuels plants. It provides $250 million in loans and grants for smaller-scale renewable energy projects in rural parts of the country and about $200 million in cellulosic feedstock and harvesting research.

I do think we missed an opportunity to make further reforms, to invest in rural America, and to help address the international food crisis with a strong commitment to McGovern-Dole. But we also made important commitments to nutrition and conservation, and I thank Chairman HARKIN and the committee for their work.

Mr. FEINGOLD. Mr. President, I am pleased to have the opportunity today to support the farm bill conference report. This bill, while far from perfect, is an important step in the right direction in a number of areas. This incremental improvement in farm programs and significant improvement in nutrition is preferable to the President's proposal to extend the status quo for several more years. I would like to commend Chairmen HARKIN and PETERSON, Ranking Members CHAMBLISS and GOODLATTE, and the rest of the conferees and their staffs on their hard work over the past few months on this bill.

While I share the concerns I have heard from some Wisconsinites, as well as some of my colleagues, about the lack of reform to the commodity programs, I believe the good in this bill outweighs the bad. This bill makes significant improvements to programs that help farmers in Wisconsin every day, such as the Milk Income Loss Contract, MILC, Organic Certification Cost Share, and the Beginning Farmer and Rancher Programs. It is important to point out that for the first time the farm bill contains a separate title dedicated to nonprogram or specialty crops to assist a broader group of farmers with their pressing research and disease concerns, among other provisions.

The nutrition title of this bill makes significant steps forward in the fight against hunger in America. My colleagues and the American people are well aware of the erosion in food stamp benefits over the past decade. In this time of increasing food and fuel costs, which are crippling many low- and middle-income Americans, it is a moral imperative to act to increase these benefits. In addition, the $50 million in immediate funding for the Temporary Emergency Food Assistance Program will make a real difference for food banks in Wisconsin. I commend the conferees for recognizing the critical need for improvement in these programs and addressing it, despite the tight budget constraints we face.

I am extremely pleased that the bill makes improvements to the Milk Income Loss Contract, MILC, Program. Along with several of my colleagues, including Senator KOHL, I have called for the MILC Program's reimbursement rate to be raised to its original 45 percent. I also strongly support the feed cost adjustor that was including in conference to help ensure the MILC safety net can keep up with the rapidly rising costs of production. The MILC Program is an important safety net for Wisconsin's dairy farmers and one that operates in a responsible way—only kicking in and providing payments to farmers when times are tough. Further, the MILC Program caps the amount of payments one farmer can receive, ensuring that it helps small and medium farmers survive tough times without subsidizing expansion of larger farms. The improvements to this program are vital to farmers in Wisconsin.

I am also pleased that long-overdue oversight of energy markets is included in the final farm bill. It is past time to prevent market manipulation by energy traders. Energy market speculation is part of the reason we are facing high gas prices and the farm bill takes an important step to close the ''Enron loophole'' that has allowed oil and gas traders to make electronic energy trades without Federal oversight. We cannot allow energy traders to secretively bid up the price of oil and saddle Americans with the price at the gas pump. I am a cosponsor of Senator FEINSTEIN's Oil and Gas Traders Oversight Act that has been incorporated into the farm bill. In a February 2008 letter, a bipartisan group of my colleagues and I urged the conference to retain the Senate-passed provision in the final farm bill. Our letter stated: ''With energy prices at or near record high levels, farmers and foresters are struggling to fill their tractors, heat their homes, fertilize their crops, and transport their goods to market. It is critical that the Congress take advantage of this opportunity on the Farm bill to increase transparency and reduce the threats of manipulation and excessive speculation that have plagued our energy commodity markets over the past several years.'' I am pleased we succeeded.

The conference report included a number of provisions I included in legislation that I introduced last year, the Rural Opportunities Act, to help sustain and strengthen rural economies for the future, and create more opportunities in rural communities. I am pleased that the conference committee included a number of provisions similar to my legislation to support local bioeconomies and food markets, encourage local renewable fuels and biobased products, expand broadband Internet service in rural areas, and help develop the next generation of farmers, ranchers and land managers.

In addition, the bill includes significant improvements to programs supporting organic agriculture. Wisconsin has a number of organic farmers and consumers who will benefit from the extra funding for the Organic Certification Cost Share and Organic Transition Assistance Programs, among others. This farm bill is the first to recognize the specific challenges faced by organic farmers, particularly as more and more consumers seek out their products.

On a related note, I am pleased that the bill contains a provision similar to one I first proposed in 2006 allowing schools and other entities participating in Federal food programs to use local preference when purchasing products, which they are not currently allowed to do. This will allow schools to select in-season food grown locally, and will complement a number of programs, like the Fresh Fruit and Vegetable Snack Program, by providing a link between farmers and consumers, particularly children. This is better for farmers and consumers, Mr. President, and a commonsense reform that is long overdue.

For some time I have worked to keep dairy imports from free-loading off of the dairy promotion money paid for by our hard-working dairy farmers. I am glad that the conference report makes every U.S. State and territory eligible and allows this assessment to be charged on imports as was intended in the 2002 farm bill. I am somewhat disappointed that the payment rate for imports is less than that paid by domestic producers, but half a loaf is better than none. I will continue to seek to level the playing field.

In addition to the Agriculture Committee's portion of the bill, the Finance Committee also made a significant contribution to this legislation. I was glad that a provision similar to my Farmer Tax Fairness Act was included in the Finance portion of the conference report. This legislation will update the optional ability for farmers and other self-employed individuals to remain eligible for social security and disability benefits that had been eroded by inflation. It also indexes the program to inflation, so we are not in the same situation again sometime in the future.

I was also pleased that several of my amendments that were included in the Senate bill were included in some form in the conference report. First, in a continuation of an effort I began with Senator Jeffords in 1998, I am pleased that the Senate accepted my amendment to improve the authority of what we had called the Small Farm Advocate in a previous amendment. I continued this effort with Senator SANDERS, and while the conference report made this office a division within the new Office of Advocacy and Outreach, I expect that this will continue to help America's small and beginning farmers.

Ensuring transparency and fair competition in the dairy industry has been

a priority throughout my Senate career. Over the past year and a half, a couple developments showed a need for further action in this area. First, a GAO report on cash cheese trading that I requested with several of my colleagues confirmed that the market remains prone to manipulation even though there have been some improvements. Secondly, a sustained nonfat dry milk price reporting error that lasted over a year was found to have cost dairy farmers millions in reduced prices. I was glad to have an amendment accepted in the Senate that would require regular auditing of the dairy price reporting and require the USDA to better coordinate oversight of the dairy industry both within the department and with other federal agencies. The conference report retained the auditing requirement and shifted the improved oversight to a directive in the Joint Managers Statement. I hope that this added diligence and transparency can help give dairy farmers added confidence in the system.

As we look to expand our Nation's renewable energy and lessen our dependence on oil, we need to provide opportunities for farmers and rural communities. Several key elements of my Rural Opportunities Act supporting local bioenergy were included in the farm bill. One amendment I got accepted encourages the USDA's continued support for and the expansion of regional bioeconomy consortiums, which can consist of land grant universities and State agriculture agencies dedicated to researching and promoting sustainable and locally supported bioenergy. The final bill maintains report language supporting these consortia. I was also pleased to work with Senator COLEMAN on another ''rural opportunity'' provision, which is based on our legislation, S. 1813, to provide local residents an opportunity to invest in biorefineries located in their communities. The farm bill provision gives priority to grants and loan guarantees for biorefineries with significant local ownership. This bill also makes significant strides in providing increased support for cellulosic ethanol and other innovative solutions to the energy problems we face as a nation.

While Wisconsin is perhaps more widely known as a leader in milk and cheese production, we also lead the Nation in the production of cranberries and ginseng. I was glad to see a priority competitive research area for cranberries continue through the Senate bill and conference report. Similarly, I was glad that my legislation with Senator KOHL and Representative OBEY to require country of harvest labeling for ginseng was accepted as an amendment in the Senate and continued as country of origin labeling in the conference report. This is an important step to help combat mislabeling of foreign ginseng as U.S. or Wisconsin grown, which receives a premium price for its higher quality.

Overall, I was pleased that this bill provides a significant increase in conservation programs. I am particularly glad to see an emphasis on working lands programs like the popular Environmental Quality Incentive Program and an updated Conservation Stewardship Program, which benefit farmers and the environment. The farm bill also included provisions based on Senator WYDEN's Combat Illegal Logging Act of 2007, S. 1930, which I cosponsored, to address rampant, unsustainable illegal logging practices in developing nations. The bill also reauthorizes and the Great Lakes Basin Soil Erosion and Sediment Control Program and allows the Secretary of Agriculture to use this program to carry out projects to implement the Great Lakes Regional Collaboration Strategy. While I was disappointed that the funding levels of certain programs like the Wetlands Reserve Program were not what they should be and that the ''sodsaver'' provision was not a national protection, this bill is largely a step forward for conservation.

Continuing in the category of mixed results, I was extremely pleased to see the addition of a new livestock title in the bill to promote competition and fair practices in agriculture but was disappointed that many of the Senate's commonsense provisions were removed or watered down in conference. I am pleased that producers will be able to have a choice to accept or decline arbitration when they sign agricultural contracts under the conference report, even though I was disappointed that a stronger Senate provision that mirrors legislation I have with Senator GRASSLEY was not retained. On balance, this is a step in the right direction and I hope the USDA works to ensure that this remains a real choice for producers and there is no intimidation.

In addition to the handful of improved competition protections that will benefit livestock producers, the underlying bill contains two other provisions that are also especially beneficial. I was glad to support Senator KOHL's longstanding efforts to find a way for meat from small and often specialty State-inspected meat processors to be sold across State lines so that consumers nationwide can enjoy these high quality Wisconsin products. The conference report contains a compromise that appears to strike a fair balance on this issue and this is a significant benefit to Wisconsin's local livestock producers and processors. I was also glad that the conference report will finally allow a country-of-origin labeling requirement for meat and produce to be enforced.

While I have discussed at length the positive aspects of the legislation, let me be clear that the reforms in the commodity title should go further. I authored an amendment with Senator MENENDEZ to make modest trims to direct payments and was disappointed the Senate did not vote on it. In addition, I supported the Dorgan-Grassley amendment to lower payment limits, the Klobuchar amendment to lower the AGI cap, and the Brown amendment to trim subsidies for crop insurers. I was disappointed that these efforts to make the commodity support programs more balanced and better targeted toward family farms and not concentrate payments in larger corporate-scale operations were unsuccessful. With these defeats, both the Senate-passed bill and the conference report missed an important opportunity for meaningful targeted reform of the farm support programs.

There were some small steps in the right direction to be sure. Direct payments were trimmed by a few percent, excessive insurance company subsidies were trimmed and the cap on wealthy nonfarmers was lowered. But there was an opportunity to do much more and I will continue that fight.

One other provision I am concerned about is the cut to the McGovern-Dole International Food for Education and Child Nutrition Program. In light of food shortages across the globe, reducing the level of aid we provide to poor countries is simply wrong. I hope that, through the appropriations process, Congress will be able to continue providing funding for this important program.

Mr. LIEBERMAN. I rise today in support of the Food and Energy Security Act. The provisions of the conference report represent a tremendous step forward in ensuring the health of American consumers, for example by providing low-income citizens with better access to healthy food choices by increasing the amount of funding for nutrition programs, increasing food stamp payments, bringing more fruits and vegetables into schools, and providing assistance to low-income seniors so that they can shop at farmers markets. This bill also recognizes the important place that specialty crops have on the dinner table.

In addition to the benefits that Americans will see at their tables, this bill also provides unique opportunities to better the environment and look out for those who cannot speak for themselves. The bill continues to support land conservation and expands protection for wetlands, grazing land, wildlife habitats, and forests. The bill increases our investment in biofuels research and production so that we can move away from foreign oil, and instead use American-made cellulosic and sugar-based ethanol and biodiesel. It also strengthens protections for animals by quadrupling penalties for Animal Welfare Act violations and prohibiting dog fighting.

For these and other reasons I will support this farm bill legislation. However, I am troubled by the bill managers' use of the narrow provisions in the bill addressing agriculture security to expound in the Joint Explanatory Statement about the proper roles of the Departments of Homeland Security and Agriculture, and the performance of DHS, in this area. Allow me to address a few of my concerns.

The managers assert, for example, that DHS has ''claimed Federal jurisdiction as the lead agency'' for activities ''traditionally managed by USDA.'' This statement is unnecessarily dismissive and ignores numerous laws that establish the current Federal framework for addressing threats to agriculture and food security, a framework in which the Secretary of Homeland Security is the principal Federal official to lead and coordinate efforts among Federal departments and agencies, State and local governments, and the private sector to protect critical infrastructure and key resources in all sectors. Among the laws that make up the framework are the Homeland Security Act of 2002, the Intelligence Reform and Terrorism Prevention Act of 2004, Intel Reform Act, the Post-Katrina Emergency Management Reform Act of 2006, Post-Katrina Act, the Pandemic and All-Hazards Preparedness Act, PAHPA, and the Implementing Recommendations of the 9/11 Commission Act of 2007, 9/11 Commission Act. Various Homeland Security Presidential directives further undergird the current structure—including HSPD–5, Management of Domestic Incidents, HSPD–7, Critical Infrastructure Identification, Prioritization and Protection, HSPD–8, National Preparedness, HSPD–9, Defense of U.S. Agriculture and Food, and HSPD–10, Biodefense for the 21st Century.

Under these laws and directives, a number of agencies have responsibilities specifically relevant to agriculture and food security. These include the U.S. Department of Agriculture, USDA, which is responsible for infrastructure protection for the agriculture sector and matters pertaining to meat, poultry, and egg products; the Department of Health and Human Services, HHS, is responsible for the remainder of the food sector, as well as for public health and healthcare; and the Environmental Protection Agency is responsible for drinking water and water treatment systems. HSPD–9 details the roles and responsibilities of these and other Federal agencies regarding specific aspects of agriculture and food security, including awareness and warning, vulnerability assessments, mitigation strategies, and research and development. Since enactment and issuance of the aforementioned bills and directives, numerous activities to advance agriculture and food security have been undertaken throughout the Federal Government in reliance on, and within, this framework.

That said, I agree with the bill managers that USDA is the agency best equipped to handle routine agricultural disease emergencies. USDA continues to serve that function, and DHS relies on USDA to do so.

The managers also assert that agricultural inspections have degraded since the inspectors were incorporated into DHS—as required by the Homeland Security Act of 2002. This statement ignores the factual record:

> While there were initial problems, not entirely unexpectedly, integrating various components into one Department, the situation has improved dramatically, and the agriculture inspection mission has a clear roadmap for how to improve further. The number of agriculture inspectors has increased, as has the number of canine teams, beyond those at the time of the transition. The same high educational standards for agriculture specialists apply, but now they get more field training. The Customs and Border Protection, CPB, primary inspectors, which in their legacy roles have always been responsible for referring agriculture products to secondary screening, now get substantially more training to recognize products and pests that need further examination.
>
> The Joint USDA–DHS task force has outlined 10 concrete action plans for further improvement and is making considerable progress in implementing them. Last month, the joint agency task force met with agriculture stakeholders to further refine their recommendations and to draft new recommendations.
>
> USDA remains integrally involved in the inspection process, with continuing responsibilities for the training of CBP agricultural specialists and CBP officers, training of canine teams, setting rules and regulations for the agriculture inspection process, and for identifying the pests that CBP agricultural specialists intercept.

I do appreciate the managers' recognition that the agricultural specialists within CBP who are responsible for inspecting agricultural products at the border need to remain within DHS. The Homeland Security Act of 2002 brought together in the CBP directorate of DHS customs inspectors from the Treasury Department, immigration inspectors from the Justice Department, and agricultural inspectors from the Agriculture Department. The purpose was to create a single, integrated force at our borders to keep out people and goods that pose a threat. For the first time, all those who protect our borders report up a single chain of command. To do otherwise than to keep the agricultural inspectors within CBP would splinter the integrated border security force we have been building for 5 years, and weaken both our homeland and agricultural security.

The managers further suggest that DHS may not be placing sufficient priority on agricultural security and agricultural inspections and they appear to be concerned that DHS may not be paying sufficient attention to the concerns of the agricultural community. In fact, the agriculture mission has repeatedly received the highest level of attention. DHS Secretary Chertoff addressed the agriculture inspection stakeholders' meeting just last month. A directive reiterating the importance of the agricultural mission has been disseminated to every CBP office. A new position—the Deputy Executive Director, Agriculture Operational Oversight at Customs and Border Protection—has just been created to provide oversight of all agriculture inspectors no matter where they serve to ensure that mission needs are being met.

Finally, the managers suggest that USDA should oversee DHS's agricultural inspection program and issue comprehensive reports on it to Congress. I cannot recall an example of one executive branch department overseeing and reporting to Congress on another executive branch department. The proposal is unprecedented, unnecessary, and fundamentally misapprehends the roles of the respective independent departments, and threatens what has become a productive partnership between the agencies of the two departments.

Rather than pitting Departments against one another, we should be encouraging the cooperation between DHS and USDA that, in fact, is now occurring. USDA and DHS are working together to a greater extent than ever has historically been the case in the relationship between agriculture and border officials. While challenges remain, the current level of partnership should serve as a model for interagency cooperation.

With active participation by USDA and the Federal Drug Administration, FDA, DHS is assessing agro-terrorist threats, capitalizing on the substantial assets at its National Biodefense Analysis and Countermeasure Center and its connections with the intelligence community that have been applied to other biological and WMD threats to the Nation. USDA is also participating in the DHS-operated National Biosurveillance Integration Center, NBIC, authorized by the 9/11 Commission Act, to bring together information from multiple sources to detect and contain biological incidents as rapidly as possible.

The agricultural biosecurity communications center authorized by the bill, as the managers note, is expected to provide a central collection point for USDA generated information and to provide important information to DHS's National Operations Center, which acts as the central source for homeland security situational awareness for the Federal Government.

DHS and USDA also engage in research and development together to promote agricultural security. DHS's role includes its sponsorship of the National Center for Foreign Animal and Zoonotic Disease and its Plum Island Animal Disease Center at which both DHS and USDA researchers work collaboratively to address the catastrophic threat of foot and mouth disease.

The Office of Homeland Security at USDA, also authorized by the bill, should be helpful in coordinating the homeland security activities of the various offices and agencies within USDA, thereby providing a primary point of contact between USDA and DHS for agricultural security issues.

While I find the manager's statement troubling and unfounded, I have worked with the Agriculture Committee to ensure that the bill itself will not endanger homeland and agriculture security.

Mr. DODD. Mr. President, I rise today in support of the conference report on the Food, Conservation, and

Energy Act of 2008, a tremendously important piece of legislation that will set our Nation's agricultural policy for the next 5 years. It is an immense piece of legislation; and obviously, in any bill of this size, any Senator will find provisions with which he or she will disagree. I am no different. Nevertheless, on the whole it is a strong bill and a good compromise that my colleagues and their staffs have spent months preparing, and I hope, for the sake of our farmers and the country as a whole, that it will be approved by both Houses of Congress and signed into law by the President.

The 2008 farm bill strengthens the safety net for farmers struggling with abrupt shifts in the agricultural market. In many ways, these farmers are the backbone of our economy, and we must ensure that they are adequately protected. Included in this safety net is an expanded Milk Income Loss Compensation, or MILC, Program, which is of critical importance to dairy farmers in my home State of Connecticut and across the country. The farm bill conference report would increase the MILC Program's payment rate for dairy producers when the price of milk falls below a statutorily set target price; it also allows for adjustments of that price when the price of feed increases. In addition, this bill creates important protections for specialty crop producers by providing nearly $466 million over the next 10 years to the Specialty Crop Block Grants Program. This new initiative is especially important for farmers in the State of Connecticut, as nearly 47 percent of our agricultural receipts come from nursery and greenhouse products.

I am particularly pleased that the conference committee adopted much stricter income limits on commodity payments by significantly lowering the adjusted gross income test. To qualify for benefits, individuals would have to prove that they earn less than $500,000 per year from nonfarming sources and only up to $750,000 per year in farm income. These new income tests will help ensure that the farm bill's safety net programs actually help the people that they were originally intended for: those small, family farmers who make up the backbone of American agriculture and who operate all too often on razor-thin margins.

I am also very pleased by the much needed attention this bill gives to nutrition programs, particularly those that serve American families struggling on the verge of hunger or food insecurity. All told, this bill provides over $10 billion in new money for nutrition programs. It beefs up the Food Stamp Program by stopping benefit erosion and expanding eligibility, and it provides more than $1 billion in assistance to local area food banks. In addition, to help children develop healthier eating habits, this legislation extends to all 50 States a program that provides fresh fruits and vegetables to underprivileged schools. I have seen the success of the Fresh Fruits and Vegetables Program firsthand, in its Connecticut pilot test. I know how vital fresh produce is to the health of all Americans; in the case of underprivileged schoolchildren, those who need it the most have gotten it the least and I am glad this bill goes a long way toward correcting that disparity.

Finally, the farm bill conference report aims to preserve our fragile environment by funding critical land conservation programs and investing in renewable sources of energy. To help American farmers act as responsible stewards of the land they work, this legislation allocates nearly $8 billion in new funding to help farmers and landowners be better and more responsible stewards of the environment. This bill also includes provisions to encourage the production of domestic biofuels, including funds to promote biomass crop production, loan guarantees for commercial scale biorefineries, and dramatically increased funding for biomass research and development. The farm bill's energy title in particular is critical to ensuring that our country finally breaks its longstanding over-reliance on costly and environmentally harmful fossil fuels.

In sum, I am satisfied that the farm bill takes great steps to protect our struggling farmers, our low-income families and children, and our threatened environment. In my view, the farm bill embodies an approach to agricultural policy characterized first and foremost by a concern for the long-term well-being of all Americans. I therefore urge my colleagues to support this vital piece of legislation.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, we don't often have the opportunity to celebrate on the Senate floor. There is oftentimes, we must acknowledge, a lot of acrimony and finger-pointing.

Today, I want to take a minute to express my appreciation to all those involved in this bill. We know there were Senators HARKIN, CHAMBLISS, BAUCUS, and GRASSLEY, but many other people were involved in this process to get us where we are today.

This is a tremendously important piece of legislation. This was dead on at least 15 different occasions, but it was revived. There was true bipartisanship—a true situation where we had conferences, where people met in open session and voted. It was what we all should come here to look forward to doing—legislating such as we did here.

This is a very complicated and difficult piece of legislation. Was there enough reform? I don't know how much is enough. Certain groups look at these farm programs, and there is nothing you can do to satisfy them. No matter what is done, it is not enough for them. Every time we do a farm bill, the editorial boards from around the country roll out the old editorials, they change a few lines and send out the same editorial they did before.

This bill has reform in it. Could we have done more? Perhaps, but had we done more, we would not have gotten a bill. What did we get as a result of the compromises made? We got nutrition. What a wonderful thing. We got food stamps. For us in Nevada this is important. Since 2000, the numbers of food stamps-qualified people have gone up more than 100 percent. We didn't change the rules to let more people into the program. They qualified under the old rules, and now, by more than 100 percent, that has been increased. This legislation takes care of that.

Children going to schools all around America, as a result of this legislation, will get fresh fruits and vegetables in their lunch programs. That is remarkable. There are people in this Chamber who didn't have the opportunity when they were kids in school to have fresh fruits and vegetables. That is the way it is all over America, especially with kids who grew up in these urban centers. Fresh fruits and vegetables are something they don't get often. This is wonderful.

Food banks, I have heard SHERROD BROWN and others talk about how the food banks are going empty. We have a lot of hungry people in America, and we have to acknowledge that. This farm bill acknowledges that. We are going to increase food bank money by $100 million each year. That is a lot of money. It is very important.

We have conservation. My friend, TOM HARKIN, has caused me so much grief on this conservation program. It was his idea to do some conservation programs. The administrations—plural—a lot of times didn't want to give him what he felt was the law. He held up a lot of things going on in the Senate as a result of that. So the conservation programs, because of the dedication of TOM HARKIN, are remarkable. I watched Senator HARKIN, last night, show the pictures of what takes place when there is good conservation. Now farmers and ranchers will be rewarded as a result of that. That is extremely important.

Even the State of Nevada will be able to compete for money in the conservation programs.

There are disaster programs. We in the West have been ravaged by wildfires. As a result of being ravaged, the Bureau of Land Management and other land managers close up rangeland, and there is nothing the ranchers can do; they close them up. They will now qualify for disaster relief, which is in this bill.

For the first time, this is going to be the case: compensation for wildlife damage.

One of the favorite talking topics is energy. This bill actually does something about it. There is a demand we stop using corn and other such items that are edibles to make fuel. This legislation recognizes that point.

I have talked about reform. This bill contains reforms. There are reforms on caps on payments to farmers. Remember, farm programs count for less than

13 percent of this bill's spending and are expected to climb by $60 billion over the next 10 years. That sounds pretty good.

This bill, as other important legislation, is one of compromise. That is what legislation is all about.

I know we have a lot to do. I extend my congratulations for this remarkable piece of legislation. This is how we should legislate. I am so appreciative of the bipartisan nature of this legislation. I look for a real big vote. I hope we have a strong vote indicating the bipartisan nature of this legislation.

The PRESIDING OFFICER (Mrs. MCCASKILL). The question is on agreeing to the conference report to accompany H.R. 2419.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. CLINTON), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Illinois (Mr. OBAMA) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 81, nays 15, as follows:

[Rollcall Vote No. 130 Leg.]

YEAS—81

Akaka	Dodd	McConnell
Alexander	Dole	Menendez
Allard	Dorgan	Mikulski
Barrasso	Durbin	Murray
Baucus	Enzi	Nelson (FL)
Bayh	Feingold	Nelson (NE)
Biden	Feinstein	Pryor
Bingaman	Graham	Reid
Bond	Grassley	Roberts
Boxer	Harkin	Rockefeller
Brown	Hatch	Salazar
Brownback	Hutchison	Sanders
Bunning	Inhofe	Schumer
Burr	Inouye	Sessions
Byrd	Isakson	Shelby
Cantwell	Johnson	Smith
Cardin	Kerry	Snowe
Carper	Klobuchar	Specter
Casey	Kohl	Stabenow
Chambliss	Landrieu	Stevens
Cochran	Lautenberg	Tester
Coleman	Leahy	Thune
Conrad	Levin	Vitter
Corker	Lieberman	Warner
Cornyn	Lincoln	Webb
Craig	Martinez	Wicker
Crapo	McCaskill	Wyden

NAYS—15

Bennett	Ensign	Murkowski
Coburn	Gregg	Reed
Collins	Hagel	Sununu
DeMint	Kyl	Voinovich
Domenici	Lugar	Whitehouse

NOT VOTING—4

Clinton	McCain
Kennedy	Obama

The conference report was agreed to.

Mr. HARKIN. Madam President, I move to reconsider the vote and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. HARKIN. Madam President, we have had a very significant vote here on this farm bill. I will have to check the record, but this has to be one of the strongest votes for any farm bill in the history of farm bill legislation in the Senate.

It has truly been a team effort. It took a long time—about a year and a half; 2 years, actually. Senator CHAMBLISS, when he was chairman of the committee, started the whole process, so it has been a couple of years in the making. It has been a great team effort. As I said, we have all worked together. It has been a very long road with a lot of tough negotiations. We did it in a manner in which the people of this country want us to operate around here.

We worked hard and got the bill through committee. We brought it to the floor. We had our amendments, we had good debates in December, passed it at that time, then we went to conference. We had a good number of conference meetings, frankly. But they were good conference meetings. That is the way we ought to do legislation around here. The proof of doing it in that manner—in an open, cooperative manner, having all sides being able to have their viewpoints heard and input made—is that we came up with good legislation as an end product.

I want to thank and congratulate all of the members of the Agriculture Committee, on both sides, for all of their hard work in bringing this bill to this vote today. I especially want to thank Senator CHAMBLISS for his leadership in starting this off and then serving as the ranking member for the last year and a half and working so closely with me and others to get this bill done. I especially want to thank all the Senators who were conferees. There were some long sessions that went on for hours and hours and days and days. But we hung in there.

I will start with Senator BAUCUS and Senator GRASSLEY from Iowa, the chairman and ranking member of the Finance Committee, for their help in coming up with the funds we needed to put this bill together. Especially I thanked my colleague from Iowa earlier, but I want to thank him also for his diligent work and effort to make sure we had a good livestock, poultry, and competition title.

I see my good friend, KENT CONRAD. I said earlier, we certainly benefited from his expertise, his knowledge. It is wonderful having the budget chairman on the Agriculture Committee helps keep us on track so we know what we can and cannot do to stay within the bounds of the budget rules.

So I cannot thank Senator CONRAD and his staff enough for helping us comply with the budget requirements. I say to the people of North Dakota, the farmers, the ranchers, the people who live in your small towns and communities, I can honestly say I know KENT CONRAD well. And there is nothing that escapes his attention when it comes to the farmers and ranchers and rural people of North Dakota. They do not have a better fighter for their interests. I might even expand that further. Farmers and ranchers and rural people all over America have no greater a fighter for their interests than KENT CONRAD.

I see Senator STABENOW. I said earlier I am going to start calling her the Senator of specialty crops. We would not have had a specialty crop title in this bill if it had not been for Senator STABENOW. She is unique, the only person, as far as I know, who has served on the Agriculture Committees of her State legislature, the Agriculture Committee of the House of Representatives, and the Agriculture Committee of the Senate. And that expertise shows through, believe me, in what she has accomplished in this farm bill.

I see my good friend, Senator SALAZAR, who did so much to make sure we had a good energy title; that we start focusing much more on ethanol from cellulose.

Senator LINCOLN from Arkansas, a strong fighter for the rice farmers, her cotton, grain, and oilseed farmers. I might also say that Senator LINCOLN is a very strong fighter for nutrition programs and rural development. I thank her for all of her help on this committee.

I am going to read a list and recognize all of the staff members who work for me on the committee. They deserve to have their names in this RECORD because as hard as we worked, they worked three or four times as hard. A lot of times we went home at night and they were still here. A lot of times we were gone on the weekends, they were here.

And, of course, first and foremost, I would thank Mark Halverson. Mark has been with me on this committee since 1988. And he has brought a wealth of experience as a farmer in Iowa, and also as a lawyer. So he brings together a lot of knowledge and expertise in guiding and directing the staff. He has done a wonderful job. I cannot thank Mark Halverson enough for his patience, his leadership, and in juggling all of the balls and keeping tabs on everything. Mark Halverson has performed above and beyond the call of duty.

Susan Keith, our general counsel in commodities; Stephanie Mercier, our chief economist, trade and international food assistance and crop insurance; Phil Buchan, who worked so hard on conservation, and especially the conservation stewardship program and the EQIP Program; Eldon Boes, who came to us from the National Renewable Energy Laboratory. He has done so much work on the energy title.

Derek Miller—Derek came to us from the House side where he worked on the 2002 farm bill. He is probably the most knowledgeable person I have ever met on nutrition and how the nutrition programs work. And due in no small part to Derek Miller, we have a great nutrition title.

Richard Bender, a long-time member of my staff who handles rural development and the tax provisions; Todd Batta handled the forestry and credit titles; and John Ferrell, who did all of our livestock work and the programs for organic farmers.

Adela Ramos, who does a great job keeping track of all of the ag research and food safety; Dave White from Montana who as a detailee from the Natural Resources Conservation Service, was with us for a year and a half, and worked so hard on conservation; Dan Christenson, who did so much on specialty crops and helping with nutrition; Kerri Johannsen, who worked on energy; Tina May on conservation; Amy Lowenthal, who is our counsel providing legal advice on many issues.

Eric Juzenas, who came to us as a detailee from the CFTC for the reauthorization of the Commodities Exchange Act; Katharine Ferguson, who is a professional staff member who assists our staff director, Mark Halveson. We call her our ''utility player''. Whenever we need someone, Katharine is there. She can fill in for anybody and does it extremely well.

Kate Cyrul, our communications director; Bob Sturm, our chief clerk who retired last year. He was here for many of the hearings on this bill and came back to fill in periodically; Jessie Williams, our chief clerk who has done such a great job of succeeding Bob Sturm; Jacob Chaney, our systems administrator; Jonathan Urban, who did so much on the CFTC reauthorization, before he left the staff to head to law school. We wish him the best in law school. Peter Kelley, our assistant clerk and legislative correspondent, who sort of runs interference for all of us; Cory Claussen, our legislative correspondent; Micah Wortham, the Government Printing Office detailee who is here to make sure our documents are printed properly; Ellen Huntoon, who covers rural development and agricultural topics.

Now, again, I know that Senator CHAMBLISS has thanked all of his staff. I do not know every single person there, but I do know Martha Scott Poindexter and Vernie Hubert. I particularly want to thank both of them for their great efforts, for their leadership, and for all the time and the efforts and the weekends, the nights. You ought to take a vacation too.

Also, I want to thank the Office of Legislative Counsel, the Congressional Budget Office, the Senate floor staff, the Department of Agriculture staff. Now, I know the administration has not agreed with us on everything in this bill. But I have to say, the technical assistance provided by the Department was very helpful in putting everything together.

Again, I thank and congratulate all of the staffs of the Senators on our committee—especially Senators BAUCUS, GRASSLEY, CONRAD. I feel very good about this bill and the overwhelming vote. I still remain hopeful the President will sign this bill. Hope springs eternal that he will sign it. If he does not, I guess we will have to face that down the road. I hope we have the votes to override. Team effort, cooperation, conciliation, bipartisanship, those are the keys to successful legislation. I am gratified to have played this role in getting this bill passed.

Mr. KYL. Madam President, I voted against the Senate-passed version of the farm bill because it lacked the fiscal discipline required of Congress during a time of deficit spending and exponential growth of the Federal Government. Unfortunately, the conference report is just as unacceptable as the Senate-passed version of the farm bill. As a result, I cannot support it.

Congress first approved the Federal farm assistance policies in the early 1930s to help struggling farmers during times of economic hardship due to low commodity prices. Over the last six decades, however, the farm bill has swelled significantly, and now provides extensive subsidies for farmers and agricultural landowners who may not be in true financial need.

The conference report continues this trend, spending approximately $730 billion over 10 years. And, as the administration correctly points out, it increases spending by approximately $20 billion over the current baseline, not $10 billion as claimed by the conferees. The roughly $10 billion difference is achieved through a number of gimmicks, including using timing shifts and funding cliffs.

To make matters worse, at a time when the United States' net farm income is projected to be $92.3 billion this year—51 percent greater than the 10-year average—the conference report would increase subsidy rates, create additional subsidies for a number of crops, and continue direct payments regardless of crop prices. Now is not the time to maintain or increase subsidies; now is the time to reduce or eliminate them.

The conference report would also continue to pay subsidies to millionaire farmers and nonfarmers. It would allow married couples who farm and have an adjusted gross income of $1.5 million to continue to receive subsidies. It would also allow married couples with an adjusted gross income of $1,000,000 who are not full-time farmers to receive subsidies. Farm payments should go only to those who actually need them, not to some of the wealthiest individuals in the country.

Congress could use the farm bill to make substantive reforms and cut federal spending. Instead, it appears that Congress will pass a bloated farm bill that is just another example of a broken and mismanaged Congress. Consequently, I cannot support it and urge my colleagues to also oppose the bill.

Mr. LEVIN. Madam President, this year's farm bill includes many important programs that will benefit Michigan and the Nation as a whole. Few States have Michigan's diversity of agricultural crops, and I am pleased that this farm bill contains a range of measures that will benefit farmers throughout my State. Agriculture is Michigan's second largest industry and this bill will help support this industry at a time when Michigan's economy is struggling.

This bill will provide significant additional assistance to specialty crop growers that has been severely lacking in past farm legislation. Specialty crops are an important part of the agriculture industry and a healthy part of our Nation's food supply. While Michigan is a leading producer of traditional crops, such as corn, wheat, and soybeans, our State is also a leader in the production of specialty crops, such as apples, asparagus, beans, blueberries, and cherries. This farm bill will provide much needed support for the specialty crop community throughout Michigan and that means a more assured supply of U.S. grown fruits and vegetables so important to Americans nutritional needs.

Nutrition programs, such as the Food Stamp Program, provide assistance to children, low-income working families, seniors, and persons with disabilities. This bill includes a significant increase in funding for our Nation's critical food and nutrition programs on which our Nation's least fortunate and most vulnerable rely. In my State of Michigan, over 500,000 households will benefit from increased nutrition assistance, and the bill will also help to alleviate some of the stress local food banks all across Michigan are experiencing at this time.

The farm bill includes measures to improve conservation. These programs, which are aimed at both working lands and lands taken out of production, are intended to protect and improve soil quality, prevent erosion, benefit water quality, and preserve and restore habitats. This legislation expands the Conservation Stewardship Program, CSP, increases funding for the Environmental Quality Incentives Program, EQIP, and reauthorizes the Conservation Reserve Program, CRP, and Wetlands Reserve Program, WRP, to protect environmentally sensitive lands.

I am pleased that this bill also includes incentives that will encourage continued development of biofuels and increased production of renewable fuels. I have long supported incentives for new technologies that can move us away from our significant reliance on foreign oil, and this bill makes critical investments in alternative energy that will help move us toward that goal.

While this bill includes modest reforms to our current producer protection programs, these reforms do not go far enough. It would have been my hope that this bill would have included more innovative measures, such as farm savings accounts, and additional reforms to our agricultural subsidy programs. I am hopeful that we can work to enact further reforms when Congress next considers farm legislation.

There is another important reason to support the farm bill. It contains a key provision which would finally close the Enron loophole that has contributed for so many years to the problem of rampant speculation in our energy markets. It would close the Enron loophole by requiring government oversight of electronic trading of energy commodities by large traders to prevent price manipulation and excessive speculation.

In 2000, at the behest of Enron and others, a provision was slipped into law—section 2(h)(3) of the Commodity Exchange Act—that exempted from oversight and regulation the electronic trading of energy and metal commodities by large traders. This loophole took the cop off the beat in those electronic markets and allowed traders to operate with less supervision and fewer controls than regulated commodity markets like the New York Mercantile Exchange, NYMEX.

Beginning in 2003, my Permanent Subcommittee on Investigations, PSI, issued a series of reports exposing how these unregulated markets and their unregulated trades had opened the door to energy price manipulation and excessive speculation. A 2006 subcommittee report, for example, presented evidence that excessive speculation was adding substantially to energy prices, including as much as $20 out of a $70 barrel of crude oil. In 2007, the subcommittee issued a report and held 2 days of hearings showing how excessive speculation in futures contracts by a single hedge fund named ''Amaranth'' on the unregulated markets had increased consumer prices for natural gas. The report showed how Amaranth deliberately avoided trading limits on NYMEX by moving its trades to an unregulated electronic exchange.

Our reports repeatedly recommended legislation to close the Enron loophole, and over several Congresses, I introduced or cosponsored legislation to do just that. In 2007, for example, I introduced S. 2058, the Close the Enron Loophole Act which was endorsed by a wide range of consumer, business, and agricultural groups. In response to this legislation, our reports and hearings, the Commodity Futures Trading Commission, CFTC, suggested its own legislative approach to close the Enron loophole. I then worked with my colleagues, Senators FEINSTEIN, SNOWE, and others to come up with legislation that was acceptable to both sides of the aisle as well as the administration. That legislation was offered as an amendment to the Senate farm bill, and a closely related version of that amendment is now part of the conference report before us today.

The farm bill provisions are designed to put the cop back on the beat in all U.S. commodity markets to protect against price manipulation and excessive speculation. Specifically, the bill provides that any contract that is traded on an electronic trading facility and serves a significant price discovery function is subject to CFTC oversight to prevent price manipulation and excessive speculation, just as it is subject to that oversight on regulated markets such as NYMEX.

For each such contract, an electronic trading facility is required to comply with the same key standards—called ''core principles''—that apply to regulated exchanges, like NYMEX, to prevent price manipulation and excessive speculation. For example, electronic exchanges are required to list only contracts which are not readily susceptible to manipulation; monitor trading to prevent manipulation and price distortion; establish rules to obtain information from traders and provide it to the CFTC upon request; establish position limits or accountability levels that trigger review of a trader's positions in order to reduce the potential threat of manipulation; possess emergency authority to require traders to reduce positions; publish daily trading information; and enforce trader compliance with its rules.

Essentially, an electronic trading facility will now have to function as a self-regulatory organization under CFTC oversight in the same manner as a regulated futures exchange like NYMEX. The bill gives the CFTC the same oversight and enforcement authority over the electronic exchange with respect to these contracts as it has with respect to a futures exchange. The days of unregulated electronic energy markets are over.

Passage of this critically important legislation is the culmination of many years of work by Senator FEINSTEIN, myself, Senator SNOWE, and others, and I thank them for their sustained effort to close the Enron loophole. I also would like to thank Senators HARKIN and CHAMBLISS for working with us to include this legislation in the farm bill. In addition, I would like to thank our many friends in the other body who worked diligently to get this legislation done. The legislation to close the Enron loophole is a bipartisan, bicameral success story and the winners are the American people who will gain greater protection against price manipulation and excessive speculation.

This farm bill is a bipartisan piece of legislation which includes many programs that are beneficial to Michigan. While this bill is not perfect, I believe the combination of improved assistance for specialty crops, enhanced conservation spending, increased funding for nutrition programs, investment in renewable energy programs, and the provisions closing the Enron loophole which are included in this bill are worthy of support. I am pleased we are finally able to send a farm bill to the President's desk that will benefit our Nation's farmers and rural communities, and I urge the President to sign this bill into law.

Mr. GRASSLEY. Madam President, with today's passage of the Food, Conservation, and Energy Act of 2008, we have taken a step in the right direction for rural America after well over a year of work on this bill. This legislation will result in new opportunities for U.S. farmers, rural business owners, and those who require food assistance during a time of rising food prices. I am pleased that the Senate has finally voted in favor of its implementation.

None of this would have been possible without the leadership of our chairman and ranking member on the Senate Agriculture Committee, Senator HARKIN and Senator CHAMBLISS. I want to thank both of their staffs and in particular Mark Halverson, majority staff director, and Martha Scott Poindexter, minority staff director, for their hard work and dedication to bring this 5-month conference to a conclusion.

For the first time in the process of writing a farm bill, the tax writing committees were asked to help fund a portion of the spending. I have strong concerns about this, which I have expressed previously. Still, we would not be here today without the hard work and leadership of the chairman of the Finance Committee, Senator MAX BAUCUS. And he is supported by a strong staff. That starts with the Democratic staff director on the Finance Committee, Russ Sullivan, and the deputy staff director, Bill Dauster, as well as his legislative director, Jon Selib, who were each critical to the process. I also want to thank Brandon Willis on his personal staff, Pat Bousilmann on the Senate Finance Committee, and Cathy Koch and Rebecca Baxter on his tax staff. And I want to thank his chief international trade counsel, Demetrios Marantis, as well as the other members of the Democratic trade staff, Darci Vetter, Amber Cottle, Janis Lazda, Chelsea Thomas, and Hun Quach, and three individuals serving on detail to Senator BAUCUS, Russ Ugone, Ayesha Khanna, and Chuck Kovatch.

Of course, I am grateful for the outstanding effort of my staff as well. First I want to thank Amanda Taylor, my agriculture counsel on my personal staff for her many months and countless hours of dedication and hard work on this bill. I also want to thank my chief tax counsel and deputy staff director, Mark Prater, as well as Elizabeth Paris, my energy and agricultural tax counsel. I am pleased that with their hard work we were able to provide long overdue agricultural tax relief to our nation's farmers. In addition, from my trade staff, Stephen Schaefer, David Johanson, Claudia Poteet, and David Ross, each deserve my thanks for their contributions. I also want to thank John Kalitka, who is on detail to my staff from the U.S. Department of Commerce.

Today's vote is long overdue. The September 2007 deadline of the farm bill has long come and gone. The farm bill hasn't happened as quickly as I would have liked, and we've had multiple extensions. Still, today's vote is critical to giving our agricultural policy a face lift. The U.S. Department of Agriculture should begin to implement

these new laws as soon as possible, and I will work hard to oversee the Department in its administration of this important legislation.

Mr. KERRY. Madam President, nearly 3 years after the tragedy of Hurricanes Katrina, Rita and Wilma, we have enacted meaningful reforms in the way the Small Business Administration comes to the aid of disaster victims.

The farm bill conference report includes bipartisan legislation which I have been working on since the fall of 2005 with my ranking member, Senator SNOWE, and Senators LANDRIEU and VITTER. Both Louisiana Senators are members of the Committee on Small Business and Entrepreneurship. We held many hearings in our committee and received testimony regarding the inadequate response of the Small Business Administration to the destructive gulf coast hurricanes of 2005. S. 163, the Small Business Disaster Response and Loan Improvements Act of 2007, the latest version of the Senate's small business disaster legislation, was included as an amendment to the farm bill late last year. During the last several months, we conferenced with our colleagues in the House to reconcile the differences between our legislation and companion legislation adopted by the House. I am pleased that we were able to come to an agreement. I want to acknowledge the hard work of all the staffs, and the support of Senator HARKIN and his Agriculture Committee staff as we conferenced on this bill. I also want to thank SBA Administrator Preston for his support of this legislation back in August when it first passed the Senate, and during the conference negotiations. This package of provisions does not include everything I would have wanted but it is a significant response to the gulf coast hurricanes of 2005.

These large-scale disasters taught us lessons and showed us our vulnerabilities in their wake. They also inspired novel ideas as to how to respond which we have incorporated into these reforms.

This bill gives the SBA several tools to better and more quickly assist disaster victims. One of the key issues after Hurricane Katrina was getting money to people quickly so they could keep their businesses afloat and start rebuilding their lives. This bill creates two bridge loan programs for the private sector to administer small-dollar, short-term disaster loans to businesses. It allows the SBA, in a catastrophic disaster, to authorize private lenders to make 180-day loans of up to $150,000 at not more then 1 percent over the prime rate to businesses that are otherwise eligible for a disaster loan. In all disasters, private lenders can make loans of up to $25,000 and receive an SBA guaranty within 36 hours for up to 85 percent of the loan amount. Both loans would be rolled into a standard SBA disaster loan once it has been made. These bridge loans will get financial assistance to businesses while they await processing or disbursement of their conventional SBA loan or insurance payments.

This bill also creates a program to allow private lenders to make disaster loans after a catastrophic disaster. This will leverage the relationships people already have with their local lenders and ease the burden on the SBA to make a huge volume of loans quickly. These loans will carry the same terms and benefits as conventional SBA disaster loans. All lenders would be eligible to make loans to small businesses, but only lenders who are preferred lenders could make loans to individuals. The bill also provides the SBA with authority to pay a fee to private lenders to process loans during times when the SBA's processing capabilities are overwhelmed in order to prevent application backlogs and ensure timely approval and disbursement of loan proceeds. Tools such as these will dramatically cut the time it takes to process and disburse loans in the event of a future disaster.

After a catastrophic disaster, while the disaster area clearly feels the brunt of the damage, businesses throughout the country can be dramatically affected by the incident. This could be because one of their suppliers or buyers is located in the disaster area, because they receive energy from the disaster area, or a myriad of other reasons. This bill authorizes the SBA to make economic injury disaster loans to businesses located outside the geographic area of a catastrophic disaster, if they suffer economic injury as a direct result of the disaster.

This bill also updates and increases the maximum amount of an SBA disaster loan from the current level of $1,500,000 to $2,000,000, and raises the maximum amount of unsecured disaster loans from $10,000 to $14,000. It was well past time to raise these caps given the increasing costs of doing business and these provisions give the SBA the flexibility to get people the help that they need. The bill also gives the SBA Administrator the authority to make new disaster loans and refinance existing loans from Hurricanes Katrina and Rita with a 4-year deferment period giving people time to get back on their feet before their payments come due.

Finally, the bill improves SBA's coordination with other agencies, its communication with the public, and its preparation for a future disaster. The bill adds several requirements to improve the SBA's coordination with FEMA as they are the two main agencies responsible to respond to a major disaster. The agency will also be required to conduct biennial disaster simulation exercises and create a comprehensive disaster response plan for various disaster scenarios. The SBA will be required to improve its communication with the public when disaster assistance is made available. The bill also creates a new position for high-level disaster planning to oversee the disaster planning and readiness of the agency.

I applaud my colleagues for helping pass this important piece of legislation as part of the farm bill. I expect to see immediate dividends as the SBA is better able to assist disaster victims in the short term, and I know that the passage of these provisions will be looked upon as an essential rebuilding tool if we ever have another tragedy on the scale of 9/11 or Hurricanes Katrina and Rita.

Mr. HATCH. Madam President, today the Senate voted on the farm bill. Leading up to that vote, we had two procedural votes which are required when budget points of order are raised against a legislative provision.

My vote on this farm bill was a difficult one. Certainly, opposition to this bill is justified. There are simply too many subsidies in this bill, there are Davis-Bacon provisions that I strongly oppose, and I believe that some provisions may violate our trade agreements.

To express my frustration with the negative aspects of the bill, I chose to support the procedural obstacles leading up to the vote on the bill itself. However, in response to very strong support for the farm bill from the preponderance of agricultural interests in my State, and to the fact that the farm bill has some provisions that are very important to me, I chose to vote in favor of the legislation.

I would like to say a few words about a provision in the bill which I sponsored and promoted for over a decade. The provision lifts the ban on the interstate distribution of State-inspected meat. I began the effort with Senator Daschle, and more recently worked with Senators KOHL and BAUCUS, to include it in the farm bill.

Let me give a little background on this issue. With the passage of the Federal Meat Inspection Act of 1906, the U.S. Department of Agriculture was required to inspect all cattle, sheep, swine, goats, and horses slaughtered for human consumption. The USDA was also made responsible for setting national standards for meat and poultry inspection. In 1957, the Poultry Products Inspection Act made poultry subject to USDA inspection. Later, these two laws were amended to set up a system of State inspection programs separate from the Federal program. At that time, due to some uncertainty about new State inspection programs, a prohibition on interstate distribution was placed on State-inspected beef, poultry, pork, and lamb.

It is important to note that the prohibition does not apply to other meats such as venison, pheasant, quail, rabbit, alligator, and others that are typically inspected under the state programs. Neither does the prohibition apply to other perishable products, including milk, other dairy items, fruits, vegetables and fish. All of these products which are inspected under State

programs are shipped freely across State lines and to our trading partners.

If a State can inspect these products sufficiently for international distribution, they can certainly continue to do so for our more standard meat and poultry products. In the nearly 30 years that the USDA has reviewed State programs, the Department has never unilaterally found that a State inspection program should be discontinued due to an inability to meet Federal food safety regulations.

In Utah, we have 32 meat plants under our State inspection program. These establishments, like the nearly 2,000 similar plants nationwide, are mostly small businesses. Generally speaking, they cater to the needs of small, family-run farms and ranches. The outdated ban on interstate shipment of State-inspected meats clearly disrupts the free flow of trade, restricts access to the market, and creates an unfair advantage for big businesses.

Let's not forget that meat inspected in 34 foreign countries can be shipped anywhere in the U.S. because the USDA has certified that the foreign inspection programs are equivalent to the Federal program, yet our domestic products inspected by States cannot. This is a ridiculous situation, and it is well past time to remedy it.

So I am very pleased that the farm bill will remove the outdated and unjust ban that puts our small businesses at such a disadvantage. Removing this prohibition will increase competition and innovation. It will provide farmers and ranchers an increased opportunity to innovate and compete to serve their consumers.

I am also very pleased that the farm bill includes a provision by Senator MAX BAUCUS, which I cosponsored, that will set up a disaster program for the livestock industry. In Utah, we have agricultural disasters almost every year. Farmers in my State never know what Mother Nature may send their way, and my goal is to provide them greater stability. I am grateful that this farm bill will provide our livestock producers the security and certainty they have sought for so long.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

UNANIMOUS CONSENT AGREEMENT—H.R. 634

Mr. DODD. Madam President, I ask unanimous consent that the Committee on Banking, Housing and Urban Affairs be authorized to meet during the session of the Senate on May 15, 2008, at 3 p.m., in executive session, to conduct a markup of the following: an original bill entitled ''The Federal Housing Finance Regulatory Reform Act of 2008''; H.R. 634, ''American Veterans Disabled For Life Commemorative Coin Act'' and an original bill to make technical corrections to title II of the SAFETEA–LU bill.

The PRESIDING OFFICER. Is there objection?

Mr. CORKER. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Tennessee is recognized.

Mr. CORKER. Madam President, the bill the chairman of the Banking Committee, the distinguished Senator from Connecticut, is speaking about is over 400 pages long. It has been amended verbally numerous times over the past week. We are going to have a meeting at 3 o'clock today. None of us has seen the bill. None of us has seen the amendments.

I have tremendous respect for the chairman of this committee. He is, to me, one of the best Senators in this body to work with. I respect the ranking committee member. I know time is of the essence, if you will, as to addressing some of the issues that are in this bill. I am very disappointed that today at 3 we are going to be going through a very technical bill many Senators in this body, candidly, may not ever take the time to look at because of the technicalities that exist and the specialties that will be addressed, if you will, by this bill.

I am very tempted to object to this, not because it is taking place today at 3, but because of the fact that we do not have any of the documentation regarding the agreements that have been made.

Out of my respect for this chairman and out of my respect for the ranking member, I will not object at this time. But I will say, in the future I hope for a technical bill such as this that is more than a few lines—something that is over 400 pages long—there will be time to actually go through the bill prior to a very strenuous markup. I in no way assert any negativity toward the Senator. I know he is doing the best he can to hold this bill together. I know there are a lot of competing interests. It is actually out of respect for him trying to do the job he is doing today, in order to move something forward in this body, that I will not object.

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

Mr. DODD. Madam President, I appreciate the Senator not objecting, but let me, for the purpose of the record, inform him that the committee print has not been changed. There were no verbal agreements. The bill was available a week ago for anyone to read. It was in the CONGRESSIONAL RECORD. It has been on a Web page as well so the public at large could read it here.

It is a long involved process, an involved process. The only reason we are meeting at 3 today is because of the request of the ranking member to delay the markup this morning. I am here to work out some additional provisions. I want to let my colleague know that. I appreciate my colleague very much. He is a very active and constructive member of the Banking Committee, but this is a product that has been available for people to review almost for a week now, before the markup actually was to occur this morning.

I appreciate his not objecting. We will see how things progress. Nonetheless, we will keep working at it, but his involvement will be critical.

Mr. CORKER. Madam President, I wish to say that portions—while no doubt we have the original text, it is my understanding negotiations were taking place throughout the night. I was getting e-mails at 1:30 in the morning regarding the negotiations, and yet I have seen no written copies of any of the agreements that have been made. I would say that would be nice to see prior to a markup of this type, but again out of respect I will not object, and thank you very much for this colloquy.

The PRESIDING OFFICER. The majority leader is recognized.

MORNING BUSINESS

Mr. REID. I ask unanimous consent we now proceed to a period of morning business for 1 hour with Senators being allowed to speak therein for a period up to 10 minutes each.

I tell all Members the reason for this is we are going to move to the budget, appointing of conferees, with Senator CONRAD and Senator JUDD GREGG having some issues they need to work out prior to that. I think it would be in the best interests of us all if that consent agreement were confirmed.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Madam President, I would amend that to have the time equally divided between the majority and minority.

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

The PRESIDING OFFICER. The Senator from Iowa.

ORDER OF PROCEDURE

Mr. GRASSLEY. Madam President, we have 30 minutes on the Republican side. I would like to proceed to use probably most of that. I may not use all of it.

The PRESIDING OFFICER. There is a unanimous consent agreement that speakers are limited to 10 minutes each.

Mr. GRASSLEY. I ask unanimous consent to proceed for a longer period of time.

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

SCAPEGOATING OF ETHANOL

Mr. GRASSLEY. Madam President, I come to the floor to rebut the scapegoating of ethanol, which is part of the food versus fuel debate.

I do not do it for a one-way conversation. I hope I can encourage conversation on this subject among my colleagues so we can look at this from a scientific and economic point of view and avoid scapegoating.

For almost 30 years, I have been leading an effort with many of my colleagues to promote policies to grow a domestic renewable fuels industry. We have promoted homegrown renewable fuels as a way to lessen our dependance on foreign oil and to improve our air quality.

For all these years, we have hardly heard anything negative about these policies. Now, ethanol and other biofuels are being made a scapegoat for a whole variety of problems. Never before in 30 years has the virtuous benefits of ethanol and renewable fuels been so questioned and so criticized.

The problem is, none of these criticisms are based on sound science, sound economics, or for that matter even common sense. I had the opportunity to hear an intelligent discussion of this, maybe it only lasted a couple of minutes, on a program on Fox News Saturday night called, ''The Beltway Boys.'' And these people are very intelligent people.

I heard Mort Kondracke, a veteran journalist, falling prey to some of the same erroneous talking points that I have heard over and over for the past couple of weeks.

Mr. Kondracke is one-half of that intelligent duo on Fox News that I referred to as ''The Beltway Boys.'' Maybe Mr. Kondracke has spent too much time inside the beltway and could use a little real world explanation from a family farmer like me from the Midwest.

Some of my colleagues in the Senate have also gotten involved in this misinformation campaign, and that is why I did not come to the floor to speak; I come to the floor to encourage dialogue with my colleagues on this subject because it seems there is a ''groupthink'' mentality when it comes to scapegoating ethanol for everything from high gas prices, global food shortages, global warming, and even deforestation.

But, as was recently reported, this anti-ethanol campaign is not a coincidence. It has been well thought out, well programmed, and that program is going on. It turns out that a $300,000, 6-month retainer of a beltway public relations firm is behind the smear campaign against ethanol. And they have been hired by a trade association referred to as the Grocery Manufacturers Association. They have outlined their strategy of using environmental, hunger, and food aid groups to demonstrate their contrived crisis. And it is right here in a 26-page document put out by the Glover Park Group, called ''The Food and Fuel Campaign.'' They enlist the support of these other nonprofit groups that are involved with environment and hunger.

I think it is important for policymakers and the American people to know who is behind this effort. According to reports, downtown DC lobbyists, the Glover Park Group, and the Dutko Worldwide are leading the effort to undermine and denigrate the patriotic achievements of American farmers to reduce our dependence on foreign oil, while also providing a safe and affordable food environment.

The principal leaders behind the Glover Park Group's proposal reads like a who's who of Democratic operatives. The effort is led by former President Clinton's Press Secretary, Joe Lockhart. Another is 8-year veteran of the Clinton-Gore White House, Michael Feldman.

Other leaders in this misinformation campaign include Carter Eskew, Mike Donilon, Joel Johnson, and Susan Brophy, all of which proudly display their ties to the Clinton-Gore White House and their credentials of helping elect Democratic candidates.

This campaign against ethanol is more sophisticated than anything I have seen put on by big oil over the last 30 years, as big oil has been a constant fighter. I will show you how this is a well-sophisticated political operation and public relations effort. For instance, the media relations public affairs responsibility comes under the partners in charge, Joe Lockhart and Michael Feldman. The advocacy and image advertising comes under the leadership of partners in charge, Carter Eskew and Mike Donilon. The legislative affairs part of it is directed by partners in charge, Joel Johnson and Susan Brophy.

Now, these people are outstanding people. They are going to be able to deliver what they have said they could do. That is why we have to take it very seriously.

I suggest that Democrats in the Senate who claim to support our Nation's drive toward energy independence should be alarmed by this group's planned campaign and the tactics being used.

I happen to be one who fought President Clinton during his 8 years in office at every turn when he tried to undermine our renewable fuels industry. The outstanding example I remember is when California made application to the EPA for a waiver under the Clean Air Act at the very time that MTBE was being outlawed because it was poisoning the groundwater. The only oxygenate that you could use in gasoline then was ethanol. California sought an exemption. We were able to win that by the Clinton administration not allowing it. Now, of course, we find ourselves fighting President Clinton's former staff and staff who worked for the Gore and Kerry Presidential campaigns, leading an effort for the grocery manufacturers to smear ethanol, after 30 years of developing an industry because people called for more renewable energy. They wanted renewable, clean-burning energy. They didn't want to be reliant upon dirty-burning petroleum. They didn't want to be relying upon importing so much.

I imagine that they are leading this effort partly because they are being paid well for doing so, but they maybe can't stand the fact that President Bush has proved to be the best friend the renewable fuels industry has had. Because their old boss failed miserably at crafting policies to promote ethanol, they are doing everything they can to tear down the success President George W. Bush has helped foster.

There are a lot of intelligent people who have been misled by this campaign and are simply wrong. They are using in their speeches a lot of the rhetoric that comes out of this effort. The facts don't back up the argument. I invite my colleagues to look at the facts, challenge me, have a dialog on this subject so we can use science as a basis for what we are doing, and economics as well.

It is time to dispel the myths perpetuated by Mr. Kondracke, one of the Beltway boys—he was probably reporting this misinformation because he is a smart person—the Glover Park Group, and others.

The Grocery Manufacturers Association, I have come to the conclusion, needs an excuse to gouge consumers of America with higher food prices, and an easy scapegoat for increasing food prices is, of course, ethanol. One myth that pops up again and again is that ethanol takes more energy to produce than it provides. I heard Mr. Kondracke say that. Let's look at the facts. In 2005, the Argonne National Laboratory study concluded that it takes only seven-tenths of one unit of fossil energy to make one unit of ethanol. That is a positive net energy balance. In comparison, it takes 1.23 units of fossil energy to make one unit of petroleum gasoline. So why aren't the grocery manufacturers of America bringing up the point that petroleum processing into gasoline is not energy positive? Because gasoline requires more than 1 Btu of energy to deliver 1 Btu to your car. That is a negative net energy balance.

A 2004 U.S. Department of Agriculture study concluded that ethanol yields 67 percent more energy than is used to grow and harvest the grain and to process that grain into ethanol. These figures take into account the energy required to not just process grain into ethanol, it takes into consideration the energy the farmer takes to plant, to grow, to harvest the corn, as well as the energy required to manufacture and distribute the ethanol.

Of 15 different peer-review studies we have looked at and that have been conducted on this issue, 12 of the 15 found that ethanol has a positive net energy balance. Only a single individual from Cornell University, who authored the other three studies, disagrees with this analysis. The Cornell studies have consistently used old data, some from 1979. Remember, in 1979, farmers weren't producing as much corn per acre as they do today. Corn yields then were 91 bushels per acre. It was at 137 bushels per acre in the year 2000. The average is now up to 150 to 160 bushels per acre. The flawed studies also rely on 1979 figures for energy use to manufacture

ethanol. This energy consumption was cut in half between the years 1979 and 2000 and continues efficiency gains every year. I could quantify that better than just using a broad sweep.

In the early 1980s, we were producing about 2.3 gallons of ethanol from a bushel of corn. Today, we are producing 2.8 gallons of ethanol per bushel. And pretty soon, the industry believes they might be able to produce 3 gallons per bushel.

So these erroneous Cornell conclusions have been refuted by experts from entities as diverse as the U.S. Department of Agriculture, the Department of Energy, the Argonne National Laboratory, Michigan State University, and the Colorado School of Mines. The fact is, studies using old data overestimate energy use by not taking into account efficiencies gained in agriculture, the greater use of fertilizer, and ethanol production.

I don't understand how intelligent people, then, can continue to argue that ethanol has a negative net energy balance. But that is what I heard on television Saturday night from very intelligent people. That is what I hear in this smear campaign. The net energy balance of ethanol production continues to improve because ethanol production is becoming more efficient. A March 2008 study by Argonne National Laboratory found significant gains just since 2001. Ethanol production since 2001 has reduced water use by 27 percent, reduced electricity use by 16 percent, and reduced total energy use by 22 percent.

Another myth being perpetuated by opponents of a renewable fuels effort and by Mr. Kondracke is that ethanol harms the environment and contributes more in greenhouse gases than petroleum. This claim is likewise hogwash. Science magazine and Time magazine made wildly erroneous claims about corn ethanol that are now being used by these detractors. They claim that ethanol production is the driving force behind rain forest deforestation and grassland conversion to agricultural production. This is an oversimplification to say the least. How could intelligent people ignore the effects of a growing global population? How can one simply ignore the surging global demands for food from growing populations in China and India? Wouldn't urban development and sprawl also be a contributor to the increased demand for arable land?

Secretary of Agriculture Ed Schafer and Energy Secretary Sam Bodman stated in a letter to Time magazine, when they ran this outrageous story that was based on a Science magazine article, that it was ''one-sided and scientifically uninformed.'' They further stated that the Science magazine article had been ''thoroughly rebutted by leading scientists at the Department of Energy's Argonne National Laboratory.'' In fact, Dr. Wang at the Argonne Laboratory stated:

There has been no indication that the U.S. corn ethanol production has so far caused indirect land use changes in other countries. No claim can be made that U.S. ethanol production leads to the clearing of rain forests.

In fact, since 2002, U.S. corn exports increased by 60 percent. Even with the growth in the ethanol industry, our corn exports have steadily increased, meeting growing global demands. So when it comes to the United States and food, we allow exports to other areas where they need our overproduction.

But one of the things that is driving up the price of rice now is a lot of prohibition in countries that produce rice to exports. So the global trading system is not efficiently distributing rice to where it is needed to feed hungry people. Think of that as a detraction, but also think that in the whole world, 95 percent of all grain produced is consumed and not made into something else.

While some claim that corn ethanol increases greenhouse gas emissions because of land use changes around the globe, they need to think again. According to the U.S. Department of Energy, today's corn ethanol produces about 20 percent fewer greenhouse gas emissions on a life-cycle basis. Ethanol blended fuel emits cleaner tailpipe emissions and, unlike petroleum, ethanol doesn't harm the environment or groundwater the way the petroleum-based product MTBE did for the 20 years it was used in gasoline as an oxygenate, where ethanol can be used as an oxygenate and it doesn't do that.

In recent weeks, a new argument has come forward about the effect of corn ethanol on domestic and global food prices. Food prices are going up. Of course, we all have to be sympathetic to that, whether it is in America or abroad. People are struggling with higher prices for food is not something we like to hear. But to put all the blame at the feet of the U.S. ethanol industry is outrageous and misplaced, and that is what this smear campaign is all about, just so the grocery manufacturers of America can have an excuse to increase the price of food here.

Watching the news and listening to some of my colleagues, there was even a hearing on this a couple weeks ago in the Senate. I have even heard expressed in this hearing that the price of oranges was going up because of ethanol. We have heard that the domestic ethanol industry was blamed for shortages not only in oranges but apples, broccoli, rice, wheat, lentils, peppers, even bananas.

Let's stop to think about the people who are saying: You are growing more corn, so we are growing less wheat or rice. We don't make ethanol out of wheat or rice. But for people to say that fruits are going up or bananas are going up because we are growing more corn, well, let me assure everybody I do not know of anybody who is plowing up and tearing out an apple orchard, an orange orchard or a banana plantation to plant corn for ethanol. But that is the ignorance about the people who are making those mistakes, trying to make the argument that more land is going into corn and less going into wheat, so the price of bread is going up.

With regard to wheat, rice, and lentils, the global demand for food from a growing middle class in China and India have the most impact is what economists are telling us.

Weather trends, including a 100-year historic—how to say it—the worst drought in 100 years in Australia and poor growing conditions in Southeast Asia and Eastern Europe have had a much greater impact on the supply of rice and wheat.

Many of these countries also have government production policies that manipulate production, supply, and trading of these commodities. Think of some of the dictators in Africa who want a cheap food policy. Farmers cannot make enough producing food, so the farmers move to town and live in the slums, when they could be producing something back home, if the governments had policies that would encourage the production. There is so much resource in Africa that there is no reason to have anybody starving in Africa.

The fact is, the global demand and price for all commodities has increased. Some of this could even be due to speculation. You read that in the business papers in the United States quite regularly.

One of the biggest culprits behind rising food prices is the cost of oil at $125 a barrel. We had a recent Texas A&M study concluding that the biggest driving force behind the higher food costs is higher energy costs. So if Texas A&M is saying that, let's look at what the Iowa State University Center for Agriculture and Rural Development is saying about ethanol's impact upon the price of gasoline and energy to move food around. They say, without the ethanol we have, you would be paying 30 or 40 cents more for a gallon of gasoline. In turn, then, since Texas A&M says energy is the biggest reason for the increased costs of food, you would have yet higher food prices without having ethanol.

Joseph Glauber, chief economist at the U.S. Department of Agriculture, recently testified that rising prices for corn and soybeans have had little or no effect on the high price for wheat, rice, and other food commodities.

Dr. Glauber cited the worldwide economic growth—that would be China and India, as examples of a couple countries—global weather problems—that would be the drought in Australia—rising marketing costs, and a weak U.S. dollar as having a greater role than biofuels in the cost of food being higher and even being scarce.

A U.N. official has recently referred to biofuels as ''a crime against humanity.'' Mr. Ziegler, from the country of Switzerland, might benefit from a review of European policies that ban or restrict the growth and import of genetically modified crops.

Let me explain that genetically modified crops have had a great deal to

do with the increased production of corn per acre, from 91 bushels per acre in 1979, to 107 bushels per acre in 2000, to 150 to 160 bushels per acre in 2007.

While U.S. farmers are taking great strides, through the use of genetically modified grains, to feed the world, Europe is taking a step backward—the same Europe that Mr. Ziegler lives in, who is saying that biofuels is ''a crime against humanity.''

As a result, you have a ripple effect of the policies in Europe because African countries are reluctant to grow genetically modified grains, even though their production gains are great, because European countries might restrict their imports from those African countries.

I might suggest Mr. Ziegler focus more of his efforts on opportunities lost as to growing more grains in Europe and focus on GMOs and their use in Europe than our biofuels policy.

U.S. farmers responded to these increased demands for grain and produced a record corn crop in 2007. Now, we grew more acres of corn in 2007 than any year since 1944. We produced 2.6 billion more bushels of corn in 2007 than 2006. Now, out of that 2.7 billion bushels, ethanol only used 600 million of them. So for all the people complaining about not having enough corn, are they going to use 2.1 billion bushels more that we raised in the greatest acreage since 1944 that was not used for ethanol? Are they going to take that into consideration or are they going to still complain that there is not enough corn around?

Exports have grown as well. Our U.S. Department of Agriculture estimates that this year's corn exports will be a record 2.5 billion bushels—up 18 percent over last year. We are getting that surplus production in the United States around the world, where it is needed. One of the places it is needed is in China. They do not export corn anymore. In the 1980s, the Chinese were eating 44 pounds of meat a year; this year—while I guess the figures are for a couple years ago—111 pounds of meat. They are going from rice to value-added food products. They have to have some of our corn to do that, and we are glad to sell it to them.

With these facts, it is hard for critics to argue that the domestic ethanol industry is diverting corn from feed or food markets. Yet that is what this smear campaign is saying.

It is also important to keep in mind that a tiny fraction of the cost of retail food is the result of farm inputs. Would you think farmers are getting rich because the price of food is going up?

First of all, let's look at all the income from farmers. They only get back 19 cents

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

Mr. GRASSLEY. Madam President, since I do not see any other colleagues asking for time, I ask unanimous consent for an additional 10 minutes.

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

Mr. GRASSLEY. Thank you, Madam President.

Out of $1 that you, as a consumer, spend for food, the farmer gets 19 cents. Look at a $5 box of corn flakes. For an interview here, I bought a $5 box of corn flakes. I think I had to pay a little bit more because I bought it on the Hill. But the family farmer's share of that $5 box of corn flakes—and it happened to be a little bigger box than normal—was about less than 10 cents. I think the real figure is about 8 cents. That is what the farmer gets out of a box of corn flakes.

Yet the farmer is being blamed for the high price of food because we grow some corn to make ethanol because the American people, 30 years ago, were demanding that we go to a renewable, clean-burning fuel instead of depending upon dirty-burning petroleum, putting more CO_2 into the air. The value of corn in a pound of beef or pork is about 20 or 30 cents. Yet some have suggested we should suspend our policies that promote the use of renewable fuels to help drive down food prices.

If all the evidence suggests that biofuels have little, if any, impact on the rising cost of food, what good can come from lifting our biofuels policies? If people look at the facts, how can a public relations firm of former Clinton employees get a $300,000 contract from a very respectable organization such as the Grocery Manufacturers of America, whose Members need an excuse to raise the price of food? How do they get away with it? Well, they get away with it because nobody is looking at the facts.

I was pleased to join 15 of my colleagues in signing a letter to the Environmental Protection Agency, expressing our opposition to this misguided idea. We had about that same number of Senators in this body—some of them even voting for ethanol in the past years—sending a letter down to the same EPA, saying we have to stop ethanol, probably some of the very same people who are complaining about the dirty air we have or the global warming.

Madam President, I ask unanimous consent to have printed in the RECORD a copy of that letter.

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

U.S. SENATE,
Washington, DC, May 6, 2008.

Hon. STEPHEN JOHNSON,
Administrator, Environmental Protection Agency, Washington, DC.

DEAR ADMINISTRATOR JOHNSON: We're writing to express our strong opposition to any request to partially or completely waive the Renewable Fuels Standard. We strongly disagree with the assumption that the renewable fuels mandate is harming the U.S. economy or that it's primarily responsible for the global escalation of food costs.

We recognize that global food prices have seen a significant increase in recent years. However, waiving the RFS would not cause an immediate or near term reduction in food prices. Ed Lazear, Chairman of the Council of Economic Advisors, recently estimated that global food prices have increased 43 percent since last year, and domestic food inflation was 4.5 percent. Importantly, Chairman Lazear noted that the increased production of ethanol accounted for only 3 percent of the 43 percent global increase and only a quarter of one percent of the 4.5 percent increase in U.S. food prices. This data is evidence that ethanol accounts for less than 3 percent of the increase in global food prices.

There are many factors behind the rise in food costs. The increased demand in emerging markets, increased cost of energy inputs, weather conditions in Australia, China and Eastern Europe, and export restrictions have all contributed to the rising costs, according to Chairman Lazear.

Corn production and consumption in the United States has very little or no impact at all on global rice, wheat or lentil markets. Joseph Glauber, Chief Economist at the U.S. Department of Agriculture, recently testified before Congress that rising prices for corn and soybeans have had little effect on the high prices for wheat, rice and other food commodities. He indicated that many factors have a greater role than biofuels, including worldwide economic growth, global weather problems affecting wheat production, rising marketing costs, and the weak U.S. dollar.

While we're all sympathetic to those struggling to cope with the higher cost of food both domestically and internationally, we must be intellectually honest about the real causes behind the increases. Waiving the renewable fuels mandate will have a negligible impact on corn and food prices. A recent Texas A&M study concluded that relaxing the Renewable Fuels Standard will not result in significantly lower corn prices.

At a time when a barrel of crude oil costs nearly $120 and gasoline prices are approaching $4 a gallon, the fuel produced by the U.S. ethanol industry is helping to extend our fuel supply and keep prices lower. A Merrill Lynch analyst recently estimated that oil and gas prices would be 15 percent higher if biofuels weren't added to our nation's fuel supply. According to Iowa State University's Center for Agriculture and Rural Development, ethanol use has lowered gas prices by 30 to 40 cents a gallon, while relaxing the mandate would reduce corn prices by only 5 percent. The fact is, reducing the amount of ethanol in our nation's fuel mix will have little if any impact on food prices and will actually increase prices at the pump for American's consumers.

As world demand for biofuels and food increases in the coming years, we will need to continue to develop technologies and feedstocks that meet that demand in a sustainable manner. We strongly support efforts to develop alternative feedstocks and technologies that can satisfy this global demand in a way that addresses the goals of energy security and food security.

The U.S. renewable fuels industry has made tremendous strides to produce a homegrown, alternative energy that is improving our environment, reducing our dependence on foreign oil and increasing our national security. America's farmers are continuing to provide an ample supply of safe, affordable food for the U.S. and global markets. Therefore, we strongly urge you to reject any action that would reduce the production and use of domestically produced renewable fuels.

Sincerely,

Charles E. Grassley ; John Thune; Norm Coleman; Kit Bond; Tim Johnson; E. Benjamin Nelson; Amy Klobuchar; Byron Dorgan; Richard G. Lugar; Ken Salazar; Kent Conrad; Jon Tester; Claire McCaskill; Tom Harkin; Debbie Stabenow; Evan Bayh.

Mr. GRASSLEY. An investment researcher with UBS recently said that lifting the biofuels mandate will not ease corn or food prices because energy costs and commodity speculation—speculation—are greater factors. Lifting the renewable fuels mandate will not drive down the cost of corn or the price of groceries. But it will increase our demand for crude oil—dirty-burning crude oil. Big oil wins.

A Merrill Lynch analyst recently estimated that oil and gas prices would be up 15 percent higher without biofuels. I have already spoken to the Iowa State University study: 30 or 40 cents higher for gasoline without having the ethanol industry.

Another economist estimated an even higher price, that gas would go up $1.40 if we removed 50 percent of the ethanol scheduled to be used this year—as these letters from my colleagues suggest that we do away with half the mandate.

It is clear, then, reducing the amount of ethanol in our Nation's fuel mix will have little, if any, impact on food prices and will actually increase prices at the pump for all Americans.

So to the critics, let me say loudly and clearly: Ethanol is not the cause of all that ails you. While it is easy to blame, it is intellectually dishonest to make these claims. It is time for critics to take an independent look at the facts. They have a responsibility to brush aside this sort of ''herd mentality'' that is being encouraged by the Grocery Manufacturers Association. It eventually gets taken over by the pundits and talking heads on TV who claim that everything about ethanol is bad. And it is getting louder. It is not only bad, but it is bad, bad, bad.

I wish to tell you what is good, good, good about ethanol because the truth is, ethanol is reducing our dependence upon foreign oil. Ethanol has a significant net energy balance. The same cannot be said for gasoline. Ethanol is reducing our greenhouse gas emissions. Ethanol is not the culprit behind rising food and feed prices here at home or abroad. Ethanol is lowering the price of crude oil and lowering the price of gasoline. Ethanol is increasing our national security, helping our balance of trade, reducing our dependence upon Middle East oil and the whims of big oil.

It is time we clear the air, look at the facts, and recognize, once again, that everything about our domestic renewable fuels is good, good, good—good for agriculture; good for the refinery business, providing jobs in rural America; good for the environment; good for national defense; good for the balance of payments—good, good, good.

Madam President, I ask unanimous consent that ''Ethanol Myths and Facts'' from the U.S. Department of Energy be printed in the RECORD.

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

ETHANOL MYTHS AND FACTS

Myth: Ethanol cannot be produced from corn in large enough quantities to make a real difference without disrupting food and feed supplies.

Fact: Corn is only one source of ethanol. As we develop new, cost-effective methods for producing biofuels, a significant amount of ethanol will be made from more abundant cellulosic biomass sources.

Future ethanol will be produced increasingly from cellulose found in crop residues (e.g, stalks, hulls), forestry residues (e.g., from forest thinning), energy crops (e.g., switchgrass, sorghum), and sorted municipal wastes. Some promising energy crops grow on marginal soils not suited for traditional agriculture.

A high-protein animal feed, known as Distillers Dried Grains with Solubles (DDGS), is produced in the process of making corn ethanol.

The Energy Independence and Security Act of 2007 (EISA) requires that U.S. transportation fuels contain at least 36 billion gallons of renewable fuels by 2022. Of that quantity, 16 billion gallons must be cellulosic biofuels, while ethanol from corn is capped at 15 billion gallons.

The U.S. Departments of Energy and Agriculture's Billion Ton Study found that we can grow adequate biomass feedstocks to displace about 30% of current gasoline use by 2030 on a sustainable basis—with only modest changes in land use. It determined that 1.3 billion tons of U.S. biomass feedstock is potentially available for the production of biofuels-more than enough biomass to meet the new renewable fuel standard mandated by EISA.

Myth: In terms of emissions, ethanol pollutes the same as gasoline or more.

Fact: Ethanol results in fewer greenhouse gas (GHG) emissions than gasoline and is fully biodegradable, unlike some fuel additives.

Today, on a life cycle basis, corn ethanol produces about 20% fewer GHG emissions than gasoline. With improved efficiency and use of renewable energy, this reduction could reach 52%.

In the future, ethanol produced from cellulose has the potential to cut life- cycle GHG emissions by up to 86% relative to gasoline.

Ethanol-blended fuels currently in the market—whether E10 or E85—meet stringent tailpipe emission standards.

Ethanol readily biodegrades without harm to the environment and is a safe, high-performance replacement for fuel additives such as MTBE.

Myth: More energy goes into producing ethanol than it delivers as a fuel.

Fact: In terms of fossil energy, each gallon of ethanol produced from corn today delivers one third or more energy than is used to produce it.

Ethanol has a positive energy balance that is, the energy content of ethanol is greater than the fossil energy used to produce it—and this balance is constantly improving with new technologies.

Over the last 20 years, the amount of energy needed to produce ethanol from corn has significantly decreased because of improved farming techniques, more efficient use of fertilizers and pesticides, higher-yielding crops, and more energy-efficient conversion technology.

Most studies that claim a negative energy balance for ethanol fail to take into account the energy contained in the co-products.

Myth: Rainforests will be destroyed to create the new croplands required to meet food, feed, and biofuels needs, thus accelerating climate change and destroying valuable ecosystems.

Fact: Biofuels have the potential to significantly reduce global GHG emissions associated with transportation, but—as with all types of development—controls are needed to protect ecologically important lands.

In Brazil and elsewhere, laws have already slowed deforestation, and for the past decade China has converted marginal croplands to grasslands and forests to control erosion.

Links between U.S. ethanol production and land use changes elsewhere are uncertain. We cannot simply assume that increases in U.S. ethanol production will lead to increased crop production abroad. In fact, since 2002, during the greatest period of ethanol growth, U.S. corn exports increased by 60% and exports of Distillers Dried Grains (DDGs) also increased steadily. In part, improvements in U.S. corn yield (about 1.6% annually since 1980) have enabled simultaneous growth in corn and ethanol production.

Greenhouse gas emissions will decrease dramatically as biofuels of the future are increasingly made from cellulosic feedstocks and as the associated farming, harvesting, transport, and production processes increasingly use clean, renewable energy sources.

Myth: Ethanol-gasoline blends can lower, fuel economy and may harm your engine.

Fact: Most ethanol blends in use today have little impact on fuel economy or vehicle performance.

While ethanol delivers less energy than gasoline on a gallon-for-gallon basis, today's vehicles are designed to run on gasoline blended with small amounts of ethanol (10% or less) with no perceptible effect on fuel economy.

Flex-fuel vehicles designed to run on higher ethanol blends (E85 or 85% ethanol) do experience reduced miles per gallon, but show a significant gain in horsepower.

As a high-octane fuel additive and substitute for MTBE, ethanol enhances engine performance and adds oxygen to meet requirements for reformulated gasoline.

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

CONGRESSIONAL BUDGET FOR THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2009

Mr. CONRAD. Mr. President, I ask unanimous consent the Senate proceed to the House message to accompany S. Con. Res. 70, the concurrent budget resolution; that the motion to disagree to the House amendment be agreed to, the motion to agree to the request of the House for a conference be agreed to; and the motion to request the Chair to appoint conferees be agreed to.

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

The ACTING PRESIDENT pro tempore laid before the Senate the following message:

S. CON. RES. 70

Resolved, That the House insist upon its amendment to the resolution (S. Con. Res.

70) entitled ''Concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013'', and ask a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. SPRATT, Ms. DELAURO, Mr. EDWARDS, Mr. RYAN of Wisconsin, and Mr. BARRETT of South Carolina, be the managers of the conference on the part of the House.

Mr. CONRAD. Mr. President, I now ask we enter into 1-hour time agreement, equally divided, on an amendment that will be on or in respect to potential tax increases in the conference agreement.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. GREGG. I will just say it will be a motion to instruct.

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

MOTION TO INSTRUCT

Mr. GREGG. Mr. President, I send a motion to the desk.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The Senator from New Hampshire. [Mr. GREGG] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to reject the revenue levels in both the Senate-passed and the House-passed budget resolutions, both of which assume the largest tax increase in history, and include revenue levels consistent with extension of the tax.rates currently in place.

The ACTING PRESIDENT pro tempore. The Senator from New Hampshire is recognized.

Mr. GREGG. Mr. President, this motion to instruct is necessary because the budget, as it left the Senate and it is represented, has been agreed to between the House and Senate Democratic leadership and membership, with no Republican input other than the courtesy of telling us what they have agreed to, has in it the largest tax increase in the history of the world—the history of the world, not just the history of the United States. It is a $1.2 trillion tax increase. It means that all Americans' taxes will go up significantly as a result of this tax increase. Mr. President, 7.8 million people today who do not pay taxes will find that they are paying taxes. These are low- and moderate-income Americans who are not liable to pay taxes because their income has them in a level where there is no tax event, but under this budget resolution, which assumes the termination of the tax policies that were put in place in 2001 and 2003, those 7.8 million people will be returned to the tax rolls and will have to pay taxes.

Families of four, earning $50,000—a husband, a wife and two children—in 2011, under this bill, would see their taxes go up $2,300. A single mom raising two kids—which is the toughest job in America, in my opinion—earning $30,000 a year, that mother would see her taxes go up by $1,100. That is a lot of food, a lot of clothing, and a lot of better lifestyle that will be lost to that family.

A family of four earning $110,000 would see their taxes—that would be, for example, a mother who is teaching or a father who is teaching and a mother who is a police officer, one making $50,000 and one making, say, $60,000—that family with two children could see their taxes go up $4,300 under this bill.

Small businesses—which are defined by the Democratic Party as the rich, will pay more taxes. In fact right now in the House of Representatives they are debating a bill which they claim taxes the rich, which it turns out are small businesses who file as individuals—75 percent of all individual returns with income above $300,000 include business income, and 83 percent of all individual returns with income above $1 million include business income. They will be subject to the high-end tax which the Democratic Party is proposing in the House. Meanwhile, small businesses, who pay 54 percent of all individual income taxes—those small businesses, 27 million in total, will see their tax bill go up by $4,100 under this budget resolution. That could easily put a lot of those small businesses out of business, that type of a tax hike. A lot of these businesses work at the margin. Even though they may have high income, they are still spending a lot of that in order to maintain their business.

Elderly couples with incomes of $40,000, if the Democratic budget goes forward, an elderly taxpayer, someone over 65 with $40,000 of income, will see their taxes go up $2,200. That is a lot of money for somebody who is probably on a fixed income and does not have too many ways to increase their income and are trying to make fixed costs, which they also cannot reduce. To be hit with a $2,200 tax bill in 2011 is a pretty stiff penalty to pay so the party in power, the Democratic Party, can spend their money on some program they deem more appropriate than allowing that individual to keep their money in their pocket. Eighteen million seniors will see taxes go up under this bill as the tax policies of 2001 and 2003 are repealed and taxes are increased.

There was an argument made on the other side of the aisle that we are not going to do that, we are going to collect this money from uncollected taxes. That argument has no viability any longer. They made that argument last year, and the amount of money which was collected from uncollected taxes went up a minuscule amount, so that argument has no credibility. There is an argument made, primarily by Senator OBAMA in his campaign for the Presidency, that all these new programs and all this cost will be paid for by taxing the wealthiest Americans—only the wealthiest Americans; that the other tax breaks will be left in place.

This budget does not assume that. This budget does not assume that at all. This budget assumes the full repeal of all the tax rates as they were put in place in 2001 and 2003. In addition, it assumes the full repeal of the capital gains rate, full repeal of the dividend rate—which, by the way, taxes on capital gains and dividends are paid disproportionately by senior citizens. They are the ones who sell their homes and end up with capital gains, they are the ones who have fixed incomes usually tied to dividends from their pensions.

So that argument that this proposal is just going to tax the wealthiest of Americans does not fly, on the basis of the language of the Democratic budget. The Democratic budget says they are going to repeal and raise, by $1.2 trillion, those taxes—taxes which all Americans will have to pay.

Senator OBAMA says if he just taxes the wealthy, he can pay for all his new spending programs. Those new spending programs total up to well over $300 billion a year. He has proposed over 185 new programs. If you score just 143 of those programs he is proposing—his new or additional programs—it totals $300 billion in new spending. That is on top of the new spending already in this budget resolution. This budget radically expands spending. It is well over $200 billion in new discretionary spending over the 5-year period of this budget and of course you put the Obama ''spend-orama'' on top of that and you are up another $300 billion. All of this is going to be paid for, allegedly, by just taxing the wealthy.

You have to look at the language of the bill. That is not the way it is going to be paid for. As I outlined, it is going to be paid for by taxing working Americans, elderly Americans, single moms with families and individuals who run small businesses.

In fact, if you took Senator OBAMA at face value, and what he is proposing, he is going to raise all of these taxes on the wealthy to pay for his $300 billion of new spending and the $200 billion in this bill. The $300 billion figure is an annual number, by the way.

The maximum amount, if you were to return to the top rate in America, back to the rate during the Clinton years, which is what has been proposed by Senator OBAMA, the maximum amount that generates annually is $25 billion. The fact is, we will not get that much. These are wealthy people. They understand how to hire tax accountants and avoid taxes when taxes become disproportionate, and they view them as something that should be avoided rather than paid.

The great advantage we have from the tax cuts which were put in place by President Bush and which caused this economy to expand and caused Federal revenues to grow in the most aggressive way in our recent history, was that tax laws have reached fair levels.

Take, for example, the capital gains tax which, under this bill, under this

budget, will be doubled. The capital gains tax today, because it is at a reasonable rate, 15 percent, is generating huge increases in Federal revenues.

In fact, CBO estimated when the capital gains rate went to 15 percent, it would generate about $100 billion less than what it has actually generated over the last 3 years. And why did we obtain an additional $100 billion in tax revenue as a result of having a lower capital gains rate? For two reasons: One, because the capital gains rate was fair so people were investing in activity that was taxable, and they were not trying to avoid taxes by investing in nontaxable activity; and, two, because when you set a fair capital gains rate, what you do is incentivize people to go out, recognize their capital gains—in other words, sell the asset which they obtained gain in, and then take that new money they have gotten and reinvest it in some other activity which also generates capital gains.

Instead of having the capital gains event locked down, instead of having assets held simply because people do not want to pay taxes, and those assets may be nonproductive assets, thus not having productive use of those dollars, a reasonable capital gains rate, which is what we now have in this country, causes people to go out and invest and act in the most efficient way with the money they have.

As a result, not only do they generate more taxes to the Federal Government, $100 billion more than was estimated, but they also, at the same time, create more jobs. Because those dollars are used more efficiently, there is more entrepreneurship, there is more risk taking, and more people are willing to go out and take the risks to create a job because they know they are going to have a chance to get an adequate return, and their efforts will not be taxed away.

But this budget rejects all of that. This budget rejects that whole concept. It says: Let's go back to the period where we taxed people at extremely high rates. And why? Why do they tax people at extremely high rates? Is it to reduce the deficit? No, the deficit goes up dramatically under this bill.

Does it reduce the national debt? No, the national debt goes up dramatically under this bill. The reason they want your tax dollars is because they want to spend your tax dollars. There is a genuine philosophy on the other side of the aisle that says they know how to spend your money better than you do. You, the working American, you, the small business man or woman, you, the single mother, they know better how to spend your money than you know how to spend your money. Thus, they want to raise your taxes in order to reprogram it in some sort of program that they deem to be of a better social purpose than allowing the person who earned that income to keep their money in their pocket so they can make decisions which benefit them and their family with those dollars.

That is the philosophical difference that divides us and could not be shown in a more stark way than in this budget as it left the Senate and which will be conferenced, because this budget repealed almost all the constructive tax policy that was pro-growth oriented in the President's proposals of 2001 and 2003, and as a result it drives this massive increase in the tax burden on the American people.

This is not a tax on the wealthy. This is a tax on the middle class because it is middle-class America who will have to pay for the $1.2 trillion tax increase. To review the numbers, 7.8 million people who do not pay taxes today will have to pay them under this bill; 27 million people who run small businesses will see their taxes go up by $4,100; 43 million working Americans who have children will see their taxes go up by $2,300; and senior citizens, 18 million senior citizens, will see their taxes go up by $2,200.

Obviously, we have a deep philosophical difference with the majority on this point. And that is why we are suggesting an instruction which says we should not proceed down the path of having the world's largest tax increase. Let's at least tell our conferees: Do not do that to the American people. Keep the tax laws at a level that is fair and is responsible.

By ''responsible'' I mean the tax laws, as they presently are structured today, are returning more revenue to the Federal Government from our income tax than we have ever had in our history. And even as a percentage of the gross national product, they are returning more revenues to the Federal Government than has been the historical average. Mr. President, 18.7 percent of gross national product today is being collected in tax revenue. Historically, it was only 18.2 percent. So these tax laws have not reduced Federal revenue, they have actually increased Federal revenue, as I pointed out when I discussed the capital gains rates.

We should not be putting in place a tax burden on working Americans which is going to be counter to the idea of creating jobs, creating economic incentives, and giving and allowing people to keep in their pockets money which they have earned and which they know better how to spend than we as a government know how to spend.

I reserve the remainder of my time. I look forward to continuing this discussion as we proceed through the afternoon.

The PRESIDING OFFICER (Mrs. MCCASKILL.) The Senator from North Dakota.

Mr. CONRAD. Madam President, I have enjoyed listening to my colleagues describe this budget resolution. But it has nothing whatsoever to do with the budget resolution we have produced. It is a wonderful speech. It is the same speech they give every year no matter what the budget resolution says. But it absolutely has no attachment to what we have presented.

I hear this talk about the biggest tax increase ever in the world history. He said the same thing last year. And you know what happened. We have cut taxes. In fact, I have that chart too. It is very interesting because he gave precisely the same speech last year. It may have been exactly the same speech.

And what has happened with this Democratic-controlled Congress? Well, here are the tax cuts we have enacted, $194 billion. After they said we were going to have the biggest tax increase in the history of the world last year, we have cut taxes by $194 billion, with $7 billion of revenue raised through loophole closers that have been enacted, loophole closers that, frankly, many of them supported to advance the legislation that was important to us all. But that is the record.

After the speech, the identical speech, virtually the identical speech he gave last year, that we were going to have the biggest tax increase in the history of the world—what is the record? We have cut taxes by $194 billion, overwhelmingly on the middle class.

Now, let's look at this budget resolution. The green line is the revenue that is in our resolution. The red line is the President's. That is a very small difference, as you can see, a very small difference between the two. In fact, here is the difference: $15.6 trillion of revenue in our resolution, $15.2 trillion of revenue in the President's proposed budget. That is a difference of 2.6 percent. So I do not know what he is talking about when he is talking about the biggest tax increase in the history of the world. That has nothing whatever to do with our resolution.

In fact, our resolution has substantial tax relief. The Baucus amendment adopted on the Senate floor with bipartisan support extended the middle-class tax relief by providing for marriage penalty relief, by providing for extension of the child tax credit, by extending the 10-percent bracket.

We also provided alternative minimum tax relief to prevent 26 million people from being caught up in the alternative minimum tax, almost an eightfold increase from the number affected now. We have taken effective action to prevent that from happening. We have estate tax reform that will provide that only two-tenths of 1 percent of estates will face any taxes.

We provide for energy and education tax cuts. We provide for property tax relief, and we provide for extension of the popular tax extenders. All of that is done in this bill. Now, there is a difference in revenue, as I indicated, a very modest 2.6 percent between what is in our budget resolution and what the President called for.

Well, where are we going to get that revenue if we are not going to have a tax increase? Well, the first thing we do is go after the tax gap which is now estimated at $345 billion a year. That is the difference between what is paid and what is owed, $345 billion a year.

If we got 20 percent of that amount alone we could meet our numbers with no tax increase. But that is not the only place we can look because, as I have shown before on the floor of the Senate, this building down in the Cayman Islands called Ugland House, this little modest, five-story building is the home to 12,748 companies.

Now, I have said this is the most efficient building in the world. Think of that. That little building down in the Cayman Islands, and 12,748 companies claim they are doing business out of that little building. Of course, the only business they are doing in this building is monkey business because what they are doing is claiming they are doing business there in order to engage in tax avoidance. That is the business they are engaged in in Ugland House.

Now, if anybody doubts it, here is a recent story from the Boston Globe from March 6 of this year: Shell companies in Cayman Islands allow Kellogg, Brown and Root to avoid Medicare and Social Security taxes in the United States. What they have done down there this is the Nation's top Iraq war contractor until last year, a subsidiary of Halliburton, is to avoid paying hundreds of millions of dollars in Federal Medicare and Social Security taxes by hiring workers through shell companies based in this tropical tax haven.

Now, what we are saying is, let's shut down this kind of scam. How much is there? Well, the Permanent Subcommittee on Investigations said there is $100 billion a year that is being lost to the U.S. Treasury in tax scams being run in these offshore tax evasion schemes. So if you have $345 billion a year in the tax gap, money that is owed that is not being paid, and the vast majority of us pay what we owe, it is outrageous that some are getting away without paying what they owe. And our argument on our side is that we ought to go after those folks who are not paying what they owe and are cheating all the rest of us.

On our side we say: Let's shut down these offshore tax havens that are costing us another $100 billion a year, these tax scams that are cheating all of the rest of us. You add those two together, that is $445 billion a year.

Again, now we need less than 20 percent of that in order to completely close this revenue gap.

But it doesn't end there, because I have shown this chart on the floor of the Senate too. This is a picture of a sewer system in Europe. What does a sewer system have to do with the budget of the United States? We have companies in America buying European sewer systems to write them off on their books to reduce their taxes here. Then they lease the sewer systems back to the European cities that built them in the first place. Is that unbelievable? Our friends on the other side don't want to do anything about that. They don't want to shut that down. They think that is OK. We don't. We think that should be shut down. This is another tens of billions of dollars a year in these types of tax scams.

We have things we have done to try to shut down some of these operations. We have put these in bills that the President has threatened to veto. This is almost hard to believe, but this is what has been going on. We proposed shutting down these scams. One of the things we propose is codifying economic substance, prohibiting transactions with no economic rationale done solely to evade taxes. We proposed shutting down schemes to lease foreign subway and sewer systems and depreciate their assets on the books of the United States to avoid taxes here. We have proposed ending deferral of offshore compensation by hedge fund managers trying to avoid taxation in this country. One of those people, by the way, earned over $1 billion last year alone. And there is not just one; there are many of them who earned over a billion dollars a year last year. Then they cook up a scheme where they move their money offshore to avoid paying taxes in this country and stick all the rest of us with the bill. We have said no, let's shut that down. The President has threatened to veto that.

We have talked about expanding broker information reporting to prevent this evasion and taxing people who leave this country and give up their citizenship to evade taxes they owe here. As unbelievable as it may sound, we have people who give up their U.S. citizenship, go to one of these tax havens and say: We don't owe any taxes in America because we don't live there anymore. We are no longer a citizen of that country. We are now down in the Cayman Islands or another one of these tax havens.

In fact, I went on the Internet. It is amazing to go on, put in ''offshore tax havens.'' Punch that in and then do a search. You will get over 1 million hits. One of my favorites is ''live offshore in a luxury yacht, never pay taxes again.'' This is the kind of scam that is going on. We say shut it down. If we only got back 15 percent of the money in the tax gap—not 50 percent, 15 percent—if we got back 15 percent of this tax gap, of these abusive tax shelters, we could meet our numbers with no tax increase. Remember, in our resolution, we have hundreds of billions of dollars of tax reduction on middle-income people, because we have extended all the middle-class tax cuts. That is what this resolution does. The other side doesn't want to do that. What they want to do is make sure to protect the wealthiest among us. They want to protect those who are engaged in these scams. I don't know why they want to. I don't get it. But that, apparently, is their position. They are going to have to defend it.

As I have indicated, there is no assumed tax increase in this budget resolution—none. There are substantial tax reductions, hundreds of billions of tax reductions.

I will end as I began. Last year the Senator on the opposing side gave the same speech, that our budget resolution had the biggest tax increases in the history of the world. Here is the record. Now we can look back and we can see what happened. Did Democrats increase taxes? No. Democrats cut taxes by $194 billion. In fact, people all across the country are getting checks from the Federal Government right now that represent those tax reductions enacted and, by the way, enacted on a bipartisan basis. The President signed the bill. So people know they got a tax reduction from Democrats when we have been in control of Congress this year, because they are getting the checks in the mailbox right now.

After the Senator asserted last year we were going to have the biggest tax increase in the history of the world, it didn't happen. There wasn't any tax increase. Instead, there were tax reductions.

There is no tax increase in this budget resolution either. None. None is assumed. We don't need any to meet the revenue numbers which are only 2.6 percent more than the President's revenue numbers. In fact, we have substantial middle-class tax relief. The middle-class tax relief that is in this package is right here. We extend the middle-class tax provisions that provide marriage penalty relief. We extend the important child tax credit. We extend the 10-percent bracket that provides such good relief to middle-income people. We have provided for relief from the alternative minimum tax. We have provided for estate tax reform. We have provided energy and education tax cuts, property tax relief, and the popular tax extenders. All of that tax relief is in this package.

I hope our colleagues will reject the assertion that is in the Senator's motion because it bears absolutely no relationship to the budget resolution before us.

I yield the floor, suggest the absence of a quorum, and ask unanimous consent that the time be charged equally.

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

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. McCONNELL. Madam President, 2 years ago, Democrats campaigned on tax relief for middle-class families. They called for fiscal restraint and lowering the national debt. But as we have seen over the last year, our good friends are more concerned with increasing taxation, increasing regulation, and increasing litigation. The budget they unveiled this year is the latest example.

If we were to follow this budget, it would go a long way toward turning us into a country like France, at a time when even the French, as we all know,

are trying to pull back and trying to get out of the ditch into which they have put themselves.

This budget lifts the curtain on what they have in store for America's already overburdened taxpayers. Instead of lowering taxes on America's working families and small businesses, this budget contains the largest tax hike in U.S. history.

It is not just the rich who would see their tax bills increase by an average of $2,300 a year; it is taxpayers making as little as $31,850, and couples earning $63,700. These are families the Democrats are calling rich and on whom they want to raise taxes.

Under this budget, every American would see his or her share of the national debt rise by $6,440 as a result of dramatically higher spending requests.

At a time when American families are tightening their belts and checking their own spending habits, Washington should be doing the same. Yet they are proposing the opposite. At a time of serious economic concern, they want to grow the Federal budget to over $1 trillion in nonemergency spending.

We have heard a lot of talk over the last few months from the other side about how middle-class families are struggling to make ends meet. We even worked together to pass a stimulus package that puts money back in the wallets of middle-class families. But now our good friends on the other side want to take that money back—and then some—to fund their irresponsible spending hikes.

Let's be clear about what this budget is: It is the Democrats' way of saying yes to the failed tax-and-spend policies of the past. American families cannot afford this budget, American job creators cannot afford this budget, and neither can our economy.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Well, Madam President, it is the same song, second verse. Again, it is words. It is no wonder our friends on the other side have lost three congressional elections in a row because they keep chanting the same mantra that has no relationship to reality. These are the exact same speeches they gave last year: biggest tax increase in the history of the world.

Now we can come and we can check the record. We do not have to guess; we do not have to suppose; we do not have to engage in make-believe. We can look at the record. Here it is: Democrats lowered taxes by $194 billion. If you are listening, you do not have to wonder if that is true. All you have to do is go to your mailbox because all across America people are getting checks from the United States that represent the tax cuts Democrats in Congress passed. So this is not a question; this is a matter of fact. Democrats cut taxes $194 billion. Those are not my numbers. Those are the numbers from the Congressional Budget Office.

All of this talk about big tax increases is just talk. It has no relationship to this budget and no relationship to last year's budget. It has no relationship to this year's budget.

I present the factual record. It is as clear as it can be. We lowered taxes $194 billion in the year under the budget resolution we passed last year.

With that, Madam President, I yield the floor.

I suggest the absence of a quorum and ask unanimous consent that the time be charged equally.

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

The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. GREGG. Madam President, I now suggest we yield back the time remaining on this motion and that we turn to the motion to instruct by Senator KYL. So I ask unanimous consent to yield back all time.

The PRESIDING OFFICER. Is there objection?

The Senator from North Dakota.

Mr. CONRAD. Madam President, I will not object. So let's go forward with that, and then I will seek recognition.

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

The Senator from North Dakota.

Mr. CONRAD. Madam President, I ask that we enter into a unanimous consent agreement on the Kyl motion—there will also be a side by side—that we do an hour on the two, equally divided.

Mr. GREGG. Madam President, to my knowledge we have not seen the side by side.

Mr. CONRAD. Oh, they are typing up the comprehensive agreement. So shall we——

Mr. GREGG. Why don't we proceed with Senator KYL, and after we see your side by side, we can talk about time agreements because we already have an hour.

Mr. CONRAD. Let's proceed on the basis that we will make a good-faith attempt that we try to do this in an hour. Is that OK?

Mr. GREGG. That is fine with me.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Thank you, Madam President. I am going to take a couple of minutes to lay this motion down and then leave the floor. I will come back. Senator GRASSLEY will be here in about a half an hour. I know he wants to speak to this motion. So the total time consumed should not be more than that, but exactly when we will do the time I am not precisely sure.

Mr. CONRAD. Madam President, if I can say, maybe we can work things out. We will try to be flexible and work in people as they come. We will do our best effort to get it done in an hour.

MOTION TO INSTRUCT

Mr. KYL. Madam President, I have a motion at the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Arizona [Mr. KYL] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to reject the House amendment that assumes $110 billion in tax increases as a result of having to offset the extension of tax policies that expired at the end of 2007 and will expire at the end of 2008 (including the AMT patch, the research and experimentation tax credit, the State and local sales tax deduction, the combat pay earned income tax credit, education tax credits, and the alternative energy tax credits) and insist that the final conference report include in the recommended levels and amounts in Title I reductions in revenues commensurate with extending these tax policies without offsetting tax increases.

Mr. KYL. Madam President, let me simply describe in about 90 seconds what this motion does, and then I will come back and make the presentation for it in a moment. This motion would instruct the House and Senate budget conferees to assume a 1-year extension of the alternative minimum tax so-called patch, in other words, that the filers who have not had to pay that would not have to pay it in the future for another year.

Also, it assumes an extension of the tax extenders, as we call them. Those are the provisions of the Tax Code that have already expired, things such as the R&D tax credit; plus those that expire at the end of this year, things such as the various energy tax credits; and some international tax credits that have always been the subject of our extender policy.

These tax extenders and the AMT, alternative minimum tax, fix would not have to be offset by raising taxes on others. That is the key point of this motion, that we extend the relief we have given to filers—about 26 million filers this year—from the alternative minimum tax, and extend the various so-called tax extender provisions that are traditionally extended here, and that in neither case would we be raising taxes in order to pay for them.

Madam President, I will reserve discussing this further until some of the other speakers are here to make the motion.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, I will offer a side-by-side amendment that seeks to achieve the same goal. This is one place where we have an agreement. None of us want to see the alternative minimum tax imposed on the American people. That would involve 26 million people, up from 4.2 million now. All of us want the so-called tax extenders to be extended. It would involve the research and development tax credit and others.

We would add this additional caveat: We ask that every effort be made to

offset the cost of these policies by closing the tax gap, shutting down abusive tax shelters, and addressing these offshore tax havens that are turning out to be so abusive. We think that is better policy.

We absolutely agree that the alternative minimum tax should not be expanded. We absolutely agree that the so-called tax extenders, such things as the research and experimentation tax credit, the deduction for State and local taxes, the deduction for classroom expenses, the deduction for qualified education expenses, the incentive for the charitable IRA rollover, the combat pay earned-income tax credit, and various energy tax incentives, be extended. But we believe that rather than just putting that on the charge card and adding to the debt—meaning that we go out with a tin cup and borrow more money from the Chinese and the Japanese—we pay for it by going after these abusive tax shelters, going after these tax scams, these offshore tax havens, and do it without raising taxes. So I hope my colleagues will support that as a general principle and an instruction to the conference committee.

With that, I note the absence of a quorum and ask unanimous consent that the time be charged equally.

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

The clerk will call the roll.

The journal clerk proceeded to call the roll.

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

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

Mr. CONRAD. Madam President, I am going to extend my remarks.

I think many people in the country hear the phrase ''AMT'' and they wonder: What is that? It is the alternative minimum tax. It was established decades ago because they found there were people making $200,000 a year who weren't paying any taxes. To address that, they created the so-called alternative minimum tax.

The problem with it is that it was never indexed for inflation. The result is that now, instead of affecting just a few people, it is affecting millions of people. In fact, the estimates are that if we don't do anything about this, it will increase from 4 million people in 2007 to 26 million people in 2008.

In this budget resolution we say: No, no, don't let that happen. Don't increase taxes on 26 million American families. Don't do that.

In this instruction to the conferees, we say: Yes, absolutely, don't allow the alternative minimum tax to grow like a cancer. Instead, let's take care of that. Let's remove it as an option, and let's try to pay for it by closing down these abusive tax shelters, these offshore tax havens, and closing the tax gap.

Our friends on the other side have a different approach. They just want to put it on the charge card. The problem with that is if you eliminate the alternative minimum tax without paying for it, it adds $1.7 trillion to the debt. That is trillion with a ''t.'' Where do we get the money? Well, we borrow it.

We have been doing a lot of borrowing under this President. This is his record. He is building a wall of debt that is almost unprecedented in the history of the finances of this country. When he came in at the end of his first year, the debt was $5.8 trillion. At the end of his tenure, it will be $10.4 trillion. In the 8 years he is responsible for, the debt will have risen to $10.4 trillion. In fact, he will have nearly doubled the debt of the country.

More alarming is where we are getting it from because increasingly we are getting this money by borrowing from Japan and China. We even owe Korea money. This chart shows it. This chart shows that it took 42 Presidents 224 years to run up $1 trillion of U.S. debt held abroad; $1 trillion of foreign-held debt—foreign-held U.S. debt. It took 224 years to run up $1 trillion of foreign-held debt and all these Presidents, 42 of them. This President tops them all. He increased foreign holdings of our debt by $1.51 trillion so far, and counting. He has dug a very deep hole.

We have proposed a series of reforms.

I held up just moments ago a picture of a French sewer system and asked the question: What does this have to do with the U.S. budget? Well, it turns out it has quite a bit to do with the U.S. budget because we now find companies in this country—wealthy individuals buying European sewer systems, not because they are in the sewer business but because they want to avoid taxes in this country. How do the two have any relationship? Well, here is how it works: They buy a European sewer system, they put it on their books here, they depreciate it for tax purposes here, reducing their tax bill, and they lease the sewer system back to the European cities that built them in the first place. What a scam.

I just held up a picture of this little five-story building. Here it is. This little building down in the Cayman Islands is home to 12,748 companies. What a remarkable building this is. That little five-story building is supposedly the corporate headquarters of 12,748 companies. Now, are they all really doing business out of that little building down in the Cayman Islands? No, of course not. They are not doing business down there. They have a postal drop down there in order to claim that it is their headquarters for tax purposes. Why would they do that? Because the Cayman Islands doesn't have any taxes. So what they do is they have a subsidiary of this company that sells to another subsidiary that is wholly owned, and they sell at cost to subsidiary No. 2. Then they sell from subsidiary No. 2 to subsidiary No. 3 that is down in the Cayman Islands. They sell to them at cost. Then the subsidiary in the Cayman Islands sells to another subsidiary over in Germany or France and shows a big profit in the Cayman Islands where there are no taxes. That is an outrage. The vast majority of us pay what we owe. We have some who don't, and they are getting away with it with these scams. We say shut it down.

Let's not go borrow more from China and Japan and dig the hole deeper the way the President wants us to do. That is what our budget resolution says. That is what my amendment says. Yes, absolutely, don't let the alternative minimum tax be expanded from 4.2 million people in this country to 26 million. Don't let that happen. Yes, extend the research and experimentation credit. Yes, extend the sales tax deduction. Yes, provide for these other important tax incentives, especially the energy tax incentives. But instead of borrowing the money, instead of just going back hat in hand to China and Japan and asking them for more money, let's shut down these offshore tax havens, these abusive tax shelters and this tax gap where we have people who owe money but aren't paying it. Let's go after them instead of going over to China and being dependent on the kindness of strangers to finance our country.

We are headed for a cliff here because under this administration the debt has skyrocketed before the baby boomers ever retire. I have shown the chart that shows what has happened to the debt. The debt has gone up like a scalded cat.

Here is what has happened to the debt under this President and these policies: up, up, and away. He has nearly doubled the federal debt. He has more than doubled the foreign holdings of our debt. In fact, the increase in foreign-held debt under this President is now 150 percent of the amount accumulated by all previous Presidents combined over 224 years. As a result, we now owe the Chinese hundreds of billions of dollars. We owe the Japanese even more. We even owe Korea now over $40 billion. Enough is enough. Enough is enough. Let's quit digging the hole deeper. Yes, absolutely, let's provide middle-class tax relief. That is in this budget.

As I have said before, with all the talk from the other side about the biggest tax increase in the history of the world, here is the record. Democrats had been in charge for 1 year and we have provided $194 billion of tax relief, and you don't have to wonder if that is true. Just go home and check your mailbox. You are receiving a check passed by this Congress, signed by the President—a stimulus package—with $150 billion in that package alone. But we have taken other steps to provide other tax relief as well, including not allowing, last year, the alternative minimum tax to be expanded, and we are not going to let the alternative minimum tax be expanded this year either. That is a fact. That is the record. It is not rhetoric, it is a fact.

Madam President, I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll.

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

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

Mr. CONRAD. Perhaps, I would ask the ranking member, could we just agree that whenever we go into a quorum call, we equally divide the time?

Mr. GREGG. Yes.

Mr. CONRAD. I ask unanimous consent that we adopt that as a rule, that any time we go into a quorum call, we equally divide the time.

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

Mr. CONRAD. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CONRAD. I would ask the Senator from South Carolina, would it be acceptable—I understand it is with Senator BOXER who has a matching motion to yours—to have 30 minutes equally divided?

Mr. DEMINT. Yes.

Mr. GREGG. On both motions?

Mr. DEMINT. I just have one. Thirty minutes equally divided?

Mr. CONRAD. On the two.

Mr. DEMINT. Yes.

Mr. CONRAD. That would help very much. I appreciate the Senator's courtesy.

Madam President, I ask unanimous consent that we have 30 minutes equally divided on the DeMint and the Boxer motions.

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

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

MOTION TO INSTRUCT

Mr. DEMINT. Madam President, I send a motion to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from South Carolina [Mr. DEMINT] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to insist that if the final conference report includes section 304 of S. Con. Res. 70, the deficit neutral reserve fund to invest in clean energy, preserve the environment and provide for certain settlements, as passed by the Senate, that such section shall include an additional requirement that legislation providing for new mandates on greenhouse gas emissions that would harm the United States economy or result in a loss of jobs should not be enacted unless similar mandates are enacted by China and India.

Mr. DEMINT. Madam President, I want to take a few moments to explain this motion. I hope we can all agree on it. If there is one thing that we hear from both sides when we are talking about trade around the world, and trade agreements, it is there needs to be a level playing field; that trade needs to be fair; that the terms should be the same on both sides.

This motion to instruct the conferees addresses that one issue. It would prevent Congress from passing any law with new mandates on greenhouse gas emissions that would harm the U.S. economy or result in job loss unless both China and India had the same mandates—in other words, if we had a level playing field. It is not going to help the environment in the United States or the world if we pass mandates that raise the cost of doing business in our country, particularly those companies that are energy intensive, especially manufacturing, if we create mandates that do not exist in India or China. Our companies will simply relocate to other countries, taking American jobs with them.

The point of this motion is to put in front of all of the conferees the idea that it is important for us to reduce greenhouse emissions, to reduce CO_2 emissions all over the world. But it is also important for us to keep in mind that if we do something that is isolated to the United States, that hurts our economy and costs us jobs. It makes no sense if we don't require the major industrial countries, such as China and India, to do the same.

So we have seen over the last 15 years that CO_2 emissions in the United States have actually grown less than the economy has grown. So our productivity is increasing, and our use per capita, as far as CO_2, is actually declining. We see at the same time a 100-percent increase in emissions from China and India. Anybody who watched the prelude to the Olympics in China can see the results of that in the air.

So I ask my colleagues—particularly the conferees—to support the idea that we will not do anything that puts new emissions standards on our companies in this country, if we know it is going to hurt the economy or jobs, and that we need to insist the same standards apply in China and India.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mrs. BOXER. Madam President, I rise to speak against the DeMint motion and in favor of the Boxer motion, which takes on the issue of global warming in a way that is consistent with the information and the facts that we have today.

The DeMint motion is a throwback to 10, 11 years ago when everybody around here, including myself, was saying we better watch out and not do anything about global warming until the undeveloped world acts. We better sit back and do nothing. You know what. We cannot do that anymore. This is a time of change. This is a time where we have to challenge the status quo. This is a time when we need to stand up as the leading country in the world and say that we can fight global warming, and we can win this fight. As a matter of fact, if we approach it with hope, not fear, we are going to create tens of thousands, hundreds of thousands of new jobs. We are going to get our people off of fossil fuel, not having to worry about gas prices anymore, and we will create new technologies that will spur us on to an economic renaissance.

But what happens with the DeMint motion, he gives China and India a veto power over what we should be doing. Imagine sitting back and saying we are not going to do anything about human rights until China acts. We are not going to do anything about a better educational system until India acts.

Why would we give up our chance to take the mantle of leadership and finally grab hold of this issue, and do it in a way that makes us quite strong in the global marketplace? So when you look at the DeMint motion, it is very similar to what passed in the last century, if you will, more than 10 years ago. That is why I think my friend's party is in so much trouble—because they fight against change, they fight for the status quo, they fear change, and this is a time of change.

I didn't ask for this moment during the budget debate. I don't think this is the right place to debate a cap-and-trade system because we will be tackling this subject matter soon enough. It is not going to be easy. Change isn't easy. But this is positive change, where America says we will lead. We know from the Pentagon, and we know from our intelligence officials that if we do nothing, we become less secure in the world because global warming, we know, will have an impact on drought, floods, cyclones—all of the things we are already seeing—if we do nothing because we have given over our chance to act to India and China, and our people will suffer.

Yesterday, the Bush administration declared that the polar bear is a threatened species because the polar bears' habitat is shrinking away. The permafrost and the ice that the polar bear stands on to hunt is literally melting out from under them. Now, for the Bush administration to declare that is extraordinary. They said it is because of global warming, and that in 30, 40 years we will not have any more polar bears. That is one example.

Scientists tell us 50 percent of God's species could be gone. For those of us who happen to believe there is a spirituality to this world—and I do—it is

our destiny to save the planet. It is not our destiny to support the DeMint motion, which leaves it up to China and India.

We have a better way. We say in our substitute that no legislation should pass mandates on greenhouse gas emissions until it effectively addresses imports from China and India and other nations that have no similar emissions programs. We agree that no bill should pass unless it addresses the imports from these nations. So that is our alternative—not to say stop the world, I want to get off; not to say that America will be missing in action in the biggest domestic challenge of our time, but to grab hold of that challenge and make sure we do it in a way that is fair to our industry, fair to our workers, fair to our consumers, fair to our manufacturers. And when those imports come in at our ports, if those countries seeking entry into our country do not have equivalent programs, then they will have to get the allowances at the border in order to bring those goods into the country.

That is the way we are going to handle this problem. So, once again, I say to my colleagues, we are going to have a debate on global warming very soon, thanks to Senator REID putting it on the schedule for June 2.

When we are told by the leading scientists of the world that if global warming is left unchecked, our planet will become inhospitable to us as human beings, to our children, to our grandchildren, and that there will be vectors around that we cannot combat, there will be amoebas in our water, bacteria that have never been there before; there will be storms, cyclones, droughts, and floods—extreme weather conditions; when we see that the habitat for beautiful animals—God's creatures, such as the polar bear—is already being impacted now as we speak, for us to say we will do nothing until China acts—I don't want China dictating what I do in this country. I don't want India dictating what I do in this country. I want to make sure that we handle this issue right and that we are not disadvantaged because they may not act. That is what our alternative does.

I hope we will have a good vote on that alternative and reject the status quo—the throwback position of Senator DEMINT.

I yield the floor and reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. DEMINT. Madam President, I appreciate the comments by my colleague from California. Certainly, it should be our highest priority as a nation to continue to remove CO_2 emissions throughout our country. We don't need to wait for any other country to act, only our own.

We do need to recognize that if we put such a burden on our industries in America, they will move production to China, and they will do their polluting somewhere else rather than here. If that is what our legislation does, then we do nothing for the environment, and the only thing we do for our country is send jobs overseas. We need to be smarter in how we deal with this matter.

The side-by-side motion by my colleague from California would add insult to injury. She wants to leave us open to lose jobs in America by putting mandates on our companies that hurt our economy and cost us jobs. Then she wants to add taxes on products that are coming from other countries that don't abide by our mandates so that products cost more for the people who live here, many of whom would not have jobs.

We cannot solve our environmental problems with this kind of convoluted logic. The motion I have put forward simply says if—and only if—a mandate is known to hurt our economy and costs our jobs, then we need to figure out a different way to deal with it than to put a mandate on a U.S. company in competition with businesses that don't have the same mandate in other countries we trade with.

It is only common sense, and it doesn't make sense, again, to send jobs overseas and then try to add taxes to products that we buy from around the world. I encourage my colleagues to think this through. Let me provide a few more facts about what we are trying to do.

We need to work to reduce greenhouse gases, and there are many things we can do that do not hurt our economy and don't drive jobs out of our country. In fact, if we look at it closely, good economics is usually good for the environment. We see that if we move with all compassion but just knee-jerk reactions, we end up with programs, such as an ethanol mandate, that do not help the environment, raise the price of food, and hurt people all over the world. I am afraid that same type of thinking is going on right now.

It is a laudable goal, one with which I agree, that we should continue to work in all reasonable ways to reduce CO_2 emissions in our country.

One recent study from the University of California found that China passed the United States in carbon emissions in 2006 and is now the largest pollution-producing country in the world. This has just been in a few short years, and they are growing much faster than we are.

We do need to keep in mind that carbon in the air that comes from China does as much to hurt the worldwide environment, if, in fact, it does affect global warming—it doesn't matter if it is coming from the United States or China. If we ignore what other countries are doing, we do it at our own peril.

My motion is very similar to bipartisan agreements that we had in the Congress when discussing the Kyoto agreement. It makes no sense to bind our own companies with expensive mandates if we do not have cooperation from countries in other parts of the world. We simply move our production and our jobs somewhere else. So we need to be logical about it.

I mentioned before, according to a World Bank study, both China and India have increased CO_2 emissions by nearly 100 percent from 1990 to 2004, while the United States emissions in that same period only increased by 25 percent, which is less than the growth of our economy during that period.

This emissions scheme we have talked about would export American manufacturing jobs to China and India. With the solution that is being presented by my colleague from California, she is basically saying: OK, let's hurt the economy and lose jobs in this country, but we can make up for it by raising prices of goods that come to us from China and India. That is not going to help anyone in this country, and it is not going to do anything to reduce emissions in the world. It is playing musical chairs with American jobs and basically encouraging the environment to be spoiled in other parts of the world.

In order to truly address greenhouse gas emissions, it is imperative that China, India, and other countries that are emitting need to work together. So if we take this on simply as one country, we will hurt ourselves, we would not help the environment and we will send jobs overseas and actually encourage pollution, magnified, in effect, by not acting in a way that tries to seek cooperation around the world.

I certainly encourage my colleagues to respond to the need to reduce CO_2 emissions and to look at ways we are doing it already that actually create jobs and don't take them from our country. But let's not solve the problem by making it worse and shipping our jobs and pollution overseas and expect to do any good with our legislation.

Madam President, I reserve the remainder of my time and yield the floor.

Mrs. BOXER. How much time remains on both sides?

The PRESIDING OFFICER. The Senator from California has 5 minutes 57 seconds. The Senator from South Carolina has 6 minutes 51 seconds.

Mrs. BOXER. Madam President, will you let me know when I have used up 5 minutes?

The PRESIDING OFFICER. The Chair will so advise.

Mrs. BOXER. Madam President, I say to my colleagues that Senator DEMINT's motion is a back-to-the-future position. Again, it is why his party is in so much trouble. It is not looking ahead with hope; it is looking ahead with fear. It is giving veto power to countries that we should not be following. We should not be following the environmental policies of China. You can barely breathe over there. Yet they are going to have the same until they decide to act and we sit here and do nothing about one of the greatest challenges to face our generation.

I cannot look into the eyes of my grandchildren and tell them: Sorry, I am giving over my proxy to China, I am giving over my proxy to India, and I can't do anything about it.

I don't know exactly what my colleague is talking about. He is telling me what I support, and he has no right to do that. He has no right to say I support higher taxes on consumers because I don't. He has no right to say I want to give away jobs. I have more support from working men and women in my State than probably almost anyone in this body. I take second to none in that category of fighting for the environment and fighting for jobs.

Actually, if my friend knew a little bit more about what we are talking about, he would understand that the bill we are going to come up with has one of the biggest tax cuts in history in it—let me repeat that, one of the biggest tax cuts in history in it—which is going to ease the pain and ease the burden on consumers and on our people and help them pay for high prices of gasoline.

My bill has cuts in carbon of 2 percent a year that we think is doable, and our bill is deficit neutral. It is, as my friend should know, a very bipartisan bill—Boxer, a Democrat; Lieberman, an Independent; Warner, a Republican, and it has bipartisan support.

For someone to stand up and say the purpose of that bill is to hurt consumers, hurt America, hurt jobs, then they have not read the bill or they are giving a political speech. You can put lipstick on a pig, but it is still a pig.

I look at my friend's motion as a sad one. It is a position of surrender. It takes us back to the nineties, when we didn't know what we now know about global warming. It takes us back to the nineties, when we feared taking on that challenge. But our time has come. The time for change is here. It is time, once and for all, to stand up and say we are not going to depend on foreign oil anymore, we are going to make sure we have technology developed in this country that will get us away from foreign oil and away from the countries that hold such a vise around our neck. That is why Senator WARNER is on this bill, that is why Senator LIEBERMAN is on this bill, that is why I am on this bill, and many other colleagues on both sides of the aisle.

So for my colleague to bring this issue up on the budget resolution is unbelievable because he has not even seen the bill. To stand up and say that what I want to do and what those of us who want to act against global warming will do is bad for our country is quite the opposite.

In Great Britain, over the last 10 years, they have reduced carbon emissions by 15 percent. Their GDP rose by 45 percent, and 500,000 jobs were created that are green-collar jobs.

You can stand in the corner and shiver and shake and say: Please, China, please act so we can act. You can say: Oh, India, please act so we can act. Or you can stand up like an American and say: We lead.

This vote is an important vote because what I say in my side-by-side motion is we will not support legislation that does not address the issue of imports from countries such as China and India that have no emissions program.

MOTION TO INSTRUCT

Madam President, I have a motion to instruct at the desk. I wish to make that clear.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. BOXER] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution, S. Con. Res. 70, the concurrent resolution on the budget for fiscal year 2009, be instructed that—

no legislation providing for new mandates on greenhouse gas emissions should be enacted until it effectively addresses imports from China, India, and other nations that have no similar emissions programs.

Mrs. BOXER. I didn't want to forget to offer the motion.

The PRESIDING OFFICER. The Senator has consumed 5 minutes.

Mrs. BOXER. I reserve the remainder of my time. I look forward to a good vote on the Boxer motion.

The PRESIDING OFFICER. Who yields time? The Senator from Iowa.

Mr. GRASSLEY. Madam President, I ask to take 10 minutes off the Kyl time.

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

Mr. GRASSLEY. Madam President, I believe we should adopt Senator KYL's motion to instruct the budget conferees. First of all, I wish to comment on the status of the alternative minimum tax. There is some good news regarding the need to do a patch to protect over 20 million families. The Democratic leadership in this body recognized the importance of halting the effect of this tax on these families and provided room in the budget for a patch for this year.

I commend my friend, the chairman of the Budget Committee, for that improvement of the budget resolution over previous years. I do so again and note that the Kyl instruction is consistent with the chairman's position in that regard.

The bad news is, we are halfway through the year and the patch has not been done. The reason is that Blue Dog Democrats in the other body will not supply the votes for an un-offset patch in the House of Representatives.

By the way, the only Blue Dog answer to deficit reduction is to raise taxes. We have seen it on the AMT, and we have seen it on spending legislation. We are seeing now the GI benefit provisions in the war supplemental bill. Why they think of only raising taxes and not of where to cut spending levels to offset the need to spend someplace else I don't understand. They never seem to propose spending cuts as a remedy. I think it is fair for me to say they never do. They only ask for higher taxes.

I hope people in this body will start to pay attention to this issue. The Blue Dogs' bark is deficit reduction, but their bite is always more taxes.

In addition to the AMT patch, both bodies need to deal with several expired provisions of tax law. We need to focus on this problem and get legislation ready.

Earlier today, the House began work on an extenders bill. It is offset with tax increases. I urge them to send the bill to the Senate so Chairman BAUCUS and I will have a vehicle to deal with this pressing problem. We need to act ahead of time. We need to act before the IRS forms are finalized. We cannot go through another filing season fiasco, such as waiting until December last year when it finally got passed, and the IRS had a lot of extra work after the forms had already gone out. Let's not create big problems for our taxpayers and the Internal Revenue Service.

Senator KYL's motion then is very important to assure us of the quickest route to complete action on AMT and extenders. The quickest route is the same route as last year: Drop the offset demand.

Folks on the other side happen to be complaining all the time that offsets are essential. I would like to make it clear that the policy issues behind offsets are one thing. We ought to ask ourselves the same question on any tax policy proposal, whether it raises revenue or loses revenue. The question should be: Does a tax legislative proposal make tax policy sense? It ought to be decided on the basis of policy. That is the bottom line.

On the matters of tax policy, Senator KYL's motion to instruct, the answer is very evident. On the AMT patch and extenders, the answer is overwhelmingly clear. The answer is ''yes'' on the motion to instruct. The policy call is a slam dunk. It is backed up by the politics; that is, supermajority votes for an AMT patch and extenders in the House and Senate that are very difficult to get.

We have to divorce the merits of the current law provisions from the offset question. Offsets should be judged on their merits. An AMT patch and extenders should be judged on their merits. Why should we seek divorce of the two, some might ask. Here is the reason.

Right now, we have a budget process, including pay-go, that is biased toward higher taxes and, of course, higher spending. As evidence, take a look at expiring spending provisions. According to the CBO, they total $1.3 trillion—a whole $1.3 trillion. That is double a permanent AMT patch score. That spending is not subject to pay-go. It, unlike expiring tax provisions, is included in the baseline; hence, it is home free. Just like the record tax increases built into this budget, so too is a record spending increase.

I have not even talked about appropriations increases. That additional above-baseline spending is included as permanent, once passed.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Madam President, through you, I ask the Senator if he would yield for the purpose of a unanimous consent agreement we have worked out?

Mr. GRASSLEY. Yes.

Mr. CONRAD. I think it would be helpful to the overall process that we do this.

Mr. GRASSLEY. Yes.

Mr. CONRAD. Madam President, I ask unanimous consent that the following motions to instruct conferees be the only motions, except the pending motions, with no amendment in order to the motions, and that would be the Conrad AMT and the Kyl AMT amendments, with 60 minutes equally divided, with the time already consumed being applied to the 60 minutes; that there be a Democratic nuclear energy reserve fund amendment and a Republican nuclear energy reserve fund amendment and the two amendments be limited to 30 minutes equally divided; that there be a Democratic OCS amendment and a Vitter OCS amendment, with 30 minutes equally divided.

We have already had initial debate on the Boxer China-India and the DeMint China-India amendment with 30 minutes equally divided, and we will apply all time already consumed to that 30-minute limit.

Finally, a Gregg or Republican $1 trillion cap on discretionary spending amendment with 30 minutes equally divided; that points of order be waived; that upon the use of debate time on each motion, it be set aside and the motions to be voted in the order listed; that there be 2 minutes prior to each vote, and then after the first vote, the vote time be limited to 10 minutes each; that upon the use of all time, the Senate proceed to vote in relation to each motion; that there be 60 minutes of general debate time available to the chair and the ranking member.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. CONRAD. Madam President, I would note that obviously the amendment that has already been debated in the time consumed, the Gregg amendment, would be the first amendment to be voted on and these other amendments voted on in the order indicated, or we will do it as offered. I guess we can do it as offered, if that would accommodate the Senator from California, because we did the Boxer-DeMint amendment offered earlier. We will do it as offered.

I thank the Senator from Iowa for his courtesy.

Mr. GRASSLEY. Would you give me 1 more minute added to what I had?

Mr. CONRAD. Absolutely, an additional minute. Always, anytime, to the Senator from Iowa.

Mr. GRASSLEY. Madam President, I have been given 1 additional minute, so I have 5 minutes left at this point?

The PRESIDING OFFICER. That is correct.

Mr. GRASSLEY. The bottom line is that it is about time we start treating spending and taxes the same, under pay-go. So the Kyl motion to instruct treats expiring tax relief the same as expiring spending. That reason alone, aside from the merits of the AMT patch and extenders, should be enough to get the support from all of us on the Kyl motion to instruct.

The bottom line is that pay-go has a bias toward tax increases and increased spending. We ought to have the same rules apply to the expenditure side as to the tax side. Presently, they do not. But this would make it possible for that to be the case.

The chairman of the Budget Committee continues to say he is going to bring in all this money from shutting down abusive tax shelters, which I also favor. Some examples are cross-border leases of foreign sewer systems, which he mentioned, or shutting down tax havens, which he mentioned. I would support him in every one of those efforts.

But Congress has done a great deal already, shutting down abusive leasing deals. We did that in 2004. The Senate has tried to shut off tax benefits from older deals, but the House Democrats have rejected closing those loopholes. So I do not see how the distinguished chairman can count on this revenue even though he keeps saying this is the answer to all of our offset problems—in other words, getting enough new revenue to offset tax cuts someplace else.

The chairman also continues to say we can get $100 billion per year from shutting down offshore tax havens, according to the Permanent Subcommittee on Investigations. The fact is, there are no legislative proposals out there that the Joint Tax Committee has scored to bring in anywhere close to the $100 billion we are led by the other side, by the majority, to believe we are going to be able to do.

The 12,748 companies the chairman says are in the Ugland House in the Cayman Islands are not claiming to be doing business there. It is simply their registered address, just like an address in Nevada or Delaware is a registered address of many more thousands of companies. Does the chairman have a picture of an office building in Wilmington, DE, or Reno, NV? I assume the chairman is just as willing to go after onshore tax evasion facilities by State corporate law as offshore tax evasion, and he would want to do so in a way that does not put our information exchange network at risk.

The chairman knows that it is the Joint Committee on Taxation that provides Congress with revenue scores, not the Permanent Subcommittee on Investigations. Anything that would raise the kind of money assumed in this budget would involve a significant change in tax policy, which is the last thing the chairman says he wants to do.

Again, I do not see how the distinguished chairman can count on all this revenue without assuming substantial tax increases when the Joint Committee on Taxation, the ''god'' of assuming revenue coming in under tax law changes—if that ''god'' cannot score it.

I yield the floor.

Madam 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. KYL. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. KYL. Madam President, I had earlier filed and Senator GRASSLEY had spoken on a motion to instruct conferees. An alternative has been presented by Senator CONRAD. I wish to discuss both of them, this motion to instruct conferees on the alternative minimum tax, and the so-called tax extenders.

Each year Congress is required to fix the AMT because without such a fix—around here it is called a patch—but without such a fix, it would apply to, last year 22 million people, this year 26 million people. It was never intended to apply to those people.

It was originated about 20 years ago because there were a couple hundred millionaires who were not paying taxes because of all of their credits, deductions, offsets, and so on. People in Congress thought that was not right, so we said: Well, no matter what, even if you have enough other tax shelters to eliminate your tax liability, we are going to make you pay an alternative minimum tax, no matter what. But it was not indexed for inflation, so now everyone is going to have to be paying it. Each year Congress says: Well, we did not intend that, so we will fix it so you do not have to pay it this year.

The question is not whether we are going to relieve taxpayers from that—we will—but whether the rules of the Democratic majority that it has to be paid for will, in fact, be implemented so that we have to raise taxes in order to save taxes, save people from having to pay taxes. Obviously it does not make any sense to say to taxpayers: You should have not to pay the alternative minimum tax, but under the Democratic rules we have to raise your taxes so that the Government does not lose any money from us relieving you of that tax liability. That does not make any sense.

So each year we waive that requirement. All we are saying here is we need to do that again this year. I understand the pay-go requirement is part of the Democratic rule around here. It has not been applied in the past for a very good reason: It makes no sense, and it should not be applied here either.

We never intended that this tax apply to 26 million taxpayers, we never intended to collect the revenue, we are not going to collect the revenue. So why do we have to make the Government whole for revenue that we never intended to give it in the first place, especially since it means raising taxes on people in order to ''pay for the reduction in revenues to the Treasury''? That is what this resolution is about.

The other half of it is to instruct the conferees that we need to also extend the so-called extenders. Now, that is shorthand around here for a variety of tax provisions which provide various credits and other relief to taxpayers such as the research and development tax credit. But we only do that a year at a time, so every year about this time we have to start talking about passing the extenders package. We are going to do it; there is not going to be any debate about it. The distinguished chairman of the Budget Committee made the point earlier that agrees with us that this needs to be done; it is a question of how we do it.

What we are doing is saying here, today, we need to do it in the following way: Pass it as we did last year. You do not have to raise taxes somewhere else in order to ''pay for it.''

This is not a case that make any sense for us. If you are going to give tax relief, why would you raise taxes to have to pay for it? We are not counting on any revenue. Every year we do it this way. So why the charade that somehow we have to raise taxes to pay for something we never intended to collect revenue from in the first place?

That is what this resolution does. Let's strip away the pretense here that somehow or other we are going to pay for it. ''Pay for'' are not the right words anyway. That starts from the presumption that the Government owns all of this money, and that if we ever decide to give the taxpayers a break so they do not have to pay for it all, the Government gets to make up the revenue some other way.

How does the Government make up revenue? It taxes people. That is the only way the Government makes revenue. So the assumption is, well, the Government deserves all of this money, and if we ever say we are not going to collect some of it because we want people to keep more of it, then we have to make that up some other way, obviously by raising taxes.

I would rather start from the other premise, which is that the money belongs to the people and especially in times of economic downturn it is important that they be able to use, in the way that they deem most beneficial, the income they have earned, and that when we say we are going to relieve them of the alternative minimum tax liability, for example, we are doing that for a reason, and we do not need to start from the premise that it is the Government's money and somehow we have to keep the Government whole and give the Government money by raising taxes even though they were never going to collect this AMT revenue in the first place.

This must sound like a strange debate to the American people. But that is what the rule the Democratic majority has in place would require. That is what the budget would require. All we are saying is, since we are going to be passing a budget, let's instruct the conferees on the budget here that is not what we are going to do here. We are going to do it as we have in the past, as we did last year. We are going to pass the AMT relief, we are going to pass the extenders, and, no, we are not going to raise taxes on someone in order to pay for them.

Now, what is the alternative that the distinguished chairman of the Committee comes up with? It is the identical motion I have, with one other provision. It is this addition:

> And that we should insist that every effort should be made—

That is a sure sign for: We are not really going to do anything about this, but we at least want to make it sound good—

> to offset the cost of these policies by closing the tax gap, shutting down abusive tax shelters, addressing offshore tax havens without raising taxes.

Well, I am glad we have the ''without raising taxes'' in there, because none of us wants to raise taxes. But this reminds me of the candidates, and we have all seen them out on the stump: Yes, we have a huge Federal budget deficit, but I want to spend more money. The way we are going to pay for it is we are going to end waste, fraud, and abuse in Government. That is a sure sign for a politician who has not figured out how to get the money in any other way. Everyone is going to end waste, fraud, and abuse. You know, I used that phrase in a sort of facetious way, but actually I think it is in here.

Shutting down abusive tax shelters. There we are. Abuse. Waste, fraud, and abuse. Addressing offshore tax havens. The reality is, the Finance Committee on which we sit comes up with offsets to offset true tax policy whenever we can, and we have wrung out our Tax Code for every last dollar we can find that involves waste, fraud, and abuse.

There are not any abusive tax shelters out there. If they are out there, we have not found them or we would sure enough have gotten the money from them. The same thing about offshore tax havens. We have gotten about $60 or $70 billion from these, and there is no more to get. If there is, we would have gotten it by now.

Then there is the tax gap. The tax gap is this: Not everyone pays all of the income taxes the IRS thinks they owe, and the problem is we do not know exactly who has not paid. But the estimates are that if most businesses in an industry pay $100, and some only pay $80, the assumption is that maybe those that only pay $80 probably ought to be paying more. We cannot figure it out, but we think the money would be there if we had a better way to account for it.

We have held hearings, and the experts basically say: There is not much more you can get. You probably would have to pay more to find it than it is worth to collect.

We did do one thing, though. We actually subcontracted out to some tax collectors. If they can go out and find some and they can bring it back, they get a little piece of the action. It would help us because they would collect some of these revenues.

The only thing from the other side is, well, let's eliminate that policy. We are not going to send these guys out to try find where these taxes are. So if they intended to collect the revenue or to end or minimize the tax gap, they would not be sponsoring the legislation to fire all of the people we hired to go out there and find the revenue.

The bottom line is, this is a nice sounding phrase, but it is like the person that goes out and says: I am going to end waste, fraud, and abuse. That is how I am going to pay for all of the new spending I am recommending.

I urge my colleagues to support the motion I have filed, the motion that Senator GRASSLEY spoke to, and to reject the motion of the chairman of the Budget Committee which, at the end of the day, recognizes the reality. We are going to do the AMT patch. We are going to do the tax extenders. We are not going to pay for them. So let's don't pretend like we have to find revenue from someplace else in order to make this happen.

I reserve the remainder of my time and inquire how much remains?

The PRESIDING OFFICER. The Senator has 7 minutes remaining.

Mr. KYL. How much remains on the other side?

The PRESIDING OFFICER. The other side has 16 minutes.

Mr. KYL. I yield the floor.

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

MOTION TO INSTRUCT

Mr. GREGG. Madam President, I am not speaking on Senator KYL's motion. He has reserved his time. I am going to ask to set aside his motion and send another motion to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

> The Senator from New Hampshire [Mr. GREGG] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to insist that the final conference report includes a level for 2009 budget authority not to exceed $1 trillion for non-emergency discretionary appropriations.

Mr. GREGG. As I understand the order, we have pending the motion to instruct that I offered, the motion to instruct which Senator KYL offered, the motion to instruct which Senator

CONRAD offered relative to the motion of Senator KYL, the motion to instruct which Senator DEMINT offered, the motion to instruct which Senator BOXER offered in relationship to Senator DEMINT's motion, and this motion; is that correct? Is there anything else pending right now?

The PRESIDING OFFICER. There is one correction; otherwise, you are correct. The Conrad motion is not pending.

Mr. GREGG. The Conrad motion relative to the Kyl motion has not been sent to the desk.

The PRESIDING OFFICER. That is correct.

Mr. GREGG. Relative to the unanimous consent agreement, other than the motion I have just sent to the desk, which is a trillion-dollar spending cap, we would still have available to be sent to the desk the motion relative to nuclear energy reserve and the motion relative to offshore drilling, with the side by sides.

The PRESIDING OFFICER. The Senator is correct.

Mr. GREGG. I thank the Chair. I believe all the motions that are pending, to the extent they still have time remaining on those motions pursuant to the unanimous consent request, that time is reserved; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. GREGG. So right now I will address the trillion-dollar spending one and have that come off that time which is, I believe, 30 minutes equally divided.

The PRESIDING OFFICER. That is correct.

Mr. GREGG. What this instruction says is, we should not be spending $1 trillion on discretionary accounts around here. This budget for the first time, the Democratic budget, because of its increases last year on top of the increases in this budget, has hit the trillion-dollar mark. That should be a fairly big red flag, that we are now going to spend $1 trillion in discretionary spending. I have trouble comprehending what a trillion dollars is. I suspect almost everybody does. But if you take all the taxes paid since we began as a republic, I believe it totals something like $42 trillion. That would be over 200 years. So this one budget is going to spend a fairly significant amount of what has been raised in taxes since our country began. It is a big number, $1 trillion. It seems to me we ought to sort of maybe draw a line here, take a breath, and say: Let's stop. Let's think about what we are doing. Let's see if rather than spending this huge amount of money, we can't save a little money.

Last year the Democratic budget, and then the Democratic appropriations bills, increased spending by $22 billion. That was what they proposed. It is not just a 1-year event when you raise spending around here by $22 billion. That compounds over 5 years. It is $22 billion plus $22 billion plus interest, plus $22 billion. It adds up. In fact, a 5-year number is probably closer to $220 billion, $250 billion, when you spend $22 billion in 1 year or increase spending by that much. So it is a lot of money. Last year they increased spending by $22 billion on nondefense discretionary spending. This year it is not absolutely clear, because it hasn't actually been disclosed to us, but we know it is going to be well over $20 billion on nondefense discretionary spending again.

That is why the Democratic budget takes us over $1 trillion; $1.9 trillion, I believe, will be spent under this budget on discretionary spending. As I said, it is time for a timeout. That is what this motion to instruct says. It says: Let's go back and rethink this effort. Can't we somewhere in that trillion dollars find enough savings to get us back under $1 trillion? Shouldn't we certainly be saying we are not going to push the American taxpayer over the trillion-dollar number; rather, we will make a little extra effort to try to reduce spending in this account if we want to increase spending in that account, rather than constantly add on to the spending?

This Democratic budget has absolutely no programmatic savings in it. The President suggested some programmatic savings. I believe his programmatic savings added up to about $15 billion. None of those was accepted and none of those was put in this budget. None of those are assumed. In fact, all it does is add to spending and add to programs. It is hard to believe that in a trillion-dollar budget, we couldn't find a mere 1 percent or 2 percent of savings by reducing programs which have either outserved their usefulness or which, in the order of priorities, we simply can't afford, and we should make difficult decisions of maybe not increasing them as much as proposed or maybe even reducing them. In most instances, we are talking about slowing the rate of increase. We are not actually talking about reducing.

This is a red-flag motion. It says: Let's pause. Let's think about this. Do we want to blow through the trillion-dollar mark on the discretionary side of the ledger without having made some effort to try to save some money around here, to reallocate money, to set priorities, and to do what is affordable? I don't think we do. That is why we are calling on the conferees to take some action to bring this number back under $1 trillion. That means they have to save $9 billion, $10 billion. That is 1 percent. They ought to be able to do that. I know it is a lot of money, $10 billion, but on a trillion-dollar budget, it certainly ought to be a doable event. It does seem to me the American people deserve that type of effort. We could all earn our pay around here, a number of times over, if we were to save the American people $10 billion or $20 billion and allow them to keep that money so they can spend it and make their lives better rather than have the Government spend it for them.

That is what this motion does. It instructs the conferees to bring this budget back under the trillion-dollar level in the discretionary side.

With that, I reserve the balance of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GREGG. I ask unanimous consent that the order for the quorum call be rescinded.

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

MOTION TO INSTRUCT

Mr. GREGG. Madam President, I ask unanimous consent to set aside the pending motion and send to the desk a motion on behalf of Senator GRAHAM dealing with nuclear power.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG], for Mr. GRAHAM, moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to insist on the inclusion in the final conference report section 311 of S. Con. Res. 70, the deficit neutral reserve fund to improve energy efficiency and production, as passed by the Senate, and that such section include an additional requirement that the legislation also encourages the removal of existing barriers to building new zero-emission nuclear power plants in the United States.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Madam President, I note that the Senator from Louisiana is on the Senate floor. I had planned to offer this motion on behalf of Senator GRAHAM in order to move the process along. He is in accordance with that as he is in a meeting he could not get out of, a briefing on security. I will reserve the remainder of the time on the motion so Senator VITTER can be recognized.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Mr. VITTER. Thank you, Madam President.

I thank the distinguished ranking member for the courtesy.

MOTION TO INSTRUCT

Madam President, I have a motion I send to the desk.

The PRESIDING OFFICER. The clerk will report the motion.

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to insist that the conference report include a reserve fund that requires the Chairman of the Senate Budget Committee to adjust budget aggregates and the allocation of the Energy Committee, if the Senate considers legislation that allows a Governor, with the

concurrence of the State legislature to petition for increased energy exploration on the Outer Continental Shelf and that allows for revenue sharing for such producing States on new areas of production and new leases made available, if the average price of regular gasoline in the United States reaches $5 per gallon.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Madam President, if I could briefly explain this motion, it attempts to, again, get us to deal directly with the enormously important issue, the real crisis that consumers across America face; that is, the high and escalating cost of energy, including gasoline at the pump.

This will finally suggest to the American people that we get it, that we understand their plight, that we feel their pain, if you will, to use an often used phrase, and we are actually going to do something about it. We are going to act.

This motion to instruct the conferees would show the Senate is serious about increasing energy supplies and doing that to decrease gasoline prices.

The motion is very simple. It would instruct the budget conferees to include a reserve fund for future legislation that we would be expressing an intention to pass. That legislation would allow a Governor, with the concurrence of his or her State legislature, to petition for increased energy exploration on the Outer Continental Shelf off of that State.

It would also allow for revenue sharing coming from such exploration and production, to give producing States a fair share on new areas of production and new leases made available.

Specifically, I would suggest that we follow the precedent and the policy we set a few years ago. As we opened new areas of the gulf, we said the producing States will have a fair share, will finally get revenue sharing—37.5 percent of the revenue from that new production.

Finally, this would only happen if the price of regular gasoline in the United States reaches $5 a gallon at the pump.

The American people are wondering right now if we understand what their daily lives are all about because as gasoline prices at the pump are high, and higher the next day, and much higher the next month, we seem to want to do absolutely nothing about it.

This Congress, under Democratic leadership, came into power in January of 2007. As that happened, the Democratic leadership of this new Congress was very clear that an absolute top priority was to deal with sky-high energy prices.

At the time fuel prices were about $2.33 a gallon at the pump. Well, if that was sky high then, I do not know what adjective to use for today because since that time, from January 2007 to today, we have gone from $2.33 a gallon at the pump to about $3.72 a gallon—a 61-percent increase. Unfortunately, there does not seem to be any real end in sight.

Now, the American people get this because they live it. They go to the gas pump weekly. They live it. They see that bill for filling up their tank go higher and higher. They have to wonder if we get it because we talk a lot on the Senate floor, we debate a lot, but what have we done? In my opinion, very, little on this crucial challenge—even crisis—facing the American people.

When I look at this issue, I go back to economics 101: supply and demand. Price is set by the intersection of demand and supply. So you can try to stabilize or lower prices in two ways: You can try to decrease demand; you can try to increase supply.

I think our energy situation is so dire, so challenging, the escalating prices are so great, the pace of escalation is so staggering, that we need to take action on both sides of the equation. We need to do everything possible on both sides of the equation.

We need to lessen demand or at least mitigate increasing demand from other countries worldwide, such as China and India. We cannot control what they do. Their demand is increasing enormously. But at least we can try to mitigate that with demand reductions in our own economy. I support those measures: greater efficiency, greater conservation, moving to alternative forms of fuel and energy. That is all absolutely crucial. We need to do that. We have done a little of it; we need to do more.

But as we do that, we cannot ignore the supply side of the equation. We need to address both sides at the same time. We need to do everything reasonable we can on both sides of the equation at the same time.

That brings us to supply. For far too long, Congress has absolutely ignored the supply side of the equation, has absolutely refused to do anything to increase supply in this country—by increased exploration and drilling on our Outer Continental Shelf or in Alaska or anywhere else.

I do not know how long we are going to wait. What does the price have to get to before we hear the American people and before we finally act more on the demand side, yes, and more on the supply side?

Again, my motion to instruct would address this challenge head on. It would say, if the price at the pump gets to $5 a gallon—we are not there yet. We are below $4, but if it gets to $5 a gallon, is that high enough to get us to act, to get us to do something, to get us to, yes, address demand but also address supply?

I think the American people think that is plenty high enough to get us to act. If we push past that point, then under my motion to instruct, we would support a reserve fund for legislation to allow exploration and production off our coasts on the Outer Continental Shelf.

But, again, I want to emphasize there would be two important rules we would have to follow with this increased exploration and production. No. 1, the host State coast we are talking about would have to want that activity to happen. That Governor and that State legislature would both have to say: Yes, we believe this is good for the country; we believe this is good for the State; we want this activity to happen.

Secondly, when the activity does happen, that host State would get a fair share of the revenue, would get the same share as we set for the host States in the gulf when we opened new areas of the gulf a couple years ago: 37.5 percent. That host State could then use that revenue for its priorities: education, K–12, higher education, highways, environmental cleanup, beach restoration.

In the case of my State, Louisiana, it is perfectly clear what our priority for that money is. We have already passed not only legislation but State constitutional amendments regarding how we are going to use that money. It is to address the crisis that is happening on our coast, to battle coastal erosion, to enhance coastal restoration, to build hurricane protection, and to build hurricane evacuation routes.

To me, that is a very commonsense consensus approach. The price of gasoline has been rising astronomically. As I said, from the start of this Democratically led Congress, it has already risen 61 percent. The Democratic leadership of this Congress began in January 2007 saying this is a top priority. Yet little to nothing has happened, as that price has risen 61 percent.

Are we finally going to hear the pleas of the American people? Are we finally going to act on all sorts of fronts to try to stabilize and bring down these prices? This is a sensible solution on the supply side that can have a real impact.

Let me reiterate. We need to do everything conceivable, both on the demand side and the supply side, because our challenge is that great. I support demand side measures. I supported increased efficiency standards. I supported the measure we passed a couple days ago temporarily ceasing filling the Strategic Petroleum Reserve. So we decrease demand in that very modest way. We need to do more in terms of fuel efficiency, conservation, and new forms of fuel and energy.

But as we address much more aggressively the demand side of the equation, we cannot ignore the supply side. We need to increase supply, particularly domestic supply, at the same time. We have enormous reserves in this country off our coasts, as well as in Alaska, as well as places on shore to do that. What we have not mustered so far is the political will and the votes in Congress to allow our people and our industry to do it.

My motion would say $5 a gallon—if we get there, we sure as heck need to act. We sure as heck need to do all of those sensible things on the supply side, just as we should on the demand side.

I urge all of my colleagues, Republicans and Democrats, to support this sensible measure. The leadership of this new Congress has been talking about energy prices since the Congress came in in January 2007. The only thing that talk has done is be concurrent with the rise in prices at the pump of 61 percent, from about $2.33 a gallon to $3.73 a gallon.

Talk is not good enough. The American people deserve action. They deserve action on the demand side, much more aggressive action than we have taken to date. They sure as heck also deserve action on the supply side to increase our domestic supply, which can have a major impact on price at the pump.

I urge my colleagues to support this sensible motion in that regard.

I yield back my time.

Mr. MENENDEZ. Mr. President, I believe there is time in opposition to this motion?

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator is correct.

Mr. MENENDEZ. I wish to claim about 10 minutes of that time.

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

Mr. MENENDEZ. Mr. President, here we go again. Yet again my friends on the other side of the aisle are trying to sell the American people a bill of goods to try to convince them that drilling along our shores will do something to lower gas prices. Opening our shores to drilling was a bad idea in June of last year when we voted down an amendment to the Energy bill—very similar—it was a bad idea when this body voted it down in March of this year on an amendment to the budget resolution, and it was a bad idea when we voted this idea down by well over 14 votes 2 days ago on an amendment to the flood insurance bill.

Ending a bipartisan, 26-year moratoria on oil drilling on the Outer Continental Shelf will do nothing but jeopardize our precious natural resources. The Energy Information Administration projects that even if we opened the entire Outer Continental Shelf to drilling off the east coast, off the west coast, and opened the entire eastern Gulf of Mexico, nothing would happen to gas prices—nothing. Why?

First, because production wouldn't begin until the year 2017. The infrastructure to drill for oil is not just a large oil platform but a network of hundreds of miles of pipelines that transport oil from the platform on to the land and then on to the refineries. This kind of infrastructure simply does not exist on the east coast and in only limited exceptions on the west coast.

The second reason why opening all our shores to oil drilling will not lower gas prices is because by the time full production actually ramped up in 2030, drilling off all of the coasts full tilt—full tilt—would only result in a whopping 3-percent increase in domestic production. Even in 2030, as our continent is rung all the way around by oil platforms, all of this new supply would be eaten up by a 7-percent increase in domestic demand. So the Energy Information Administration predicts: ''Any impact on average wellhead prices is expected to be insignificant.''

The fact is that over 80 percent of the resources in the Outer Continental Shelf are already open for exploration. Since 2001, the Bush administration has issued over 100 new leases. Many of these leases are in the eastern gulf where the oil industry already has much of the infrastructure necessary to go into production. Yet only 12 of these new wells have been drilled. The industry is only developing a small fraction of the area already open for drilling. So why isn't ExxonMobil pumping some of its profits into developing some of these areas? If companies are not interested in developing the large fields already in the Gulf of Mexico, why is it so critical to open environmentally sensitive areas to more drilling?

My home State of New Jersey and the New Jersey shore is a priceless treasure that my home State will protect at any cost. The shore also generates tens of billions of dollars in revenues each year and supports almost half a million jobs. If we open the east coast to drilling, we jeopardize a tourism and fishing economy worth tens of billions of dollars in exchange for a cumulative total of only a half year's supply of oil—a half year's supply of oil—jeopardizing, however, tens of billions of dollars. The people of New Jersey cannot afford the risk that will take place to our wildlife, to our economy and, in fact, I believe, the people up and down the coast as well.

Florida beaches generate billions of dollars each year. In South Carolina, Myrtle Beach alone brought in more than $3 billion in revenue. Do we want oil washing up into the pristine Cape Hatteras National Seashore? What about Virginia Beach? And can Maryland's famous blue crab survive yet another environmental assault?

The bottom line is this proposal will do nothing to lower gas prices, but it will jeopardize coastal economies all along both coasts.

Now to simply say: Well, it is up to an individual State, that doesn't work. The ocean doesn't have neat little boxes which it is divided into. So the reality is that the ability to open the Outer Continental Shelf in one location threatens, if there is an accident, the beaches along the shoreline along that same region. This isn't about making it one versus another; this is a continuity.

There are other things we can do about gas prices. Hopefully the President will soon sign into law the Democratic proposal that passed Congress overwhelmingly to suspend filling the Strategic Petroleum Reserve through December of 2008. When the people of this country are suffering from paying $4 a gallon for gas and when gas prices are pushing up the cost of food, and the price of oil has broken $125 a barrel, it makes no sense to be buying at this high level and then putting that oil in the ground when we are already 97 percent of where we need to be for the Nation's security, burying this precious commodity when we need it the most. Hopefully the President will sign this important measure and we can truly begin to help gas prices go back down and offer some relief.

But it begs even a bigger question, and that is breaking our dependency on foreign oil, seeking renewable sources, and finding new automobiles which we drive in our country; moving on to mass transit, having greater conservation—these are all of the elements that are necessary. It is also about ending speculation in the marketplace. Why is it that when we have testimony before House and Senate committees that says the price of oil should be somewhere between $50 and $70 a barrel between demand and supply that we are looking at $125? Let's go after the speculators. Let's go through a regulatory process that ensures this one market that is so critical ultimately has the regulation necessary.

Finally, we can't drill our way out of oil addiction. We can't drill our way out of oil addiction. We must promote sustainable alternative fuels and incentivize people to buy more efficient cars, raise the fuel economy standards and—something we don't do well in the United States—help commercialize technologies that allow us to run our cars, for example, on electricity. General Motors plans to introduce a plug-in hybrid in 2010 and Nissan announced it will start selling an electric car that same year. Once we get this type of technology right, our constituents will be able to run their cars much more cheaply. Some studies project electricity will be the equivalent of 60 cents per gallon of gasoline. That as a fuel source for the future is just around the corner. We understand that. We want to incentivize it and move it in the right direction.

On the other side, if all you want to do is create more addiction to the oil, find another vein in which to pop into and go ahead and drill even when all that is already open is not being drilled. It is the wrong policy. We have defeated three times in the Senate over the last year or so such provisions. I urge my colleagues to defeat the Vitter motion to instruct and make sure we keep this bipartisan, 26-year moratoria intact.

Mr. President, I yield back the remainder of the time that may be left in opposition, and I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The journal clerk proceeded to call the roll.

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

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

MOTION TO INSTRUCT

Mr. CONRAD. Madam President, I understand the Kyl motion regarding the alternative minimum tax is already pending, so I ask that my motion on the alternative minimum tax, which is at the desk, also be called up and be made pending.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from North Dakota [Mr. CONRAD] moves that the managers on the part of the Senate at the conference on the disagreeing votes of the two houses on the House amendment to the concurrent resolution S. Con. Res. 70 (setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2009 through 2013) be instructed to—

(A) insist that the revenue levels in the resolution include the cost of providing relief from the Alternative Minimum Tax in 2008, so that the number of taxpayers affected by the AMT does not increase and thereby more than 20 million middle-class families would be protected from paying higher taxes;

(B) insist on the Senate position of providing for the extension of expiring and expired tax relief that has been routinely extended in past years, including tax relief such as the research and experimentation tax credit, the deduction for state and local sales taxes, the deduction for classroom expenses, the deduction for qualified education expenses, the incentive for the charitable IRA rollover, the combat pay earned income tax credit, and various energy tax incentives; and

(C) insist that every effort should be made to offset the cost of these policies by closing the tax gap, shutting down abusive tax shelters, addressing offshore tax havens, and without raising taxes.

Mr. CONRAD. Mr. President, I ask unanimous consent that the vote sequence with respect to the pending motions be as follows: the Gregg amendment, the Conrad AMT amendment, the Kyl AMT amendment, the Boxer China-India amendment, the DeMint China-India amendment—those are both with respect to energy provisions—the Vitter OCS amendment, the Graham energy nuclear reserve fund, and the Gregg discretionary spending cap, with the remaining provisions of the previous order in effect.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. Mr. President, I ask unanimous consent that there be no further motions to be brought forward.

Mr. CONRAD. Mr. President, no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota?

Without objection, it is so ordered.

Is there objection to the request of the Senator from New Hampshire?

Mr. CONRAD. No objection.

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

Mr. CONRAD. Mr. President, I wish now to turn to the Gregg amendment that was previously offered with respect to a $1 trillion cap.

Let me indicate that the spending in the budget resolution that has gone to the conference committee takes spending down as a share of GDP each and every year from 20.8 percent of GDP in 2008 and 2009, every year stepping it down until we get to 19.1 percent of GDP in 2012 and 2013. I might add, we balance the budget in 2012 and 2013 under the budget.

The comparison of the spending under the resolution and the President's budget is depicted by these lines: The green line is the budget resolution spending line; the President's is the red line. You can see almost no difference. That is because there is almost no difference between the spending in the President's budget and the spending in the Senate budget resolution. In fact, here are the differences: The Senate budget resolution has $3.08 trillion of spending over the period of the 5 years. The President has $3.84 trillion of spending over the period.

What are the differences? Let me indicate as a percentage, that is a 1-percent difference—1 percent. Why do we have 1 percent more than the President? Well, because first we rejected his Medicare cuts. That is 45 percent of the difference. Forty-three percent of the difference is we rejected his cuts to law enforcement. We rejected his cut to veterans. We rejected his cuts to transportation. My goodness. We just had a bridge collapse in Minnesota, 35W. Can you imagine the horror? You are driving home and the bridge collapses. We don't think it is wise to be cutting transportation funding when we are not maintaining the roads and bridges we have now, much less dealing with the gridlock that exists around the country as well. So we have rejected those cuts by the President.

We specifically rejected his proposal to cut the COPS program, not by 10 percent and not by 20 percent. The President proposed cutting the COPS program 100 percent. What is the COPS program? That is a program that has put 100,000 police officers on the street in this country. In my State, it has put over 200 officers on the street. I just held a hearing with every part of law enforcement represented: the police chiefs, the sheriffs, the States' attorneys—open testimony. They said it was absolutely beyond their understanding why the President would propose cutting the COPS program 100 percent, but he did.

He proposed cutting weatherization assistance 100 percent. Why would you cut weatherization assistance when that is designed to reduce fuel bills when oil is $120 a barrel? He says cut weatherization assistance 100 percent.

He says cut first responder grants 78 percent. I just held a hearing that involved all of the first responders in my State: The fire chiefs, the police chiefs, and all of the others, including the EMS personnel, emergency medical services. I asked them: Do they think it makes any sense to cut the first responder grants 78 percent? They unanimously said absolutely not. What are we going to do in terms of interoperability of communications if we are not upgrading those systems? One of the things we learned on that fateful day, September 11, was that the failure to have interoperable communications created a fiasco at the Pentagon when all the emergency responders were going there to try to help and they couldn't communicate with each other. That is what these grants are for, to provide interoperable communications, to provide the training to respond to disasters, both natural and manmade. The President says cut it 78 percent. The President said cut community development funds 24 percent. He said cut clean water grants 21 percent. He said cut low-income home energy assistance—the very popular LIHEAP program—which is already underfunded, another 15 percent. We said, no, that doesn't make any sense; yet we produced a budget that balances. It balances in the fourth year—not by much, but it does balance, according to CBO. We stay in balance in the fifth year, unlike the President's budget. The President balanced in the fourth year but went right back out of balance in the fifth.

He has an addiction to debt unlike anything I have ever seen. This President has almost doubled the national debt in just 7 years. He has more than doubled foreign holdings of our debt in that period. We owe the Chinese hundreds of billions, we owe the Japanese hundreds of billions, and we even owe Mexico. This President's legacy is one of debt.

In this budget, we bring down the debt as a share of GDP in each and every year, according to the scoring of the budget resolution, from 69.6 percent down to 66 percent. That is not as much progress as I would like to make.

Senator GREGG and I have a separate proposal to deal with the long-term entitlement problems and those challenges, to deal with that in a bipartisan special task force that would have the power to come back with a recommendation that would get a vote in the Congress of the United States if a supermajority of the members of the task force, who are completely bipartisan, would agree on the plan.

Mr. President, I am proud of this budget resolution. I think this trillion-dollar cap on discretionary spending is a pure political gambit.

Let me add one other thing. If this cap were imposed, part of what is included in that spending is spending on our national defense. So that would put defense under the gun and put it at risk of additional cuts. I am a little surprised that the Republicans are proposing that. I don't think this is the time to be making cuts in national defense, but that would be in the pot and be subject to cuts under their proposal. I hope we reject that approach.

With that, I think we are very close to being ready to go to votes.

I see my colleague, the Senator from Florida, here.

I wonder if the Parliamentarian could advise us on the time remaining

on the Conrad-Kyl AMT amendment and the Gregg $1 trillion cap. How much time is left on those two?

The PRESIDING OFFICER. On the Kyl AMT amendment, Senator KYL has 7 minutes and Senator CONRAD has 16 minutes. On the Conrad AMT amendment, there is 16 minutes remaining, equally divided.

Mr. CONRAD. No, there is not. That is not correct. That was part of a unanimous consent agreement. There was 16 minutes for KYL and CONRAD combined, and all time consumed was credited against that 60 minutes. So there is virtually no time. I think we will just yield back all time on that motion.

Mr. GREGG. Mr. President, I think we will yield back all time on the Kyl-Conrad motion.

Mr. CONRAD. Senator NELSON may want to speak on OCS. How much time is left on that?

The PRESIDING OFFICER. Senator VITTER has 3 minutes. The majority has 7 minutes.

Mr. CONRAD. I am happy to yield 7 minutes to the distinguished Senator from Florida.

Mr. GREGG. I would like to retain 2 minutes to respond to my spending a trillion dollars.

Mr. CONRAD. I will retain 2 minutes on that too. So we each will retain 2 minutes on that amendment and yield back all other time, except for the 7 minutes on OCS.

Mr. GREGG. Mr. President, I ask unanimous consent that 4 minutes be equally divided between Senator CONRAD and myself when we get to the Kyl-Conrad AMT amendment.

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

The Senator from Florida.

Mr. NELSON of Florida. Mr. President, here we go again. The oil companies are trying to have it exactly the way they have had it in the past. They have developed an amendment that is very seductive by saying that you can have offshore drilling with the concurrence of the State if gasoline reaches $5 a gallon. What they have not told you is that if the price of gas goes up to $5 a gallon, of which the oil companies are making money hand over fist, they are going to utilize that to perpetuate the myth that they need to drill off the coast of a State like Florida, when, in fact, what they have not told you is that the oil companies already have under lease, which has not been drilled, 33 million acres offshore. The oil companies also have another 31 million acres onshore that have not been drilled. And the myth that they perpetuate, now using the fright of $5-a-gallon gas, is that we have to have more supply and therefore we have to go offshore. This is the seductive red herring of this amendment which was offered by a Senator whose State, Louisiana, has a big oil industry that drills off of Louisiana, where, in fact, there are deposits of oil. But when you get to a State such as Florida, there have been several dry holes, and the geology shows very little oil, plus we have the adverse interests.

Now, why do we have to keep going through this drill over and over? It is because the oil companies are insatiable. Do we not remember what we did just a year and a half ago, where the oil interests wanted to drill toward Tampa, FL, 2 million acres? We worked out a compromise—which wasn't 2 million acres, it was 8.3 million acres—but we kept it further to the south, away from the military training and testing area, where you cannot put oil rigs on the surface of the water, where we have our largest training and testing area in the world for our U.S. military. That is where we are training pilots for the F–22, where we train all of the pilots for the new Joint Strike Fighter being developed. That is where we are testing some of the most sophisticated weapons. That is because we have the area that is restricted airspace. As you are shooting that live ordnance and you are testing in your research and development of weapons systems, you cannot have oil rigs down there on the surface of the Gulf of Mexico. We etched that into law.

But here we go again. Having gone through this and having the oil industry have 33 million acres that is already available for lease but has not been drilled, they want to make an exception and are using the scare of this $4 gas—maybe going to $5 gas—in order to do that. That is wrong, and we ought to put a stop to it.

Here is the greatest wrong it perpetuates. What it does is it keeps us in the same old mindset where we stay married to oil. The emphasis is drill, drill, drill to solve the problem, as evidenced by $5 gas, when, in fact, that is not going to solve our problem. What is going to solve our problem is using our technology to go to alternative fuels. What is going to solve our problem is to go to renewables. What is going to solve our problem is going to be to have a new President of the United States who says he is going to commit to making the United States independent of foreign oil, of which we now import 60 percent for our daily consumption from places such as Nigeria, Venezuela, and the Persian Gulf.

So what we have to do is change the mindset of the old way of doing things, which this amendment by the Senator from Louisiana is suggestive of; that is, to go to the alternative fuels, to go to a serious research and development program for a new engine on down the line, to encourage the increase of miles per gallon. In Japan, they are driving cars that get 50 miles per gallon. In Europe, they are driving cars, on a fleet average, that are getting in the area of 40 miles per gallon. Why can't the United States—if we had the political will—change our way of doing things as oil guzzlers through our consumption in our personal vehicles? We can if we have the political will.

Mr. VITTER. Will the Senator yield?

Mr. NELSON of Florida. I appreciate the Senator from Louisiana asking me to yield. But I have a lot on my mind, and the Senator has already had his 15 minutes, so this Senator is going to complete his thoughts.

So here we go again. The emphasis is drill, drill, drill.

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

Mr. NELSON of Florida. Well, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana is recognized. The Senator has 3 minutes.

Mr. VITTER. Mr. President, if I can briefly respond on my own time—and I invite a conversation or colloquy with the distinguished Senator from Florida—I hope the distinguished Senator realizes that in this proposal, in order for any offshore drilling to take place, both the Governor and the State legislature of the host State have to say, yes, we want it. That is an absolute requirement under this proposal. The distinguished Senator from Florida knows Florida politics far better than I, but based on everything I know, that is not going to happen in Florida, including under Republican Governors and Republican legislatures, anytime soon. So I don't understand why he considers this a threat to the State of Florida, because they are in absolute control of their own destiny under the details of my motion. If the Senator has a response to that simple fact, I would love to hear it and engage in a discussion.

Mr. NELSON of Florida. Mr. President, if the Senator will yield, I am very grateful to him for giving me this opportunity. When it comes to the defense interests of the United States, I think it would be folly to allow a State legislature to impose their will with regard to the defense interests. This Senator has already given the example of the largest testing and training area in the world for the U.S. military, which is the Gulf of Mexico off of Florida, which we have prohibited in law from being drilled.

Let's take, for example, the Atlantic coast of Florida. Thirty years ago, this Senator had to oppose the Secretary of the Interior James Watt from drilling off the east coast. The only way this Senator was able to beat him then was because it finally dawned on the administration that we were launching from the Cape Canaveral Air Force station from west to east and launching from the Kennedy Space Center from west to east, therefore dropping the solid rocket boosters into the Atlantic Ocean along with the first stages of the expendable booster rocket out of the Air Force station, and that, in fact, we cannot have oil rigs down there.

So a State legislature might well not understand and be able to impose its will on the security interests of the U.S. Government.

Mr. VITTER. Mr. President, if I can reclaim my time.

The PRESIDING OFFICER. All time has expired.

Mr. VITTER. I ask unanimous consent for 1 additional minute since I seemed to cede all my time.

The PRESIDING OFFICER. Under the previous order, the time is reserved to the manager. Is there objection?

Mr. CONRAD. I will allow the Senator an additional minute if the Senator in opposition will be given an additional minute as well.

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

Mr. VITTER. I thank the Chair.

Quite honestly, I am not sure I understood that response. My simple point was that Florida under my motion is in control of its own destiny, and if Florida doesn't want drilling, the Governor and the State legislature, Florida doesn't get drilling.

There is a little bit of caveat to that. I think the Cubans are going to drill off Florida if we do nothing. That is moving forward anyway. Or the Chinese through Cuba. But otherwise, Florida doesn't get drilling.

My other response is, here we are caught in a stale debate again. It isn't either/or. It isn't oil and gas or alternative fuels. Our energy picture is so challenging it clearly has to be both. We need a future of new fuels and new technology. We also need to get to that future in the short and medium term. We need to do both things on the demand and the supply side. Let's start acting for the good of the American people.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I say to my friend, the Senator from Louisiana, perhaps since he is from the gulf coast, he does not understand that all the way up the Atlantic seaboard, there are areas with restricted airspace where live fire training is done. A State legislature would not necessarily be attuned to the security interests of the U.S. Government.

If a State legislature were at the beck and call of a particular lobby—in this case the oil industry—wanting to drill, it would be at cross-purposes with the security interests in many of those regions off Florida, off Georgia, off the Carolinas, off Virginia, and further up the seaboard and, therefore, would have a veto over the U.S. Government.

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

Under the previous order, there is now 4 minutes equally divided.

Mr. GREGG. Mr. President, I ask unanimous consent that we turn to two other items that need to be taken up prior to the time limit.

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

MOTIONS TO INSTRUCT

Mr. GREGG. Mr. President, I send two motions to the desk dealing with budget enforcement. I ask they be reported in seriatim.

The PRESIDING OFFICER. The clerk will report the motions.

The legislative clerk read as follows:

The Senator from New Hampshire [Mr. GREGG] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to insist on the inclusion in the final conference report the point of order against the consideration of a budget resolution in the Senate that does not contain a section regarding gross federal debt disclosure as contained in section 223 of the concurrent resolution as passed by the Senate, and further, that the conferees be instructed to include a debt disclosure section in the final conference report that itemizes the overall debt increase and the per person debt increase assumed by the final conference report.

The Senator from New Hampshire [Mr. GREGG] moves that the conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution S. Con. Res. 70 (the concurrent resolution on the budget for fiscal year 2009) be instructed to insist that the final conference report include the individual points of order that empowers the Senate to prevent future budget resolutions from raiding Social Security; enforces transparency during Senate consideration of the congressional budget by requiring disclosure of the gross federal debt held by the nation; strengthens the integrity of the reconciliation process; and provides an additional tool to thwart any net increase in deficits in the long term (four ten-year periods after 2018), as contained in sections 226, 223/224, 202 and 201, respectively, of the concurrent resolution as passed by the Senate.

Mr. GREGG. Mr. President, these are two motions, one of which says that under the rules of the budget, there will be a disclosure of the debt owed by the United States in a manner that is comprehensible.

Right now the budget is a very hard, very complex document to read for those of us who are involved in it, but it is extremely difficult to glean what actually is the debt and how the debt relates to the overall budget. The first motion says that will be made clearer for the purpose of transparency.

The second motion has four elements. The first one is a point of order that says the budget resolution, which will be live, does not put us on a path to a balanced budget over a 5-year period. The second one is a point of order against a reconciliation bill which spends more than 20 percent of what it saves. The third is a point of order against a budget resolution that does not provide a debt disclosure statement, such as the first motion included. And fourth is a long-term deficit point of order that should prohibit any deficit increases outside the budget window.

I talked about these with the chairman. The chairman seems amenable to accepting these motions. I hope they can be accepted.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the first motion I like very much, the debt disclosure. I think that would be a very useful item for Members of Congress and for the people of the country. So I readily accept motion No. 1. Can we accept that motion by a voice vote?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Hampshire, Mr. GREGG, on debt disclosure.

The motion was agreed to.

Mr. CONRAD. Mr. President, on the second motion, we have no objection on this side to adopting that motion by unanimous consent.

Mr. GREGG. Mr. President, I ask unanimous consent that the second motion be adopted.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The motion was agreed to.

Mr. CONRAD. I thank the Chair, and I thank my colleague very much. I thank Senator GREGG. We have had an interesting day. Senator GREGG, we can see by his head with that nasty bruise, is bloodied but unbowed.

Mr. GREGG. That came from the farm bill.

Mr. CONRAD. He said he got hit by a farmer with a lamb chop or asparagus, I don't know which.

Mr. GREGG. It must have been asparagus.

Mr. CONRAD. I think we are ready to proceed to vote.

Mr. GREGG. We are. I suggest we have 2 minutes equally divided before each vote to explain what we are voting on for our colleagues.

Mr. CONRAD. I think that is fair.

Mr. GREGG. And after the first vote, the votes be 10 minutes.

Mr. CONRAD. I think we would be well advised as well. We advise colleagues, after the first vote, there will be 10 minutes. We will have eight votes. Typically, that will take us 3 hours. If Members will come and stay here, we can conceivably get done in 2½ hours. It is up to the Members whether we are able to do that.

With that, I go to my colleague for an explanation of the first motion.

Mr. GREGG. Mr. President, it being my motion, I am sure the chairman would like to go first.

Mr. CONRAD. I will be happy to go first. The Senator is talking about this being the biggest tax increase in history. That is the same speech he gave last year. We can now check the record and see what actually happened and, lo and behold, there was not the biggest tax increase ever. In fact, there was no tax increase. In fact, there were tax cuts. The Democrats in both Houses of Congress cut taxes by $194 billion.

In this legislation before us, we have no tax increases. We have additional tax reductions. Included in this resolution are the middle-class tax cuts, the marriage penalty relief, the child tax credit, the 10-percent bracket, further alternative minimum tax relief, estate tax reform, energy and education, property tax relief, and extenders.

The difference in revenue, which is only 2.6 percent between our bill and the President's, can completely be met by closing down these offshore tax havens, abusive tax shelters, and aggressively going after the tax gap, the difference between what some owe and what they are failing to pay.

Mr. GREGG. Mr. President, there is a tax increase in this resolution. If there

isn't, then the budget doesn't make any sense because it assumes $1.2 trillion of new revenues in order to reach its targets, and that means 78 million taxpayers who don't pay taxes today are going to end up paying taxes under this budget.

It means a working family of four with $50,000 income will end up with a $2,300 tax bill increase in 2011. It means a single mom with two kids earning $30,000 will have a $1,000 tax increase in 2011. It means that 18 million senior citizens will have their taxes increased by over $2,000, and that 27 million small businesses will have their taxes increased by over $4,000 in the year 2011.

The simple fact is this budget assumes massive tax increases, the largest tax increase in the history of the world. I hope people will oppose that.

The PRESIDING OFFICER. Under the previous order, the question is now on agreeing to the motion of the Senator from New Hampshire, Mr. GREGG.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

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

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), and the Senator from Arizona (Mr. MCCAIN).

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

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

The result was announced—yeas 44, nays 51, as follows:

[Rollcall Vote No. 131 Leg.]

YEAS—44

Allard	DeMint	Martinez
Barrasso	Dole	McConnell
Bennett	Domenici	Murkowski
Bond	Ensign	Roberts
Brownback	Enzi	Sessions
Bunning	Graham	Shelby
Burr	Grassley	Smith
Chambliss	Gregg	Specter
Coburn	Hagel	Stevens
Cochran	Hatch	Sununu
Coleman	Hutchison	Thune
Collins	Inhofe	Vitter
Cornyn	Isakson	Warner
Craig	Kyl	Wicker
Crapo	Lugar	

NAYS—51

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

NOT VOTING—5

Alexander	Corker	Obama
Clinton	McCain	

The motion was rejected.

The PRESIDING OFFICER. The Senator from North Dakota is about to explain what is going to happen in the next few minutes.

Mr. CONRAD. Mr. President, two of our colleagues and a third, counting me, have very graciously agreed to take voice votes to shorten this process. Now we will turn to Senator KYL for an explanation of his motion.

Mr. KYL. Both the chairman of the committee and I have resolutions that are almost identical. They both call for us to extend the so-called patch for the alternative minimum tax which otherwise would affect about 26 million taxpayers this year; to extend the so-called tax extenders package that has tax provisions like the R&D tax credit in it for another year, and to do so without raising taxes.

The addition on the Conrad motion is to use our best efforts to shut down abusive tax shelters, address offshore tax havens, and to close the tax gap.

Since I assume we are all for ending any waste, fraud, and abuse, I cannot disagree. I would be pleased to take votes on both of these motions by voice vote.

Mr. CONRAD. Mr. President, I thank Senator KYL for his willingness to do this on a voice vote. He has described the amendments well. I see no purpose in further discussion.

I ask for a voice vote on the Conrad and Kyl motions.

The PRESIDING OFFICER. The question is on agreeing to the motion offered by the Senator from Arizona, Mr. KYL, on the AMT.

The motion was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the motion offered by the Senator from North Dakota, Mr. CONRAD, on the AMT.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. CONRAD. Mr. President, the distinguished Senator from South Carolina, Mr. GRAHAM, has a motion on nuclear energy. The Senator from South Carolina has also graciously agreed to take it on a voice vote.

Would the Senator like to take 30 seconds to explain the motion?

Mr. GRAHAM. No.

Mr. CONRAD. The Senator from South Carolina continues to rise in the judgment of his colleagues.

Can we then go to a voice vote on the Graham motion?

The PRESIDING OFFICER. The question is on agreeing to the motion offered by the Senator from South Carolina, Mr. GRAHAM, on nuclear energy.

The motion was agreed to.

Mr. CONRAD. Mr. President, that takes us to the Boxer motion on cap and trade. We have 2 minutes equally divided. These are motions that will require votes, the Boxer and DeMint motions.

If the Senator from California would take time to explain her motion.

Mrs. BOXER. Mr. President, colleagues, I hope you pay attention to this because there are two motions that deal with global warming. The first one is the Boxer motion, and what it says is, we should not enact any global warming legislation until we address the issue of goods imported from nations such as India and China, countries that do not have their own global warming program. So we protect our people and yet we allow global warming legislation to proceed.

Senator DEMINT's motion is a back-to-the-future motion. He basically says we can do nothing—nothing—until India and China act. This is wrong. We should not be held hostage to the actions of China and India or any other nation when it comes to our own country, when it comes to an issue which is so serious that even the administration, that has been kind of dragging on this, yesterday found that global warming is threatening a beautiful species called the polar bear.

We do not want to be held hostage to India and China. Vote aye on the Boxer motion, and no on the DeMint motion.

Thank you.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. DEMINT. Mr. President, my motion has been mischaracterized, I am afraid. I am opposed to the Boxer motion because it would clearly, from the language, add tariffs or some kind of penalties to imports from around the world, unless emissions standards in other countries match ours, I guess, exactly.

This would add to the cost of products that are purchased by Americans. My motion is one that tries to keep jobs in this country. Unfortunately, my colleague is suggesting, I am afraid, as many have over the years, that we have two false choices. We either have a good economy or we have a good environment. Those are not the choices.

In fact, my motion would allow us to continue to develop nuclear generation, which is good for the environment and the economy, or hydrogen cars or electric cars or hybrid cars. Most of what we can do is good for the environment and improves the economy. My motion simply says: We cannot pass legislation unless other countries go along, otherwise we are exporting jobs and pollution.

The PRESIDING OFFICER. The question is agreeing to the motion of the Senator from California, Mrs. BOXER.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), and the Senator from Arizona (Mr. MCCAIN).

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

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

The result was announced—yeas 55, nays 40, as follows:

[Rollcall Vote No. 132 Leg.]

YEAS—55

Akaka	Feingold	Nelson (FL)
Baucus	Feinstein	Nelson (NE)
Bayh	Harkin	Reed
Biden	Inouye	Reid
Bingaman	Kennedy	Rockefeller
Boxer	Kerry	Salazar
Brown	Klobuchar	Sanders
Byrd	Kohl	Schumer
Cantwell	Landrieu	Smith
Cardin	Lautenberg	Snowe
Carper	Leahy	Specter
Casey	Levin	Stabenow
Coleman	Lieberman	Tester
Collins	Lincoln	Warner
Conrad	Martinez	Webb
Dodd	McCaskill	Whitehouse
Dole	Menendez	Wyden
Dorgan	Mikulski	
Durbin	Murray	

NAYS—40

Allard	Domenici	McConnell
Barrasso	Ensign	Murkowski
Bennett	Enzi	Pryor
Bond	Graham	Roberts
Brownback	Grassley	Sessions
Bunning	Gregg	Shelby
Burr	Hagel	Stevens
Chambliss	Hatch	Sununu
Coburn	Hutchison	Thune
Cochran	Inhofe	Vitter
Cornyn	Isakson	Voinovich
Craig	Johnson	Wicker
Crapo	Kyl	
DeMint	Lugar	

NOT VOTING—5

Alexander	Corker	Obama
Clinton	McCain	

The motion was agreed to.

Mrs. BOXER. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes equally divided prior to a vote on the motion to instruct offered by the Senator from South Carolina, Mr. DEMINT.

Mr. DEMINT. Mr. President, during the last vote, some of my Republican and Democratic colleagues asked me if it didn't make sense to vote for both these motions. Both understand we need to be careful in mandates that hurt our economy and jobs, unless we recognize what other countries are doing when they are polluting.

My motion focuses on here at home. I want to make sure folks understand what it is about.

Most of the things we can do to improve our environment and to stop CO_2 emissions can actually improve our economy. We know, as we try to build dozens, if not hundreds, of nuclear plants, it will create new jobs all over the country and improve our economy, just as Europe has done. Solar panels and wind, as well as hybrid cars and hydrogen fuel—all of these things are good for the economy and energy. My motion—

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

Mr. DEMINT. Could I get another minute?

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DEMINT. I thank the Chair.

My motion does not affect any of the attempts to reduce CO_2 emissions except when we know it is hurting the economy and hurting jobs. In that case, we cannot move ahead with penalties and mandates unless China and India—the two largest polluting countries—have similar emissions standards. So it is just a ''hold on,'' let's not hurt our economy and ourselves. There are many ways we can reduce CO_2 emissions without hurting jobs in this country.

I encourage my colleagues to support this motion.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, how much additional time did Senator DEMINT get?

The PRESIDING OFFICER. The Senator had an additional ½ minute.

Mrs. BOXER. Then, Mr. President, I would ask for the same amount of time, equally divided, between myself and Senator WARNER.

The PRESIDING OFFICER. What is the request of the Senator?

Mrs. BOXER. Mr. President, I ask unanimous consent that I have the same amount of time Senator DEMINT had, divided equally between myself and Senator WARNER.

The PRESIDING OFFICER. Is there objection to 1 minute being equally divided between Senator BOXER and Senator WARNER?

Without objection, it is so ordered.

Mrs. BOXER. If the Presiding Officer will tell me when I have used half the time so I can stop.

Colleagues, this is a very important vote. We already voted to level the playing field for America in that last vote so that countries cannot take advantage of us. But I have to say, this motion would hold this Nation hostage to China and India. Since when do we wait around for countries such as China to act on human rights issues, on economic issues, on environmental issues? That is not America.

I believe this is a motion that looks to fear, not hope. This is the greatest country on Earth, and I do not think we should tell ourselves we can do nothing about a pressing issue until a foreign country acts.

The PRESIDING OFFICER. The Senator has used half the time.

The Senator from Virginia.

Mr. WARNER. Mr. President, I have been working with Senator BOXER and Senator LIEBERMAN for almost 10 months on a bill with regard to global climate change. This week—perhaps tomorrow or the first of next week—we will offer a managers' amendment which will address the important issues my colleague raises.

I simply ask this Chamber to consider that when our bill comes up there will be ample opportunity to address your issues and that we have a provision in the managers' amendment giving the President of the United States the chance to proceed to correct the very things the Senator seeks to be corrected with his motion.

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

The question is on agreeing to the motion of the Senator from South Carolina, Mr. DEMINT.

Mrs. BOXER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), and the Senator from Arizona (Mr. MCCAIN).

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

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

The result was announced—yeas 34, nays 61, as follows:

[Rollcall Vote No. 133 Leg.]

YEAS—34

Allard	Craig	Kyl
Barrasso	Crapo	Lugar
Bennett	DeMint	McConnell
Bond	Domenici	Sessions
Brownback	Ensign	Shelby
Bunning	Enzi	Stevens
Burr	Grassley	Thune
Byrd	Hagel	Vitter
Chambliss	Hatch	Voinovich
Coburn	Hutchison	Wicker
Cochran	Inhofe	
Cornyn	Isakson	

NAYS—61

Akaka	Dole	Lautenberg
Baucus	Dorgan	Leahy
Bayh	Durbin	Levin
Biden	Feingold	Lieberman
Bingaman	Feinstein	Lincoln
Boxer	Graham	Martinez
Brown	Gregg	McCaskill
Cantwell	Harkin	Menendez
Cardin	Inouye	Mikulski
Carper	Johnson	Murkowski
Casey	Kennedy	Murray
Coleman	Kerry	Nelson (FL)
Collins	Klobuchar	Nelson (NE)
Conrad	Kohl	Pryor
Dodd	Landrieu	Reed

Reid	Smith	Warner
Roberts	Snowe	Webb
Rockefeller	Specter	Whitehouse
Salazar	Stabenow	Wyden
Sanders	Sununu	
Schumer	Tester	

NOT VOTING—5

Alexander	Corker	Obama
Clinton	McCain	

The motion was rejected.

Mrs. BOXER. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. There are now 2 minutes equally divided prior to the vote on the motion to instruct by the Senator from Louisiana.

Who yields time?

The Senator from Louisiana.

Mr. VITTER. Mr. President, this motion is very straightforward. It creates a reserve fund in support of the following bill, a bill that would say: If the price at the pump, the price of gasoline reaches $5 a gallon—if it reaches $5 a gallon—then we are going to allow exploration and production off our coasts in the Outer Continental Shelf, but only if two conditions are met. No. 1, the host State wants it; the Governor and the State legislature of the host State say yes, we want that activity; and No. 2, the host State gets a fair revenue share of 37.5 percent which is the policy and the precedent we set about 2 years ago.

It would also ensure that nothing in this bill would disrupt military training, military activity off the coast, and that also a host State could decide to do natural gas only.

We can't drill our way out of this energy problem, but increased domestic supply is part of the solution. We need a new energy future, but we also need to get to that future.

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

Who yields time?

The Senator from Florida.

Mr. NELSON of Florida. Mr. President, what the Senator didn't say is that this puts a State's veto power over the U.S. Government as to its security arrangements in restricted areas off the coast which you never want to put at stake.

What the Senator also didn't tell you is there are already 31 million acres offshore that are ready for lease that have not been drilled.

I yield to the Senator from New Jersey.

Mr. MENENDEZ. Mr. President, the Senate has on three different occasions over the last year defeated similar efforts to end the 26-year bipartisan moratoria on the Outer Continental Shelf. This is another attempt to get at it. Even the Energy Information Administration projects that if we opened the entire east and west coasts, we wouldn't achieve anything because it would take up to 2017 to ramp up and 2030 to actually achieve results.

So this isn't about gas prices; this is about tapping into another vein of oil, continuing our addiction, and putting our shores at risk.

I urge my colleagues, particularly from coastal States, to oppose it.

Mr. STEVENS. Mr. President, I ask unanimous consent to be a cosponsor of the motion.

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

Mr. WARNER. Mr. President, I ask unanimous consent to be a cosponsor of the amendment.

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

All time has expired.

The question is on agreeing to the motion of the Senator from Louisiana, Mr. VITTER.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

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

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), and the Senator from Arizona (Mr. MCCAIN).

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 44, nays 51, as follows:

[Rollcall Vote No. 134 Leg.]

YEAS—44

Allard	Domenici	Murkowski
Barrasso	Ensign	Nelson (NE)
Bennett	Enzi	Roberts
Bond	Graham	Sessions
Brownback	Grassley	Shelby
Bunning	Gregg	Specter
Burr	Hagel	Stevens
Chambliss	Hatch	Sununu
Coburn	Hutchison	Thune
Cochran	Inhofe	Vitter
Coleman	Isakson	Voinovich
Cornyn	Kyl	Warner
Craig	Landrieu	Webb
Crapo	Lugar	Wicker
DeMint	McConnell	

NAYS—51

Akaka	Durbin	Menendez
Baucus	Feingold	Mikulski
Bayh	Feinstein	Murray
Biden	Harkin	Nelson (FL)
Bingaman	Inouye	Pryor
Boxer	Johnson	Reed
Brown	Kennedy	Reid
Byrd	Kerry	Rockefeller
Cantwell	Klobuchar	Salazar
Cardin	Kohl	Sanders
Carper	Lautenberg	Schumer
Casey	Leahy	Smith
Collins	Levin	Snowe
Conrad	Lieberman	Stabenow
Dodd	Lincoln	Tester
Dole	Martinez	Whitehouse
Dorgan	McCaskill	Wyden

NOT VOTING—5

Alexander	Corker	Obama
Clinton	McCain	

The motion was rejected.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, for all Senators, I have been talking this afternoon with Senators KENNEDY, ENZI, GREGG, and MCCONNELL, of course. We believe it would be in the best interests of the Senate to vitiate the cloture vote in the morning. Senator KENNEDY and ENZI have agreed to continue working on the firefighters bill. Yesterday, it was interrupted by the farm bill, and the Graham amendment was an interruption.

As I have said on a number of occasions, there is not more of a gentleman in the Senate than MIKE ENZI. He felt aggrieved—that is my word, not his—and he needs more time on this. Again, I have talked to him and Senator KENNEDY. They believe they can get from here to there and work out something so that we can wind up completing the bill.

I have asked the managers to work together to see if they can reach agreement on the process that will permit the Senate to complete action on the bill in a timely way.

Therefore, I ask unanimous consent that the cloture vote be withdrawn with respect to H.R. 980.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, let me further say that when these two good Senators come back to me with that process, I will confer with the Republican leader, and then I will make a decision when to return to this. I favor this a lot. I think it is a great piece of legislation. I hope we can complete it.

We should continue the bipartisan approach we have had up to this time on that legislation. I appreciate the understanding of the Senate in allowing us to approach this in a different way. This is not unique. We have done it on other occasions. For a lot of reasons, cloture would not be invoked tomorrow. I think people favor this legislation and they would vote for cloture if there is more of an opportunity to work on amendments. I appreciate the cooperation of everybody.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, if I may add, I think the majority leader has made a wise decision, after consultation with both sides. Cloture would not have been invoked tomorrow. Senators KENNEDY and ENZI can work out an orderly process. I think it is an approach that I applaud and recommend.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, I wish to personally thank the two leaders and Senator ENZI. This is important legislation involving national security. I am grateful for the opportunity to work with my friend and colleague, Senator ENZI, to try to make recommendations here in the Senate. I

know there are diverse views on this issue. We will try to work out an orderly procedure so that Members will be able to get their views out and considered in the Senate and do it in a timely way.

Again, I thank the two leaders and the Senator from Wyoming as well for his cooperation, as always.

The PRESIDING OFFICER. The majority leader is recognized.

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 28

Mr. REID. Mr. President, I ask unanimous consent that, upon disposition of the House message on S. Con. Res. 70, the Senate proceed to the consideration of Calendar No. 731, S.J. Res. 28, a joint resolution disapproving the rule submitted by the FCC with respect to broadcast media ownership, the statutory time be reduced to 2 minutes equally divided and controlled between Senators DORGAN and STEVENS or their designees; that upon the use or yielding back of the time, the Senate proceed to vote on passage of the joint resolution; provided further that all remaining provisions of the statute remain in effect. I further ask that all statements relating to the matter be printed in the RECORD prior to the vote on this important piece of legislation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Finally, as I understand, we have one more rollcall vote we are going to have now. There will be no votes tomorrow. This will be the last vote until Tuesday morning, unless someone has an objection.

The PRESIDING OFFICER. There is now 2 minutes equally divided prior to vote on a motion offered by the Senator from New Hampshire, Mr. GREGG, on discretionary spending.

The Senator from North Dakota.

Mr. CONRAD. Mr. President, under the budget resolution, spending goes down each and every year as a share of domestic product, 20.8 percent down to 19.1 percent

The Senator opposite seeks to make those reductions more steep and embrace the President's proposal which would eliminate the COPS Program—not just cut it but eliminate it, a program that puts 100,000 police on the street—cut the Weatherization Assistance Program 100 percent at a time of $120 oil; cut the first responder grants—police, fire, emergency medical 78 percent; cut community development 24 percent; cut clean water 21 percent; cut LIHEAP 15 percent.

More than that, because of the way this amendment has been written, this would put defense in the pool to be cut. If you want to do that, vote for the Senator's motion. I urge a ''no'' vote.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I have no charts. I simply have a number: $1 trillion. We should draw the line somewhere around here. We should say to the American people: It is time that we exercise fiscal discipline. Let's do it at $1 trillion. That means that in this budget, you only have to reduce it 1 percent to get back underneath that number.

We don't have to look to the President to do that. We can't, amongst ourselves, come up with $10 billion of savings on a $1 trillion budget? If we can't, we should all go home.

Vote to draw the line at $1 trillion. Vote for the American taxpayer.

Mr. President, I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New Hampshire, Mr. GREGG.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. KYL. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Tennessee (Mr. CORKER), and the Senator from Arizona (Mr. MCCAIN).

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

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

The result was announced—yeas 47, nays 48, as follows:

[Rollcall Vote No. 135 Leg.]

YEAS—47

Allard	DeMint	Lugar
Barrasso	Dole	Martinez
Bayh	Domenici	McConnell
Bennett	Ensign	Murkowski
Bond	Enzi	Roberts
Brownback	Feingold	Sessions
Bunning	Graham	Shelby
Burr	Grassley	Smith
Cantwell	Gregg	Stevens
Chambliss	Hagel	Sununu
Coburn	Hatch	Thune
Cochran	Hutchison	Vitter
Coleman	Inhofe	Voinovich
Cornyn	Isakson	Warner
Craig	Klobuchar	Wicker
Crapo	Kyl	

NAYS—48

Akaka	Harkin	Nelson (FL)
Baucus	Inouye	Nelson (NE)
Biden	Johnson	Pryor
Bingaman	Kennedy	Reed
Boxer	Kerry	Reid
Brown	Kohl	Rockefeller
Byrd	Landrieu	Salazar
Cardin	Lautenberg	Sanders
Carper	Leahy	Schumer
Casey	Levin	Snowe
Collins	Lieberman	Specter
Conrad	Lincoln	Stabenow
Dodd	McCaskill	Tester
Dorgan	Menendez	Webb
Durbin	Mikulski	Whitehouse
Feinstein	Murray	Wyden

NOT VOTING—5

Alexander	Corker	Obama
Clinton	McCain	

The motion was rejected.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Chair appoints. Mr. CONRAD, Mrs. MURRAY, Mr. WYDEN, Mr. GREGG, and Mr. DOMENICI conferees on the part of the Senate.

DISAPPROVAL OF FCC OWNERSHIP RULE SUBMITTAL

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S.J. Res. 28, which the clerk will report.

The legislative clerk read as follows:

A resolution (S.J. Res. 28) disapproving the rules submitted by the Federal Communications Commission with respect to broadcast media donorship.

The PRESIDING OFFICER. There is 2 minutes equally divided. The Senator from North Dakota is recognized.

Mr. DORGAN. This is a resolution of disapproval of an FCC rule dealing with media ownership. The Commerce Committee has passed this out to the floor of the Senate. I will not go into great length on the merits of the issue except to say we have visited this issue previously. I think there is too much concentration in the media. The FCC rule moves in exactly the wrong direction, adding more concentration.

I ask that Members of the Senate who wish to would be able to make statements that appear prior to this vote. I believe we have agreed to a voice vote.

I yield the floor. I reserve my time.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. I yield to the Senator from Georgia.

Mr. CHAMBLISS. Mr. President, I know we are going to have a voice vote. I ask unanimous consent I be recorded as a ''no.''

The PRESIDING OFFICER. The record will so reflect.

Mr. ISAKSON. Mr. President, I wish the record also to reflect I voted ''no'' on S.J. Res. 28.

Mr. STEVENS. I ask unanimous consent statements in opposition to the resolution of the Senator from North Dakota be printed in the RECORD at this point.

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

CROSS OWNERSHIP RULE

Mr. WEBB. Mr. President, I rise today to thank my colleague from North Dakota for his work on media ownership issues and to engage him in a colloquy to clarify one point about the resolution of disapproval. I note that Senator DORGAN has long been a champion of media localism and diversity, issues that are quite important to me as well.

Because I believe that the Federal Communications Commission ignored Congress's repeated admonitions about following appropriate processes in reaching the agency's new cross-ownership rules, I support this bipartisan resolution.

Yet I believe that if the Senate adopts this resolution, the existing waivers contemplated under the FCC cross-ownership rule should be protected. This means that those waivers would not be a part of this resolution.

I have significant concerns that if these waivers are not protected, this legislation could harm some media markets and constituents' access to news and information in my State of Virginia.

I would like to confirm that this resolution, while it would nullify the revised version of the FCC's newspaper cross-ownership ban, would not undo or in any manner change the FCC's decision to grant permanent waivers to five existing newspaper-broadcast combinations, and thus grandfather them, as set forth in paragraphs 77 and 158 of the FCC's December 18, 2007 Report and Order. It is my understanding that this resolution will not affect these five specific waivers, and I would like to clarify this understanding

Senator DORGAN, is it your goal and understanding that the waivers that the FCC granted in conjunction with the cross-ownership rule be protected?

Mr. DORGAN. Under the Congressional Review Act, the resolution of disapproval is intended to overturn a specific rule, not other parts of an agency's order. The waivers are not rules.

The resolution is written in a specific way referring to an order, but it is the rule that is nullified. These waivers could have been granted alone or under the previous cross-ownership ban. It is not the intention of this resolution to affect the waivers in the order.

Ms. SNOWE. Mr. President, I rise today in strong support of the resolution of disapproval that repeals the recent Federal Communications Commission's media ownership rulemaking.

As an original cosponsor of this measure, I applaud Senator DORGAN for once again taking the lead in introducing critical legislation to overturn a misguided attempt by the commission to relax crucial media ownership rules—a move that will only lead to further consolidation within the industry that will ultimately harm consumers.

As my colleagues are well aware, consolidation in the media market has led to fewer locally owned stations, and less local programming and content. Indeed, it speaks volumes that the number of independent radio owners has plunged in the past 11 years by 39 percent.

Just in 1996 and 1997 alone, more than 4,400 radio stations were sold following the first round of consolidation following passage of The Telecommunications Act of 1996. Between 1995 and 2003, ownership of the top 10 largest television stations increased from 104 owners to 299 owners.

At the same time, we know that locally owned stations aired more local news and programming than non-locally owned stations—and that is not just me talking. That is according to the FCC's own studies, which also found that smaller station groups overall tended to produce higher quality newscasts compared to stations owned by larger companies.

So there should be no mistake—fewer independent, local stations mean less local content and programming.

Minority and women-ownership of media outlets are also at perilously low levels—currently only 6 percent of full-power commercial broadcast radio stations are owned by women and 7.7 percent are owned by minorities. Ownership of broadcast television is even lower—5 percent for women and only 3.3 percent for minorities. Instead of being a catalyst promoting localism and ownership diversity, the FCC's action will actually hasten the decline in these crucial areas.

The Senate Committee on Commerce, Science, and Transportation last fall held a hearing to consider these very issues, and the actions required for improvement. During that hearing, I and several of my colleagues voiced strong concern about Chairman Martin's intent to ease current media ownership rules, particularly because of the potential impact on localism and diversity in broadcasting.

That is why I, along with many committee members, joined Senators DORGAN and LOTT in introducing The Media Ownership Act of 2007, which was reported out of the committee favorably in December. This constitutes yet another step in the mounting opposition to the loosening of these crucial rules. We had hoped that Chairman Martin would heed not only our urgings, but the concerns expressed by the American public, and complete the 4-year-old rulemaking on localism.

However, on November 13, less than a week after that hearing, the Chairman issued a new proposal to lift the 32-year-old newspaper-broadcast cross-ownership ban in the top 20 media markets. Worse still, the FCC allowed only 28 days for the public to comment on the proposal when it has historically provided 60 to 90 days on pivotal matters such as this.

Clearly, the FCC's actions demonstrate a litany of highly-misguided priorities that neglect to consider the full impact of the FCC's rule change on the American people. Therefore, this resolution of disapproval is necessary to rescind this haphazard approach.

I must say it feels a little like déjà vu all over again, when nearly 5 years ago the FCC attempted a similar effort to relax another set of media ownership rules. And fittingly, the opposition to the commission's attempt then mirrors the opposition that is coalescing now. And the action we are considering now is reminiscent of the joint resolution passed by the U.S. Senate in September 2003, which I cosponsored, condemning the Commission's efforts to rewrite those rules.

So that naturally begs the question—why would the commission continue to attempt to weaken media ownership rules when the American public has vociferously opposed these efforts time and again? When the U.S. Congress in 2004 enacted a statute prohibiting the FCC from raising national ownership limits above 39 percent? When the Third Circuit Court of Appeals rejected as arbitrary and capricious this attempt at revising the rules after finding the FCC had no factual basis for the limits it set? We deserve an answer.

Many proponents for relaxing media ownership rules have pointed to the precipitous decline of the newspaper industry as the reason change is mandatory. They have even cited a recent report by the Newspaper Association of America, NAA, which found print ad revenue for the industry fell by 9.4 percent last year—the biggest decline since it started keeping records in 1950.

However, what these proponents are neglecting to mention is that the NAA also found that online newspaper advertising revenue increased 19 percent last year.

Furthermore the NAA president and CEO John Sturm stated ''newspaper publishers are continuing to drive strong revenue growth from their increasingly robust Web platforms.'' This hardly sounds like an industry in irreversible peril if this longstanding rule remains in place.

Opponents of this resolution will also argue that the FCC crafted a very narrow revision, lifting the cross-ownership ban for only the top 20 media markets, so this resolution is unnecessary. However, the FCC also adopted ''four factors'' and two broad ''special circumstances'' that would allow this ban to be lifted for a station in any media market.

These scenarios and factors include evaluating financial condition, possible increased local news, as well as existing market media concentration, and news independency. Given the vagueness and loopholes that exist with the rulemaking, the ''high hurdle'' that the Commission has supposedly set for proposed combinations could be easily cleared by using only a stepladder.

Preventing further media consolidation has been a bipartisan effort, and the resolution before us today is no different. We must not allow the indispensable role the media plays in promoting diversity and localism to be further marginalized and miniaturized by unchecked consolidation within the industry.

We owe it to the American people to restore confidence in the FCC's commitment not only to uphold the public interest but to advance it and strengthen it. That is why it is undeniably incumbent upon the commission members to revisit these rules and establish a set of standards that will effectively promote localism and minority and women-ownership, not more media consolidation. I urge my colleagues to support this resolution.

Mr. MENENDEZ. Mr. President, today we are considering a critical

piece of legislation. The resolution of disapproval is critical to the diversity of our media and I would like to thank Senator DORGAN for his leadership on the issue. In December, the FCC pushed through new media ownership rules on a partisan three to two vote. The proposal strips newspaper-broadcast cross-ownership rules that have protected diversity for 32 years in the top 20 markets.

This proposal has been described by the chairman as a modest rules change. That since it is restricted to the top 20 markets, and since it only applies to television stations not in the top 4 in ratings in those markets, its some sort of compromise. The reality is that is simply not true.

To begin with, 44 percent of Americans live in the top 20 markets. This includes my State of New Jersey, which is split by two of the largest markets in the country. And there are a number of loopholes in the rule. Companies looking to consolidate either outside the top 20 markets or to purchase one of the 4 largest stations need only be granted a waiver from the FCC.

The standards for granting these waivers are vague at best. Here is an example: one of the standards a company must show in order for a waiver to be granted is whether the broadcast station has enough editorial independence. How does anybody quantify that?

The fact is there is no way to objectively judge the parameters Chairman Martin's rule requires to grant the waivers. This means that depending on who is running the FCC, a waiver can be granted in any market or for any station. As Commissioner Adelstein put it so appropriately, this proposal is nothing more than a wolf in sheep's clothing.

While the FCC devotes its resources to opening up more loopholes for consolidation, the commission has done virtually nothing to address the issue of minority ownership. The reality of diversity in our Nation's broadcast ownership is a far cry from the reality in which we live.

Despite making up 35 percent of the population and owning roughly 18 percent of all nonfarm businesses, minorities currently own only 3 percent of all broadcast TV stations.

It is in the best interests of our democracy that media ownership reflect the wealth of this Nation's diversity. As a public trustee of the broadcast spectrum, it is the responsibility of the FCC to advocate on behalf of women and minorities.

Yet this Commission under President Bush has failed in this pursuit. In fact, the FCC has so mishandled the issue, nobody even uses their statistics on minority ownership anymore. The best estimates we have on minority ownership have to come from outside groups because the FCC simply doesn't have accurate reporting numbers.

In 2000, the FCC released five studies conducted to help the commission comply with its own regulations that require the elimination of market-entry barriers for small business. These studies largely found that media consolidation negatively impacted minority ownership, and noted that minority owners face historic barriers to accessing capital from lending institutions to purchase broadcast outlets. But rather than act on these studies to address the underlying problems, the FCC took 4 years to even issue a notice for public comment.

So today we have a chance to overturn a misguided decision by the FCC. And we have a chance to tell the Commission that rather than spend their time on finding loopholes for major media corporations to buy up more outlets throughout our country, the FCC should be working to its charge as the trustee for America's airwaves.

Mr. INOUYE. Mr. President, I rise today in support of S.J. Res. 28, a joint resolution disapproving the Federal Communications Commission, FCC, rule relaxing newspaper-broadcast media cross-ownership.

Like many of my colleagues, I am deeply troubled by the FCC's rulemaking that would allow greater consolidation of our media. The media is a tremendous force in our society. It can inform, educate, and entertain, as well as nourish our democratic dialogue. Unfortunately, the media also has less savory powers.

In recent years, we have seen an increase in coarse and violent programming, coupled with a decrease in local news and hardhitting journalism. To say these trends are not in the best interest of the American people, and especially our youngest citizens, is clearly an understatement.

In addition, as corporate ownership over our media grows more concentrated, we see less and less of the diversity of our Nation. When programming is the same from coast to coast, our airwaves will no longer reflect the rich mosaic of our country and our citizens. Such a landscape should prompt the FCC to act with an overabundance of caution, but it has not.

Five years ago, the FCC substantially relaxed the rules that govern media ownership in this country. Millions of Americans contacted the FCC to complain. The U.S. Senate voted to support a ''resolution of disapproval'' in response to the FCC's decision. Next, the courts got involved, and the Third Circuit Court of Appeals shipped the agency's handiwork right back to the FCC.

In 2006, the FCC began a new rulemaking, and in November of 2007, the Commerce Committee held a hearing to discuss the effects of consolidation on localism and diversity in news and entertainment.

Over the following month, the Senate made clear to the Commission that it had serious concerns about the FCC's process and its apparent rush to issue a new rule. But on December 18, 2007, over the objections of Commissioners Michael Copps and Jonathan Adelstein, the FCC approved a relaxed set of ownership rules under which newspaper-broadcast cross-ownership is permissible in the top 20 markets.

I commend Senator DORGAN for introducing S.J. Res. 28, a joint resolution disapproving the FCC rule. I am pleased to join him as a cosponsor of this resolution. I hope that my colleagues will join me in supporting S.J. Res. 28.

Together we can send a strong and united message that media diversity is clearly in the national interest and that the U.S. Senate will defend that interest with all the tools at its disposal.

Ms. MURKOWSKI. Mr. President, I ask that I be recorded as voting no on S.J. Res. 28, a resolution disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership.

Mr. DODD. Mr. President, I rise in strong support of the resolution of disapproval of the Federal Communications Commission, FCC, recently issued rules on media cross-ownership. I want to commend my colleague from North Dakota for his leadership on this most important of issues. This resolution will nullify the ill-considered and hastily-passed rules pushed through by the FCC in December of last year.

Over the last several years, the effects of media consolidation have become extremely clear to the American people: Less local control and community-oriented programming; less independently produced programming; fewer divergent views and opinions; fewer minority-owned broadcast stations.

And now, the FCC has green-lighted further media concentration by voting to overturn a 32-year-old rule prohibiting the cross-ownership of newspapers and broadcast stations—a rule that could impact markets in which nearly half of the American public lives and works.

Put simply, the FCC rule change would harm local and independent owners and help big media owners. In particular, the change further disadvantages minority media owners. While such owners control a mere 3 percent of the Nation's commercial TV stations, as many as 90 percent of minority media owners would be subject to these new rules. Further consolidation will simply reduce the number of opportunities for minorities to enter the market while putting those already in the market more at risk of being forced out by larger media conglomerates.

The FCC argues that this rule is necessary to ''save'' the newspaper industry. But as an internal FCC study showed, despite all the stories we are hearing about newspaper cutbacks, publicly traded newspapers earn 16 to 18 percent annual rates of return. An internal FCC memo found the industry as a whole to be profitable. That is to say nothing of the fact that the FCC has given no compelling reason for it to be in the newspaper business in the

first place. The FCC regulates the broadcast airwaves—and it should remain that way.

Perhaps most disturbing is the way the FCC went about implementing this radical new rule. First, it completely ignored Congress's bipartisan bill, the Media Ownership Act, of which I am a proud cosponsor. Then it ignored the public. Indeed, the Chairman's proposed rule changes were first made public in an op-ed he published in the New York Times outlining the changes for the first time—which might have been helpful had the public comment period not already closed the day his column appeared.

Public comments are not merely a formality, Mr. President—they are a vital piece of the rulemaking process and an integral part of responsive, open government. Five years ago, more than 3 million Americans spoke out when the FCC voted without any public input whatsoever to allow a single company to own up to three television stations, a local newspaper, a cable system, and as many as eight radio stations in a single media market. In large part because of the public outcry, the courts overturned the rules.

Mr. President, it isn't more consolidation and homogenization the American people want from their media—it is less. No one can seriously argue that the consolidation of the media in recent years has been a good development for the fourth estate. As coverage has become increasingly superficial, people wonder more than ever about the quality of the information they are receiving from the media. And quite frankly, I do not blame them.

Must we act to ensure the strength and vitality of the American media in the 21st century? Absolutely. But that should be accomplished within an open and transparent framework as prescribed in the Media Ownership Act—a process that gives the public a voice in this fight. As the Senator from North Dakota has said, ''Localism and diversity of media ownership is vital in a democracy.''

Indeed it is, Mr. President. It is time to tell the FCC that this is no way to maintain a free, open and diverse media, and I urge all my colleagues to support this resolution of disapproval.

Mr. STEVENS. I yield the remainder of my time.

Mr. DORGAN. I ask the Senator from Washington to use the remainder of my time.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I rise, obviously, to encourage my colleagues here. This is an issue we dealt with before. While media consolidation might be good for Wall Street, it is not good for Main Street. The diversity of voices has been a key component to our society, and preserving them by making sure we don't have a consolidation of media is very important.

I urge my colleagues to disapprove of the FCC rule on media consolidation.

The PRESIDING OFFICER. All time has expired.

The question is on the passage of the joint resolution.

The joint resolution (S.J. Res. 28) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S.J. RES. 28

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the rule submitted by the Federal Communications Commission relating to broadcast media ownership (Report and Order FCC 07–216), received by Congress on February 22, 2008, and such rule shall have no force or effect.

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

The motion to lay on the table was agreed to.

MORNING BUSINESS

Mr. DORGAN. Mr. President, I ask unanimous consent the Senate now be in a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

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

The PRESIDING OFFICER. The Senator from Washington.

MEDIA DIVERSITY

Ms. CANTWELL. Mr. President, for those who may not have observed that voice vote, it was a very positive result for the voices of America supporting diversity. I want to spend a few minutes talking about this issue, to make sure we give it the due consideration that is important.

Mr. DORGAN. I wonder if the Senator from Washington will yield for a question. I have to leave the Chamber due to another event.

First, I thank the Senator from Washington. Senator CANTWELL has been unbelievably strong and supportive in getting us to this point of having passed the resolution of disapproval. We got it through the Commerce Committee. She was a leader in that effort. We now have voice voted it. It has passed the Senate.

I did want to say, as I said earlier, the issue here is simple. We have far too much concentration in the media. The Federal Communications Commission, at least the Chairman and two others who have been members, have become cheerleaders of more concentration. That means less localism. It means your local radio station, in many cases your television station, other media outlets, are run by somebody living 1,500 miles away, running homogenized music through a radio station having nothing to do with covering the local baseball team or news events. I think this moves in exactly the wrong direction. I believe there needs to be more localism and I think there has to be a procedure on localism at the Federal Communications Commission. There need to be public interest standards with respect to broadcasters that do not now exist. The standards have been emasculated. We have a lot to do to put this back on track.

Suffice it to say, the FCC was anxious to move in the direction of more consolidation, allowing newspapers to buy up television stations. We have had a ban on that for three decades. We prohibited the cross ownership in a market. The reason we have done that is pretty simple: We don't want there to be only one or a couple of dominant voices in a market. We want there to be many voices.

That is what our purpose is, to bring this resolution of disapproval. It is unusual to do this, but we did it. It got through the Commerce Committee, now through the Senate. It says to the Federal Communications Commission, get things right, do things right, don't truncate these things and cut the American people out of this process.

We have also said today we believe this is moving in the wrong direction. Everybody says there are more voices out there in the Internet and cable channels and so on. More voices but the same ventriloquist. We had one person testify from Los Angeles who came and said in my office we have 48 cable channels. I went through who owns the channels—42 of them are owned by the same few companies and that is the problem with concentration.

I again thank the Senator from Washington. She has done a great job and I am proud to work with her and Senator SNOWE especially, on the other side, and Senator Lott when he was here, to accomplish this result.

Ms. CANTWELL. I thank the Senator from North Dakota. The praise should go to Senator DORGAN for his leadership on this issue for the last year-plus time, continuing to make sure the Senate holds the FCC accountable for their actions, trying to pass a rule on media consolidation when they know there have been dissenting views all across America about this issue. Certainly there has been a dissent from the Senate.

The ownership of broadcast and print media does touch on some of the core values Americans hold for freedom of speech, open and diverse viewpoints, to have vibrant economic competition from a variety of sources, and local diversity.

Attention to diversity and localism has served our economy well and has also provided us a good civics lesson. These opportunities—when we hear from small companies, when we hear from minorities, when we hear from women—are the types of diversity we want to protect. We did that tonight.

The diversity in media does energize our democracy. Viewpoint diversity that comes from the various views that

can now be expressed are key to making us a stronger nation.

Having independent sources of news helps citizens to take opinions, not just locally but nationally and even globally. That is why I am glad we stopped the FCC from moving forward on their media consolidation proposal.

I remind my colleagues of the history here because I have a feeling this issue may come up again. Back in 2002, the FCC initiated its biennial review process, announcing the agency would fulfill and review the full range of broadcast ownership rules, but the announcement of the review was the only thing that was truly conducted in public.

On June 23, 2003, on a 3-to-2 party line vote, the FCC issued its new rules on media consolidation. Then-Chairman Powell did not issue the proposed rule for public comment prior to the vote.

The reason I am bringing this up is because what ensued is millions of people sent e-mails and weighed in with postcards and petitions to oppose the rule. In fact, the Senate sent a very clear message to the FCC at the time invalidating that proposed media consolidation proposal.

The Third Circuit Court of Appeals reviewed the FCC decision from 2003 and they determined it was ''not supported by reasonable analysis.''

What happened after that? Obviously there were a lot of people in loud chorus saying they disapproved of the FCC's action to further concentrate the media in this country. In 2007 the FCC passed the new media ownership rule, barely a month after it was proposed, allowing for little public comment and for even less time for consideration of the comments that came in. I know Chairman Martin likes to talk about allowing public comment for over 120 days and 6 hearings around the country, but all of that was done before the rule was even out there in public, what the actual changes would be.

In one example, they came to Seattle on November 9 and I think we had a mere 1-week notice for that. They had the meeting on a Friday afternoon. I think it was a 3-day weekend. Maybe they thought no one would show up, but it does not take a lot of notice in Seattle to get people to show up for a hearing about media consolidation, so 800 people showed up and spent 9 hours letting the Commission know their thoughts on what they thought the impact of increased media concentration would be.

It would hurt competition. It would lessen diversity. It would impact localism and was not in the broader public interest. I know Chairman Martin received an earful in Seattle, but clearly he didn't pay much attention to what we said, because a few days later he proposed new media ownership rules. They were released in a November 13 op-ed piece, I think in the New York Times, in a Commission press release.

So what we are saying is we do not like the process which the FCC pursued in not having the broadest public comment in this, and also when it looks at some of the issues that were discussed in trying to validate why the Commission continues to try to push for media consolidation.

I think it is very important. We have seen a pattern emerge. We see economic studies from the Commission where they cannot hold up to peer review, where data are not supportive of the predetermined conclusions that the FCC had, and that maybe they were ''checking the box'' when it comes to these public hearings and maybe giving mere lip service to localism and to women and minority ownership issues.

So all of those issues are going to continue to be duly noted by the Commerce Committee, and certainly we are going to continue to fight on this issue. The FCC media ownership rules were created decades ago to foster these longstanding goals that our country has to promote competition, to promote localism, to have diversity of voices.

The courts and industry experts and elected officials of all ranks across America have come together in an overwhelming chorus saying ''no'' to the FCC move to try to further consolidate the media.

I am glad my colleagues tonight as well disapproved of their action so we can continue to have the diversity of voices in America that I believe my constituents and Americans all across this country deserve.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

THE 100TH ANNIVERSARY OF THE NATIONAL GOVERNORS ASSOCIATION

Mr. CARPER. Mr. President, I want to say a few words on the 100th anniversary of the National Governors Association.

I especially want to thank my friend and colleague Senator DURBIN for yielding to me to speak first this evening.

It was 100 years ago today that the first meeting of our Nation's Governors took place. In recognition of the National Governors Association's Centennial today, I, along with a number of my colleagues, including Senator VOINOVICH of Ohio and Senator ALEXANDER of Tennessee, have submitted a resolution commemorating the 100th anniversary of the National Governors Association.

It is my hope we will be able to clear this resolution honoring the 100th anniversary this evening. As former Governors currently serving in the Senate, Senators BAYH, BOND, GREGG, and BEN NELSON will also be joining myself and Senator ALEXANDER, along with Senator ROCKEFELLER, in sponsoring this resolution.

If you think about it, that is all of the former Governors who now serve in the Senate and who were at one time members of the National Governors Association. I was privileged to serve, along with Senators VOINOVICH and ALEXANDER, as chairman of the National Governors Association at one time.

It is a special privilege for me to take a moment to reflect on the organization's growth and its accomplishments over the last 100 years. On May 15, 1908, 100 years ago today, President Teddy Roosevelt hosted the first meeting of our Nation's Governors at the White House. They gathered to discuss conserving America's natural resources.

Now, 100 years later, the Federal Government is still working with our Nation's Governors in an ongoing effort to protect America's natural resources through conservation provisions such as the farm bill that we adopted here today or addressing climate change or protecting our air through legislation such as the Clean Air Planning Act.

Today, 100 years later, the National Governors Association serves as the collective voice of our Nation's Governors and remains one of Washington, DC's most respected public policy organizations.

Through this bipartisan organization, Governors are able to identify and discuss a broad range of issues relating to public policy and to governance. I have long said the 50 States are laboratories of democracy, and we should use them as such, and we do.

Today we do that. From the redwood forests to the gulf stream waters, initiatives and policy recommendations that have come from the Governors often serve as catalysts for change both in the States and at the national level.

I was Governor of Delaware back in 1995 when Congress was actively debating how to reform a failing Federal welfare program, trying to decide how do we make work pay more than welfare. Without solutions coming from the Congress, the States had already begun taking reform efforts into their own hands. Over half the States, including my own State of Delaware, and I believe the State of Vermont, had made significant changes to their own welfare programs by seeking waivers from the Federal rules.

Many of the welfare policies and practices tested by States were ultimately adopted by the Federal Government in the sweeping 1996 welfare reform legislation passed by the Congress and signed by President Clinton, which the Governors helped to write.

As with welfare reform, the National Governors Association has played and continues to play a key role in developing national policies ranging from

transportation to education, to environmental protection and health care, to name a few.

In the 1950s, President Eisenhower enlisted the Governors' help to help build our very first interstate highway system. The State-Federal partnership forever changed the face of transportation in America and underscored how critical States' participation has been to realizing national goals.

The same is true of Medicaid and the SCHIP program, the State Children's Health Insurance Program. The same is true of the implementation of the Clean Air and Clean Water Acts, and as we fight wars in Iraq and Afghanistan, the National Guard units of all 50 States.

Over the past century, the National Governors Association has played a key role in shaping public policy and addressing America's most pressing challenges. On behalf of each of the former Governors who are privileged to serve today here in the Senate, it is my honor to acknowledge the leadership of Governors both past and present, to celebrate what they have achieved over the last 100 years by working together, and to look toward with anticipation of what lies ahead for our Nation's National Governors Association and for the Governors who will help to lead it in this century and beyond.

If I could just add a footnote, I always think of the States as laboratories of democracy. We can test policies or programs to see if they work at the State level, and if they do, maybe see if they would work on a national level.

One of the things I especially liked about being part of the National Governors Association was that every even-numbered year, right after the election in mid-November, the National Governors Association would host a school for new Governors and spouses. For 3 days, a different Governor would host in his or her State the NGA's school for new Governors and spouses. The students were the newly elected Governors who had been elected 2 weeks earlier. They were Democrats and Republicans, in some cases an Independent. The faculty were the current Governors and their spouses. We would spend 3 days together. Usually, it was as many as 20 Governors and spouses on faculty.

We would spend those 3 days together in different places around the country—no press, very little staff. The idea was for the grizzled veterans to really bare our souls to the new guys and gals, incoming Governors, and tell them the mistakes we made and to say to them: Learn from our mistakes. Don't make the same ones we did, whether it is putting together your team, developing your communications plan, working with the legislature, deciding where you are going to live and trying to be a chief executive and still be a good parent, a good spouse. But during those 3 days we spent together, a remarkable bonding occurred between the old Governors, the veterans, and the new Governors, and across party lines. I am convinced one of the reasons why the Nation's Governors tend to be less partisan is what happens in new Governor school.

Among my closest friends are Governor Mark Racicot, former Governor of Montana, who later went on to be national committee chair and general campaign manager for President Bush's reelection; Mike Leavitt, former Governor of Utah, who succeeded me as chair and who serves today as a Cabinet secretary in this administration. What we have tried to do in the Senate, those of us who used to be Governors who serve here today but went through new Governors school, is take that idea and transplant it here. I call it Senators school. It is really orientation.

This fall, in November, 2 weeks after the election, we will have new Senators, newly elected Senators, their spouses will come. They will spend 3 days together; some sessions with spouses, others not with spouses. The faculty will be current Senators and our spouses. We will have 3 days to get to know each other, to try to teach the new guys and gals the ropes and to begin to develop new personal relationships that really are needed here to make this place work. I look forward to being a part of doing that this November. But the idea was one of those ideas that came from the National Governors Association.

Again, the NGA and the States are laboratories of democracy. Taking that lesson and applying it here on the national level will have good effect.

I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 568 submitted earlier today by yours truly.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 568) commemorating the 100th anniversary of the founding of the National Governors Association.

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

Mr. CARPER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to the resolution be printed in the RECORD.

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

The resolution (S. Res. 568) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 568

Whereas, in 1908, President Theodore Roosevelt invited the Nation's Governors to the White House to discuss conserving America's natural resources;

Whereas the Governors decided to form an association through which they could continue to come together on a bipartisan basis to discuss mutual concerns and share State practices;

Whereas, 100 years later, the National Governors Association serves as the collective voice of the 55 Governors of States, commonwealths, and territories;

Whereas, for the past century, Governors have utilized the organization to explore issues, develop solutions, and build consensus on diverse national policies;

Whereas the National Governors Association has played a key role in shaping public policy and addressing America's most pressing challenges; and

Whereas the National Governors Association is celebrating 100 years of gubernatorial leadership—honoring the past, celebrating the present, and embracing the future: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the leadership of the Nation's Governors and honors their contributions to American politics and society; and

(2) commemorates the 100th anniversary of the founding of the National Governors Association.

The PRESIDING OFFICER. The Senator from Ohio.

ARMED FORCES DAY

Mr. BROWN. Mr. President, tomorrow we celebrate Armed Forces Day. Communities across my State, from Van Wert to St. Clairsville, from Sandusky to Ironton, will pause to honor the service and sacrifice of the men and women in all branches of the military service as they and we celebrate Armed Forces Day.

I have held close to 100 roundtables around my State where, in many of them, I had the opportunity to speak with dozens of these honorable man and women. Those conversations reinforced my profound respect for their unstinting bravery, their unshakable sense of duty, and their unwavering commitment to our national security.

Not long ago, at Walter Reed I visited two Ohio marines recovering from wounds suffered in Iraq. I asked each of them what was the first thing they thought about when they realized they were wounded. Both marines, independently of one another, said: ''Can I stay in the Marines.'' That simple statement speaks volumes about our men and women in uniform.

Armed Forces Day is an opportunity to honor our troops, an opportunity to honor the sacrifices they and, equally importantly, their families have made to protect our Nation, and an opportunity to honor the promises our Nation has made to repay their services and sacrifices. That is so important. We are stewards of those promises. We have a responsibility to work every day, against opposition sometimes, to ensure that our Armed Forces receive the wages and benefits and services they have earned. Honoring our troops should be more than sentiment. It should be action. When we make promises to our troops, we should keep them. They most certainly have kept their promises to us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I join the remarks of the Senator from Ohio acknowledging the great contribution made to America by our men and women in uniform. I hope we can honor their service, not only by providing for them while they are at war but providing for them as well when they come home. I am sure the Senator joins me in believing that a new GI bill which will provide for those returning soldiers is a fitting tribute to their service and a great investment in our future.

Our initial GI bill after World War II was born in conflict. After World War I, those returning soldiers marched on Washington time and again, demanding some payment for their service to our country. They were rebuffed and even attacked at times by our then Army in uniform. By the Second World War, we understood that we owed a great debt to the 16 million men and women who served, and 8 million of them took advantage of the GI bill.

That GI bill was groundbreaking and revolutionary. It paid for their tuition, their books, their room and board, as well as a monthly allotment so they could go to school. Those graduates of the GI bill became the thriving middle class of America that built our great Nation in the late 1940s, 1950s, and 1960s. It was the greatest single investment in returning soldiers in our history, and it should be replicated.

Those who honor the armed services should also honor them when they come home, to make sure they receive all the health care and benefits promised and are given a chance to have a full life after having served our country so well.

I am happy to identify myself with the remarks of the Senator from Ohio.

REPUBLICAN FILIBUSTERS

Mr. DURBIN. Mr. President, I also want to say that this has been a week when we have achieved a few things in the Senate but not nearly enough. We started off the Senate with a historic occasion, one which is not likely to be remembered by great historians but should be remembered by all who follow the business of the Senate. As of this week, the Republicans, the minority in the Senate, have now engaged in 71 Republican filibusters. A filibuster is an effort to stop the business on the floor of the Senate or at least to slow it down. It is a time-honored tradition in the Senate, but it is a tradition which has not been overused until this session of Congress.

In the entire history of the Senate, the total number of filibusters in any 2-year period, the maximum, was 57. So far in this 2-year period, the Republicans have engaged in 71 filibusters, and, of course, we have another 6 or 7 months to go in this session of Congress. It is clear that their ambition is to stop the Senate from addressing the major issues facing our Nation, or at least to slow us down to a crawl.

We have what we believe are good ideas and good proposals to deal with the high gasoline prices facing America's families and businesses, farmers and truckers. We have good proposals to deal with tax breaks for working families so they can meet the needs of their families with escalating prices for food and health care and daycare and the cost of daily living. Again, the Republicans have done their best to slow us down, if not stop us.

It reached a point several weeks ago that was nothing short of ridiculous. The Republicans initiated a filibuster to slow down the consideration of a bill known as a technical corrections bill. That is a bill that takes care of spelling and grammar errors. They engaged in a filibuster to slow down the Senate so it would take us a whole week to finish a technical corrections bill. When we finally reached the point and asked them for amendments, they had three or four that could have been dispensed with quickly.

They are dragging their feet and slowing us down with this record number of filibusters. But that isn't it alone. There is also a device in the Senate known as a hold. Most every Senator has used a hold, either on a bill or a nomination. Some of the holds that have been applied recently are so-called secret holds. Senators don't step forward to identify why they have held up a nomination or bill.

I have used holds. I am currently using those. But I have been very public about it. I have said exactly why I am doing it and the conditions for my releasing the hold. For example, when the Department of Justice wanted the approval of the Deputy Attorney General Mark Filip, a good man from Chicago, I said I would hold his nomination until I had received responses to questions I had submitted to the Department months before. Well, to his credit, Attorney General Mukasey moved on it extremely quickly. Within 48 hours, I had the answers and withdrew the hold immediately as promised. I am sorry it reached that point, but after waiting months, I didn't know another way to turn to get answers to important questions. So holds can be used effectively and honestly and openly.

Then again, there are holds that have been applied that I think are almost impossible to explain or justify. For example, one of the Senators on the Republican side has put a hold on a bill which was not controversial and very bipartisan, which would establish in the United States a national registry of those who are suffering from a disease known as ALS, or Lou Gehrig's disease. It is a terrible, debilitating disease. It was the hope of the sponsor, Senator HARRY REID of Nevada, that we could establish this registry and move even closer to finding the cause of this disease and perhaps lead to a cure. It was certainly a high-minded and sensible approach to a very serious medical condition affecting thousands of families across America.

One of the Senators from Oklahoma on the Republican side put a hold on this bill—in other words, stopped us from calling this bill for a vote. That is extremely unfortunate. There is nothing controversial about this bill. He should reconsider that hold. But it is not the only one.

PEPFAR REAUTHORIZATION

Mr. DURBIN. Mr. President, I rise this evening to speak for a few moments about another hold that has been placed on critically important legislation.

Anyone who follows what we do here on the floor of the Senate or in the House of Representatives knows that many of us on the Democratic side have disagreed with President Bush as to his policies. Over the last 7 years, there have been ample opportunities to vote against the President's policies, whether it is on the invasion, the war in Iraq, or economic policies that brought us to this sorry stage of the American economy, with working families struggling to pay their bills and to survive.

I have opposed President Bush's economic policies and many other things during the course of his administration. But there was one moment I can still recall when the President gave a State of the Union Address and announced that the United States would try to lead the world in dealing with the global AIDS epidemic. On the Democratic side, I joined many of my colleagues, standing and applauding President Bush for that announcement. Though I may disagree with him on many issues, I salute him for his special efforts to deal with the global epidemic of AIDS and tuberculosis and malaria.

The President established a program known as the President's Emergency Plan for AIDS Relief, commonly known as PEPFAR. This important program is up for reauthorization so that it can continue to save lives across the world.

They have renamed it in honor of two men who served in the House of Representatives—one a Democrat, Tom Lantos; the other a Republican from Illinois, Henry Hyde. It is known as the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act.

The Senate Foreign Relations Committee considered this bill and passed it out 18 to 3—an overwhelming bipartisan vote. Our colleagues in the House passed a similar measure with an overwhelming vote at the end of March of this year.

The President has urged Congress to send him the bill before the end of the year. President Bush takes great pride in this bill. He believes it is one of the hallmarks of his tenure in office and administration. I join him. I think it is his most positive achievement as President of the United States.

The purpose of this bill is to prevent 12 million new infections; support

treatment for at least 3 million people; provide care for another 12 million, including 5 million very vulnerable children.

That kind of assistance helps to save lives, and it is an important step not only from a humanitarian viewpoint but also to alert the world as to our real values in America. We are in a struggle across the world now. Many of our harshest critics paint a picture of the United States that is not close to reality. This kind of legislation, where the United States puts investment in the health care of people around the world, tells the right story about who we are and what we believe.

There is a sad ending, regrettably, as is too often the case in the Senate. This bill—despite the President's support, despite broad bipartisan support in the House and the Senate—is being blocked by several Republican Senators. Seven of my colleagues across the aisle, who have publicly identified themselves, have stopped the consideration of this bill to deal with the global AIDS epidemic. Those Senators are Senators COBURN, DEMINT, SESSIONS, CHAMBLISS, VITTER, BUNNING, and BURR.

Now, former Bush speech writer, Michael Gerson, issued a scathing criticism of this Republican hold in a recent article in the Washington Post. I quote him when he says:

> It is the nature of the Senate that the smallest of minorities can impede the work of the majority. But it takes a conscious choice—an act of tremendous will and pride—for members to employ these powers against an AIDS bill with overwhelming bipartisan support.

Mr. Gerson is right. I appreciate and share his sentiments and the frustration that comes with them.

There is broad bipartisan support for this measure. There are literally lives on the line. The President says we need it. Who would disagree? Virtually all of us on both sides of the aisle have applauded the President's efforts and voted for funding the PEPFAR program. Our ability to save the lives of millions of people around the world depends on a parliamentary maneuver in the Senate, where seven Republican Senators have put a hold on a bill to try to fight the global AIDS epidemic.

Many of my friends on the other side of the aisle support this bill enthusiastically. Even those with concerns about it are willing to concede this has been a remarkably successful program.

Since 2003, when we were treating only 50,000 people in sub-Saharan Africa, the PEPFAR and Global Fund now reach nearly 2 million people, primarily on the continent of Africa. That is an amazing record of progress in 5 years. That has literally changed the situation in Africa.

I went to Africa 7 or 8 years ago and did not go looking for the global AIDS epidemic. But you could not avoid it. Everywhere you turned, in every country I visited, terrible stories were being told about the people who were dying, how it was necessary to hire two teachers for every grade in school because one was likely to die before the end of the school year. It was awful. There was no hope. People would not go for tests to see if they were positive because learning that information led them nowhere—just the knowledge of impending doom.

Well, Mr. President, that has changed. Because of PEPFAR and the Global Fund, because of the efforts of the Gates Foundation, because of the efforts of former Presidents Bill Clinton and George H.W. Bush, we now find medications and treatment available in Africa. People are going forward to be tested so they do not unnecessarily expose someone else to the disease and so they can seek treatment at an early stage and live a long life.

The world has changed in Africa because of this program. But the program is about to expire, and these seven Republican Senators are standing in the path of reauthorizing that program.

When they were asked why they opposed this program being reauthorized, one of the Senators argued that it has gone beyond its original mission of treating AIDS and now is dealing with other issues. This critic of the program, my Senate colleague, called it ''mission creep.'' I wish that Senator could go to Africa and see it firsthand.

To argue that adding nutrition, safe water, and sanitation programs, treatment of tuberculosis and malaria, and protection of vulnerable populations is somehow beyond the scope of the original bill is to ignore reality.

I went to a portion of Nairobi, Kenya, to one of the larger slums, which has some 600,000 people and a rampant AIDS epidemic. Well, it is being treated with drugs and testing, and we are making some progress, but they took me to a small area where a group of parents who were infected with HIV were sitting and watching their children play.

I looked on as several of the women who were sitting there looked as if they were about to die, they were so emaciated. I said to the person with me: It is a shame they didn't have access to the drugs. The person said: They have access to the drugs. They are taking the drugs. They just don't have access to food.

These drugs don't work on a hungry person and an empty stomach. So when the critics of this PEPFAR reauthorization argue against food and nutrition as part of the program, they are ignoring the obvious. If you want to treat a woman with a child, and you want the drugs to work, she needs basic nutrition. That has to be part of the program. It does no good to give these drugs to a starving, dying person.

Maintaining the status quo, as some of my Republican colleagues who oppose this bill prefer, would deny the progress we have made under President Bush. This bill creates a program that is sustainable and maintains our essential leadership role in the fight against AIDS, TB, and malaria.

Some on the other side may disagree, and let me tell you, it is their right to disagree. But I think the honorable thing to do, the right thing to do, is to bring their disagreement to the floor and to offer an amendment. If they want to change the program, so be it. That is why we are here. We should consider the merits of their amendment and vote it up or down. Then, depending on the outcome, they can decide whether they want to vote for or against the bill.

But to hold this bill indefinitely, when 12 million lives hang in the balance, I have to agree with Mr. Gerson, it is a conscious decision—as he said: ''an act of tremendous will and pride.''

I urge my Republican colleagues: Please, please reconsider this hold. I find it very difficult to understand how some of these same colleagues can go to our Prayer Breakfast regularly and pray for the poor and suffering in the world and come to the floor of the Senate and put a hold on a bill that would provide nutrition and drugs to people who will die without it. I do not understand that. I hope they will reconsider.

Recently, President Bush traveled to Africa. He was greeted with great warmth and hospitality by a continent grateful for his efforts in the fight against AIDS. The Senate should not turn its back on what the President and America have achieved. We should move quickly to reauthorize the U.S. commitment to global AIDS relief. The efforts of these seven Senators holding this important bill should not stop us from doing the right thing for the millions of people around the world whose lives literally depend on it. I am going to urge my colleagues, as often as I can, to drop this hold on this bill to allow the Senate to debate and pass this important legislation.

TRIBUTE TO LUCY AND ROSA TREVINO

Mr. DURBIN. Mr. President, this past Sunday—Mother's Day—Barbara Mahany, a reporter for the Chicago Tribune, wrote a touching front-page story about Rosa Trevino, a mother who never gave up on her daughter, Lucy.

Born with a rare genetic degenerative disease, spinal muscular atrophy, Lucy Trevino was determined to win a degree in bio-engineering from the University of Illinois at Chicago.

Her quest would have been physically impossible if her mother had not been by her side for every class, every lab, every study session, and there to turn every page of her daughter's textbooks when Lucy's arms were too weak.

On Saturday, Lucy Trevino overcame the greatest obstacles and earned her degree. And Rosa, in reporter Barbara Mahany's words, taught us ''all a lasting lesson of a mother's love.''

At Lucy's commencement, the dean of UIC's engineering college stopped the ceremony to tell the members of the Class of 2008 about Lucy's persistence and Rosa's devotion. He said he

could barely get the words out without bursting into tears. When he finished, the entire audience rose and delivered a thunderous 2-minute ovation.

Spinal muscular atrophy is a progressive disease that withers the muscles that control the legs, arms and lungs. It can make breathing a struggle and make turning the page of a heavy book nearly impossible. But it leaves the brain and the mind untouched.

Lucy Trevino was 4 years old when she was told she had the disease. She started using a wheelchair when she was 9.

It was during countless visits to neurologists and orthopedic surgeons when she was a child that Lucy first became fascinated by science. During medical tests, she says, she used to wonder, ''How do those devices work?''

During her senior year in high school, she learned about a summer camp in bioengineering at UIC and immediately signed up. And she was hooked.

The following fall, Lucy Trevino became the first person in her family to go to college.

For her major, she chose bioengineering—one of the toughest programs in the engineering college.

Now, the prospect of years of studying such complicated subjects as thermodynamics and circuit analysis would be daunting for almost all of us. For Lucy, college presented special challenges.

You see, Lucy often needs help performing even such simple physical tasks as dressing, brushing her teeth, and cutting her food.

It takes her twice as long as other students to write up her labs because just moving a pen across paper can be hard sometimes.

At first, Lucy wasn't sure she could even go to college because UIC doesn't have a personal assistants program to help students with disabilities.

One day, as the start of Lucy's freshman year grew near, her mother Rosa asked, ''How would you feel if I went with you?''

Rosa had never even attended high school. But she had vowed years earlier that she would do whatever she could to see that her first-born daughter was never held back by her disease.

So every day, every semester for the last 6 years, Rosa was by Lucy's side.

Five days a week, mother and daughter took the CTA train from their home in Cicero to the University of Illinois at Chicago.

They became a familiar sight on campus: Rosa pushing Lucy's purple wheelchair. Rosa ordering for Lucy in the cafeteria line because Lucy's voice is sometimes barely louder than a whisper.

And there was Rosa, sitting a few feet behind Lucy in class, copying recipes or cutting coupons—always watching to see if Lucy needed a drink of water, or help turning a page. She sat through more than 2,100 hours of lectures in 51 different classes.

Pete Nelson, interim dean of UIC's engineering college, told the Tribune's Barbara Mahany, ''Lucy's story is about the sacrifices our mothers make for all of us.''

Michael Cho, who teaches mostly graduate engineering courses at UIC, has come to know Lucy and Rosa and is in awe of them.

Of Rosa's devotion, he says, ''The first thing that comes to my mind is this can't be anything else but a mother's love. It goes beyond commitment. It is sacrificial love. And I am just overwhelmed. It's not just 1 month or one semester. It's every day for 4 years.''

In fact, it took Lucy Trevino 6 years to earn her degree. Serious health challenges forced her to take a break from school in her junior year.

Last year, a student told Lucy that she had felt like skipping class, but she thought of Lucy and told herself, ''There's Lucy, she's always here. There's nothing wrong with me. I'm just lazy.''

Lucy was amazed anyone noticed her.

Another of Rosa's four children, Lucy's younger brother Hugo, also has spinal muscular atrophy—SMA—and uses a wheelchair. He is studying architecture at the University of Illinois Champaign-Urbana.

As much as Rosa would like to see Lucy and Hugo walk, she says she knows that God is good. She explains: One daughter can walk, one can't. It's the same with her two sons. What she can't see in one child, she sees in the other. And she sees in each child special talents.

In a few weeks, Lucy will go back to school to take one more class so she can complete a math minor. After that, she says, she would like to study law and become a patent attorney.

I hope Rosa is ready for law school. Because I suspect that once Lucy makes up her mind to do something, there's no holding her back.

Rosa Trevino is one of our new Americans who came to this country from Mexico 30 years ago, when she was 17.

This past Saturday, the day of Lucy's commencement, was Mother's Day in Mexico.

When Lucy received her cherished degree, she gave her mother a gift she had ordered months earlier: a formal-looking ''Certificate of Gratitude.'' It read: ''Thank you for all your love and support. I would not be where I am today if it wasn't for you. I feel so grateful to have you in my life. Today is my day, but I dedicate it to you.'' It is signed, ''Lucy Trevino.''

And on behalf of the Senate, I want to congratulate Lucy Trevino on her amazing accomplishment, and thank Rosa Trevino for her inspiring example of a mother's love.

Mr. President, I ask unanimous consent that the full text of the Chicago Tribune article about Lucy and Rosa Trevino be printed in the RECORD.

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

[From the Chicago Tribune, May 11, 2008]

LUCY'S MOM WAS THERE

(By Barbara Mahany)

Lucy Trevino's mother cuts peanut-butter-on-whole-wheat into bite-size squares, unscrews a strawberry-kiwi juice and holds the bottle to her daughter's lips so Lucy can get through lunch and make it back to class.

She riffles through Lucy's lavender backpack to find the lab report for BioE 494, bioengineering-based physiology. When the cell phone rings, she holds it to her daughter's ear. She zips her coat. Dabs a tissue to her nose.

And before all this, she has slipped her into jeans, tied her shoes, smeared toothpaste on her toothbrush and combed her thick black hair into a perfect ponytail. Lucy Trevino's mother was right behind her firstborn daughter all through college—sometimes shoving through mounds of snow, or up an icy ramp if her motorized wheelchair balked. When they got stuck, her mother pulled out her cell phone to call maintenance and ask if someone could please come clear the walks. Over the last six years, Rosa Trevino also became fluent in the CTA's Blue Line and Pink Line, as the mother and daughter made their way five days a week from home, a red-brick two-flat in Cicero, to the University of Illinois at Chicago.

Lucy Trevino graduated Saturday from UIC with a degree in bioengineering, and the dean stopped the commencement of the Class of 2008 to tell of the Trevinos' triumph. He barely made it, he said, without breaking into tears.

For the six years it took to get through one of the most rigorous programs in the College of Engineering, it was Rosa—a tad shy and always thinking two steps ahead—who got her daughter to every class, lab and study session. She knew which text and notebook to lay on Lucy's desk. And she turned the pages when a heavy book tired Lucy's hands.

For two or three hours, as Lucy absorbed lectures in calculus or thermodynamics or circuit analysis, Rosa sat not far away, just in case Lucy needed a sip of water or began choking.

Lucy, who is 24, was told she had a rare genetic degenerative disease, spinal muscular atrophy, when she was 4. SMA is a progressive disease that withers the muscles that control the arms, legs and lungs, and can make breathing a struggle.

Lucy's type of SMA usually takes away your ability to walk by the time you're in your teens—she began using a wheelchair at age 9—but unlike some other types, doesn't necessarily affect life span.

Lucy, who is the oldest of four, has a younger brother, Hugo, who has the same disease. He, too, uses a wheelchair; he's a freshman at the University of Illinois at Urbana-Champaign, studying architecture.

PARENTAL DEDICATION

''Lucy's story is about the sacrifices our mothers make for all of us,'' said Pete Nelson, interim dean of UIC's engineering college. Trevino's teachers, he said, ''were pounding down my door'' to ask for some recognition for this mother-daughter feat of unconditional devotion.

At UIC, where nearly a third of the students are the first in a family to go to college, Nelson said it's not uncommon to hear tales of parents working two or three jobs, sending money from overseas and just plain struggling so their kids can get what parents weren't afforded.

''But this is sort of the pinnacle in terms of the amount of dedication,'' Nelson said. ''This is what makes this business worthwhile.''

One of the professors pounding on Nelson's door was Michael Cho, who teaches mostly graduate courses in cell and tissue engineering, but who has gotten to know—and has been amazed by—the ubiquitous mother-daughter duo, so often spotted wending their way up a ramp, on or off an elevator, or tucked away studying in some secluded corner.

''The first thing that comes to my mind is this can't be anything else but a mother's love,'' Cho said. ''It goes beyond commitment. It is sacrificial love. And I am just overwhelmed. It's not just one month or one semester. It's every day for the last four years that I can think of.''

In fact, it's six years, because Lucy had to take time off when she got really sick her junior year; she suddenly couldn't lift her arms and was quickly losing memory.

It took months before a sleep test showed she stopped breathing 30 times an hour when she was asleep. She now sleeps with a machine that helps her breathe, and, within a week of using it, she said, she regained her memory, if not her arm strength.

''Ever since I was little, I loved science,'' said Lucy, who shares her mother's deep cocoa-colored eyes and rolls around campus in a purple wheelchair with back wheels that sparkle, like fireworks, with tiny neon bits. ''Because I went to doctors a lot and had a lot of medical exams, I would always wonder, ''How do those devices work?' ''

In her senior year at Morton West High School in Berwyn, Trevino learned from a counselor about a summer camp in bioengineering at UIC, so she signed up, and found her life's work.

She once dreamed of working to find a cure for her own disease, but decided ''it would be too stressful if I couldn't find it.''

The first one in her family to ever go to college, Lucy Trevino said she was ''too afraid'' to venture down to the U. of I. in Urbana-Champaign, where there's a whole dorm for students with disabilities, and the nation's oldest college-level disabilities-services program provides trained personal assistants, physical therapy, even wheelchair repairs.

''I didn't know if I should risk going all the way down there,'' she said.

Sticking closer to home seemed like a better plan. But because UIC doesn't have a personal-assistants program, she was stuck trying to find someone who could help her in a thousand little ways and be there whenever she needed.

''In college, you have such a crazy schedule. You stay after to study with other students. You need to talk to a professor. I was like, 'Oh, my gosh, how am I going to find someone who's going to put up with all of that?'

''My mom was like, 'Well, I guess I'll just go with you.'

''And then it was getting closer to the start of the first semester, and I still hadn't found anybody. She said, 'How would you feel if I went with you?' I was like, 'Oh, my gosh, would you?' ''

Because Rosa Trevino, who is 47 and moved from Mexico when she was 17, had two children with special needs, she had long since become a stay-at-home mom, giving up a series of baby-sitting jobs. Rosa's husband, Hugo, retired last year after 32 years as a CTA bus driver. Rosa herself had never even been to high school.

On the day back in 1987 when doctors said her little girl would ''someday need a wheelchair,'' Rosa recalled, crying at the memory, she promised herself she would do ''everything I can.''

MOTHER KEEPS BUSY

Even if that meant sitting through more than 2,100 hours of 51 classes, countless study sessions and hour-long train rides, back and forth, each day. Most often, Lucy said with a laugh, her mother spends time cutting recipes and coupons, because she gets bored with all the bioengineering in a language she doesn't fully understand.

At first, Lucy admitted, going to college with her mother wasn't exactly without its bumps.

''I had never spent so much time together with my mom. We would sometimes get on each other's nerves,'' she said, chuckling. ''But then we got to know each other really well. We're like best friends. Now I tell her everything. Before I wouldn't tell her everything that happens when you have a disability. People who aren't in a wheelchair can't understand. But now, since we do everything together, she knows.''

Semester after semester, year after year, Lucy and her mother found a way. She passed 400-level exams. She wrote up labs that took her twice the time of everyone else, simply because the pushing of a pen on paper is so hard for her.

Once, a civil engineering professor noticed that because of Lucy's wheelchair, she couldn't write on her desk. He challenged her to design a lightweight writing table. Then he went and built it. She got an A.

Mostly, the Trevinos relied on each other, and on unflagging faith.

''One time, I think in the night, almost for an hour, I cried to on high, 'Why me? Why me?' '' Rosa said. ''I heard a voice, 'Why not me?' ''

For those who watched their unswerving perseverance, the simple fact that the Trevinos never stumbled inscribed a lasting honor on Lucy's college transcript.

''One time last year,'' Lucy said, ''a student told me she'd felt like ditching class, staying home. But then she looks and says, 'There's Lucy, she's always here. There's nothing wrong with me. I'm just lazy.'

''Wow, I didn't even think that anyone noticed me.''

In the very end, on a Mother's Day weekend in the red-carpeted UIC Pavilion, as Nelson saluted a student and a mother who had taught them all a lasting lesson, a sea of Lucy's blue-gowned classmates rose and nearly drowned out the dean with a thunderous two-minute ovation. Chances are Lucy and Rosa Trevino finally understood how very much a whole college noticed.

ZIMBABWE

Mr. FEINGOLD. Mr. President, with skyrocketing inflation and unemployment, riots over land reform and food shortages, and streams of economic and political refugees fleeing into neighboring countries, the primary constant in Zimbabwe over the last 30 years has been the increasingly despotic and disastrous rule of President Robert Mugabe. A decade ago, high interest rates and inflation galvanized public support for the Zimbabwean Congress of Trade Unions led by Morgan Tsvangirai, who was chosen in 1999 to lead a new opposition party—the Movement for Democratic Change, or MDC. In 2002 and 2005, President Mugabe's ruling ZANU–PF party rigged Presidential and Parliamentary elections to maintain its grip on power, and while he tried to do it again on March 29 of this year, the MDC and the people of Zimbabwe refused to be intimidated or outmaneuvered.

Despite the Zimbabwean Government's best efforts to limit the access of international monitors and journalists, most observers concur that the general elections conducted this past March were fraught with rigging, mainly to favor the ruling ZANU–PF. Even so, these efforts failed to silence the people of Zimbabwe's call for change. After significant and unexplained delays, the Zimbabwe Electoral Commission announced that the MDC had won a majority in Parliament and that Mr. Tsvangirai won more votes for the Presidency, but not enough to avoid a runoff.

For more than 6 weeks now, Zimbabwe has been in a state of increasing political uncertainty and violence. With each passing day, there are new reports of state-sponsored intimidation and detention of opposition leaders and supporters, human rights activists, trade union leaders, lawyers and journalists. The delay in announcing and now in setting a date for the Presidential runoff election has allowed the ruling party to mobilize traditional state security services as well as youth militias and bands of military veterans to weaken the opposition. Mr. Tsvangirai has agreed to participate in a run-off election, but he is reluctant to return to Zimbabwe, much less to campaign, unless the government will guarantee his security and cease its assault on his supporters. Facing the prospect of another three months in political limbo and social upheaval, Zimbabwe risks plunging into even greater uncertainty and instability.

Mr. President, we can not stand by while this disaster unfolds. President Mugabe has been losing legitimacy, both at home and abroad, for years, isolating himself and his country to the detriment of Zimbabwe's citizens. The people of Zimbabwe are calling for change, but it will take engagement from external actors to help them escape the devastating status quo. The recent decision by dock workers across southern Africa to refuse to unload a Chinese ship carrying Zimbabwe-bound ammunition sent a strong message, one that the international community should echo. Public statements condemning the situation in Zimbabwe by the newly elected President of Botswana followed on the heels of these protests and resulted in the denial of a port at which the Chinese ship could dock. Decisions by other leaders in the region to welcome Mr. Tsvangirai for a visit have been equally important signs of this growing political will but they are not enough.

The MDC's runoff conditions are more than reasonable, and should be supported in any way possible by regional and international governments. Given the tense environment and high potential for politically motivated violence, a commitment to ending impunity for human rights violations and stopping the attacks must be a top priority. Yesterday, the United Nations representative in Zimbabwe reported ''indications that the level of violence is escalating . . . and could reach crisis

levels.'' I urge the U.N. to immediately send a team to investigate these human rights abuses so that the perpetrators will be held accountable and future violations might be deterred. Similarly, I welcome the African Union's willingness to send additional monitors for the runoff election, and I encourage the AU or SADC to draw together resources for a short-term peacekeeping mission to maintain order and protect civilians in Zimbabwe during this uncertain time.

In addition to an immediate cessation of violence, I fully support demands by the United States Government and others that the Zimbabwe Government permit unfettered access for international media and observers during the campaign and conduct of the run-off polls and guarantee Mr. Tsvangirai's safety. South Africa's President Mbeki and other leaders of the Southern African Development Community should join this forthright call. President Mugabe and his top brass must respect fundamental human and political rights and allow for a fair, nonviolent, and independently monitored runoff election that can bring to power a legitimate government capable of bringing stability and growth to this embattled nation.

HONORING AMERICA'S FINEST

Mr. CARDIN. Mr. President, this week, 358 new names were inscribed on the National Law Enforcement Officers Memorial, representing officers from across the country over the course of many years. We often take for granted the thousands of brave officers who dedicate their lives to protecting our streets and our communities every day across Maryland and across America. But this week, during National Police Week, we all should take a moment to thank these brave men and women—America's finest—who risk their lives on our behalf. We especially must honor the fallen law enforcement officers who have made the ultimate sacrifice so that the rest of us could enjoy our families and go about our daily business with a common sense of peace and security.

Nationally, 187 law enforcement officers gave their lives in the line of duty during 2007. More than one-third succumbed to gunfire. On average, they were nearly 11-year veterans of their respective departments. The average age was just 39 years young. Seven of these brave officers were women. Most importantly, these were sons and daughters, husbands and wives, sisters, brothers, and true role models for those who knew them well or saw them on the street proudly wearing their uniform or badge. So our thoughts, during this special commemoration, also are with their families and the communities they touched by their presence.

Four of Maryland's finest gave their lives for our safety in 2007 and one more recently on New Year's Day, January 1, 2008. I would like to take a moment to tell you about these brave law enforcement officers.

Troy Lamont Chesley, Sr., was a detective with the Baltimore City Police Department. At age 34, he was a 13-year veteran. On January 9, 2007, shortly after Detective Chesley got off duty at a public housing unit, a suspect attempted to rob him. Despite being shot and mortally wounded, Detective Chesley was able to take police action and return fire. The robber was arrested later in the day and charged in connection with Detective Chesley's murder. A widower himself, Detective Chesley is survived by his three daughters, two sons, parents, and brother.

On April 25, 2007, Police Officer Luke Hoffman had been with the Montgomery County Police Department just 1 year when he was struck by a car while involved in a foot pursuit of a suspected drunk driver. The driver had fled on foot after a slow-speed pursuit in the Aspen Hill area early that morning. Officer Hoffman was struck after chasing the suspect across Old Georgia Avenue in an area with very low lighting conditions. Another patrol car struck Officer Hoffman when his patrol car went down an embankment and struck a tree. The officer in the patrol car was injured. Officer Hoffman was flown to a local hospital where he later died.

Corporal Scott Wheeler of the Howard County Police Department was struck by a speeding vehicle he was attempting to flag down on Route 32. He had stepped into the roadway in an attempt to stop the car for speeding while working an enforcement detail. He was flown to Maryland Shock Trauma Center where he died on June 18, 2007, 2 days after the accident. Corporal Wheeler had served with the Howard County Police Department for 6½ years. He was posthumously promoted to the rank of corporal. He is survived by his wife, parents, and brother.

Another brave Marylander who lost his life far too early was 25-year-old Police Officer Christopher Nicholson of the Smithsburg Police Department. Officer Nicholson was shot and killed while responding to assist members of the Washington County Sheriff's Office at a call involving reports that a man had just murdered his girlfriend during a domestic disturbance. As he waited in his patrol car a short distance away from the home for additional units to arrive, the suspect drove toward Officer Nicholson's patrol car and opened fire as he pulled even with the officer's door. A rifle slug struck him in the chest, penetrating his vest. The suspect fled into a nearby cemetery, where he engaged members of the Special Response Team in a shootout. The man was wounded and taken into custody. Officer Nicholson was flown to a local hospital where he succumbed to his wounds. Officer Nicholson had previously served with the Maryland Division of Correction but spent only 1½ years with the Smithsburg Police Department before his death. He is survived by his mother, father, and girlfriend.

Finally, another auto accident claimed the life of Corporal Courtney G. Brooks of the Maryland Transportation Authority Police Department. He was struck and killed by a hit-and-run driver on I–95 in Baltimore City at approximately 11:30 pm on New Year's Eve 2007. A 13-year veteran of the Maryland Transportation Authority Police Department, Corporal Brooks was setting out cones at the interchange of I–95 and I–395 to keep commercial vehicles out of downtown Baltimore during New Year's celebrations when he was hit. The driver fled in his vehicle but was apprehended early the next morning. Corporal Brooks was transported to Maryland Shock Trauma Center where he succumbed to his injuries shortly after midnight on New Year's Day, January 1, 2008. Lost at the age of 40, Corporal Brooks is survived by three children and a fiance.

I mentioned earlier that gunfire accounted for more than a third of the law enforcement deaths nationwide. This was the single-biggest cause of death. Perhaps after hearing about Police Officer Hoffman, Corporal Wheeler and Corporal Brooks, it is no surprise that automobile accidents fall second on that list, claiming the lives of over 25 percent of law enforcement officers who died nationwide last year.

During this commemoration, let me also offer thanks to The Officer Down Memorial Page, a nonprofit organization dedicated to honoring America's fallen law enforcement heroes every day of the year by telling the stories and preserving the memories of each of these officers at www.odmp.org. I also offer my tribute and respect to the National Law Enforcement Officers Memorial Fund, which generates increased public support for law enforcement as a profession, promotes law enforcement safety, and leads our Nation in remembering the fallen 365 days a year but especially during National Police Week.

I am humbled by the sacrifice these law enforcement officers have given for their fellow Marylanders. I would hope that they represent the last of our Nation's finest law officers who would sacrifice themselves for the greater good of safety and security.

Unfortunately, we know that is not likely. That is why, as a member of the Senate Judiciary Committee I am working with my colleagues to improve the Bulletproof Vest Partnership Program to make it easier for States to qualify for grants under this program. While not a guarantee, bulletproof vests do save lives and allow more men and women in law enforcement to return home to their families at the end of their shift.

We held a hearing in the Judiciary Committee earlier this week, during which we heard from Detective David Azur, an ATF agent from Baltimore, MD. He testified about how, in 2000,

while working as part of the Regional Auto Theft Task Force, he was shot in the line of duty and survived only because of his bulletproof vest. He was subsequently awarded the Medal of Valor for his actions that day.

I also recognize that strong partnerships between first responders, like police officers, and the cities and States they serve are vital to public safety. I firmly believe that all of our Nation's first responders deserve the right to be treated with respect. But far too many first responders across the country do not have basic workplace protections.

As we debate the Public Safety Employer-Employee Cooperation Act, I pledge to work to ensure all first responders receive the respect they deserve with the same protections enjoyed by so many other workers across the country. I have cosponsored this important bill. In honor of the 187 law enforcement officers who gave their lives last year and the more than 18,000 who have done likewise, I urge the Senate to pass this important legislation.

TRIBUTE TO LEO KELLY

Mr. KENNEDY. Mr. President, it is always sad when a World War II veteran leaves us. These men and women served our country with immense courage, skill, and dedication, and came home from war to make immense contributions to our society. They have rightly been called ''the greatest generation,'' and we mourn the loss of each and every one of them.

On February 18, another member of the ''greatest generation'' died. Navy veteran Leo Kelly was 87 and lived in Burlington Township in New Jersey with his wife of 58 years, Claire. Leo was the father of six daughters and a son, and I came to know him because his daughter Beth is married to my nephew Joe Kennedy, a son of Robert Kennedy and a former Congressman from Massachusetts in the House of Representatives.

It is Leo Kelly's extraordinary career in the Navy that I want to call to the attention of my colleagues in Congress. Leo Kelly answered the Nation's call soon after World War II began. He enlisted in the Navy in 1942 at the age of 21 and retired in 1964 with the rank of lieutenant commander.

He became a Navy fighter pilot and earned numerous awards and medals for valor and bravery under fire during the war. He served on the USS *Langley*, which was named for the great American scientist and aviation pioneer Samuel Pierpont Langley. The ship was on the front lines during the critical final years of the war in the Pacific, and the crew as a whole was cited in glowing terms by Secretary of the Navy James Forrestal for their outstanding heroism in action that contributed so much to our Nation's victory.

Leo Kelly himself was awarded both the Distinguished Flying Cross and the Air Medal for his special heroism on January 12, 1945 in an attack on Japanese shipping in Camranh Bay in French Indo-China, which is now Vietnam. As the citation by President Roosevelt stated.

> Kelly fearlessly dove his plane through a heavy curtain of powerful anti-aircraft fire to score two direct hits with his rockets and contribute to the damaging of an enemy merchant vessel. Then, joining in an attack against a group of hostile seaplanes on the water, he executed a series of strafing runs and, striking furiously at his target, personally destroyed one of the enemy aircraft.

Courage like that is what made Leo Kelly a true American hero, and the Nation owes him a debt we can never fully repay.

After the war, Leo Kelly continued his career in the Navy for nearly two decades. From 1953 to 1955 he was assigned to a Naval ROTC unit in Philadelphia and earned his bachelor's degree in political science and attended the Navy's postgraduate school. He retired from the Navy in 1964 and went to work for Tenneco Plastics Company in Burlington, where he and Claire raised their wonderful family.

He had many interests. He was an excellent golfer, and had played for various Navy teams early in his career. He loved classical music, especially playing the violin. He had a profound faith in God, was a member of St. Paul's Roman Catholic Church in Burlington, and had been a member of the Bridge Prison Ministry.

He was also a wonderful family man, as so many members of his family said so movingly at the service held for him in February. His daughter Beth said it beautifully in her eulogy at the service:

> Our father was a strong, quiet force in our lives, guiding us, always encouraging, smiling or nodding his approval. . . . He always adjusted to whatever came his way. The very qualities that made him excel at being a pilot prepared him for a life with six daughters and one son.

America is grateful to Leo Kelly for all he did for our country during his extraordinary life, and I know that future generations of his family will always treasure his memory.

I ask unanimous consent to have his daughter Beth's eulogy printed in the RECORD, along with the full texts of the World War II citations he received.

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

EULOGY BY BETH KENNEDY FOR HER FATHER, WORLD WAR II NAVAL HERO LEO KELLY

[Military Chapel, Wrightstown, New Jersey, Feb. 25, 2008]

Good afternoon. I'm Beth Kennedy, one of Leo and Claire's many daughters who no one can keep straight. It's as though our names are interchangeable!

On behalf of my mother and my brother and sisters, I'd like to thank all of you for coming to celebrate our father's life and mourn his passing.

I just wanted to share a few words before we all leave today. My mother always told me, for as long as I can remember, God will never give you more than you can bear. He will give you the strength to accept His will.

And for my family, those words were never more true than during the past week as we began a life without our father. We each have our special memories of Dad. Some we remember with lots of laughter, and some we reflect on privately. But all of them are filled with love, and all of them are joined with our mother, who was always by his side, beautiful and smiling. You know, in all the hundreds of photos we sorted through for this occasion, in every single picture our mother was smiling radiantly, as though every moment with her husband—and later, with her children—was a gift. And it was a gift for us, too.

Mom, you were Dad's co-pilot. The love of his life. You taught us what love and devotion truly are.

Kathy, you spent so much time helping take care of Dad, always with humor and grace. You were a leader for all of us.

Michelle, you spoke so beautifully last night about Dad. You took care of so many details of his health care, always with patience and love.

Nancy, you embraced our parents' spirituality the most, and shared a strong religious bond with Dad.

Leo, you inherited Dad's quiet strength, and to this day you share your time and energy helping your family and your friends in need, most times without even being asked.

Teresa, you would always brighten Dad's days with your sparkling optimism and good cheer, along with a little something for his sweet tooth and a visit from Michael.

Jackie, you could always make Dad smile, and you could always get away with anything. Dad was so happy and proud to finally become a grandfather.

Our parents gave us so many wonderful memories: trips to the seashore; our family outing to the Poconos; grilling steaks in the backyard at Salem Road; Friday night fish fry dinners at Howard Johnson's. And later in our lives, as our father gave each of us girls away on our wedding days, dancing with the happy bride. And always, always, praying with us for God's blessing. Our parents gave us the highest standard for a strong marriage filled with love and faith.

Our father was a strong, quiet force in our lives, guiding us, always encouraging—smiling or nodding his approval. I remember the day I moved to Boston after graduating high school. After my teary goodbye to mom, my father drove me to the train station in Trenton. He got me settled in on the train, bags secured, and I took so long saying goodbye to him with tears and prayers—the train took off with both of us on it!! He had to get off at the next stop and wait for a train to take him back to Trenton. I was delighted to have his company for such a nice send-off, but I do recall an inordinate amount of throat-clearing by Dad.

He always adjusted to whatever came his way. The very qualities that made him excel at being a pilot prepared him for a life with six daughters and one son. I read through Dad's pilot rating book a few nights ago, and I was struck by the consistent comments and descriptions of him: ''smooth, dependable, eager to learn, retains instruction, good coordination in unfavorable weather conditions, good pilot material.''

Well, Dad, we're all here to say a prayer for you as you join Grandpere and Mamie, Aunt Teen, and all your friends up in Heaven. And as you always said to me at the end of every conversation or phone call—''God bless you good.'' Goodbye, Dad; I love you; God bless you good.

CITATION FOR THE DISTINGUISHED FLYING CROSS AWARDED TO LEO KELLY

The President of the United States takes pleasure in presenting the Distinguished Flying Cross to Lieutenant Junior Grade Leo

Kelly, United States Naval Reserve, for service as set forth in the following citation: For heroism and extraordinary achievement in aerial flight as Pilot of a Fighter Plane in Fighting Squadron Forty-Four, attached to the USS Langley, during operations against enemy Japanese forces in the vicinity of French Indo-China, on January 12, 1945. Participating in a daring strike against enemy shipping and installations, Lieutenant Junior Grade (then Ensign) Kelly fearlessly dove his plane through a heavy curtain of powerful anti-aircraft fire to score two direct hits with his rockets and contribute to the damaging of an enemy merchant vessel. Then, joining in an attack against a group of hostile seaplanes on the water, he executed a series of strafing runs and, striking furiously at his target, personally destroyed one of the enemy aircraft. By his expert airmanship, courage, and devotion to duty in the face of grave danger, Lieutenant Junior Grade Kelly upheld the highest traditions of the United States Naval Service. For the President, [signed] James Forrestal, Secretary of the Navy.

CITATION FOR THE AIR MEDAL AWARDED TO LEO KELLY

For distinguishing himself by meritorious acts while participating in an aerial flight in an attack on enemy shipping, Camranh Bay, French Indo China on 12 January, 1945. As pilot of a carrier-based fighter plane he dived against enemy anti-aircraft fire to hit an enemy merchant vessel with two rockets. This vessel was left beached. A few minutes later he again dived through anti-aircraft fire to destroy an enemy seaplane on the water. His courage and skill were at all times in keeping with the highest traditions of the United States Naval Service.

CITATION FOR THE NAVY UNIT COMMENDATION AWARD TO THE AIRCRAFT CARRIER USS ''LANGLEY''

The Secretary of the Navy takes pleasure in commending the United States Ship Langley for service as set forth in the following citation: For outstanding heroism in action against the enemy Japanese forces in the air, ashore and afloat in the Pacific War Area from January 29, 1944 to May 11, 1945. Operating continuously in the most forward areas, the USS *Langley* and her air groups struck crushing blows toward annihilating Japanese fighting power; they provided air cover for our amphibious forces; they fiercely countered the enemy's aerial attacks and destroyed his planes; and they inflicted terrific losses on the Japanese in Fleet and merchant marine units sunk or damaged. Daring and dependable in combat, the Langley with her gallant officers and men rendered loyal service in achieving the ultimate defeat of the Japanese Empire.

[This citation specifically mentions the following operations of the USS *Langley:* Marshall Islands, Jan. 29–Feb. 23, 1944; Palau, Hollandia and Truk Islands, March 29–April 30, 1944; Marianas and Bonins Islands, June 11–Aug. 8, 1944; Philippines, Palau, and Yap Islands, Sept. 6–24, 1944; Ryukyus, Formosa, and Philippines Islands, Oct. 10–Nov. 25, 1944; Luzon, Dec. 14–16, 1944; Philippines, Formosa and Ryukyus Islands, and China Sea, Jan. 3–22, 1945; Japan and Bonins Islands, Feb. 16–25, 1945; Japan and Ryukyus Islands, March 18–May 11, 1945.]

AWARDS TO LEO KELLY FOR HIS SERVICE IN THE NAVY

Distinguished Flying Cross; Air Medal; Navy Unit Commendation Ribbon; Combat Action Ribbon; National Defense Service Medal with 1 Bronze Star; American Campaign Medal; Asiatic Pacific Campaign Medal with 3 Bronze Stars; World War II Victory Medal; Philippine Liberation Medal with 2 Bronze Stars; Philippine Presidential Unit Citation.

SERVICE OF LEO KELLY IN THE NAVY

Enlisted in Navy, July 9, 1942 as Seaman Second Class and became Aviation Cadet on Aug. 7, 1942; July 9–Dec. 14, 1942—Inactive Naval Reserve; Dec. 15, 1942–Jan. 15, 1944—Active Naval Reserve; January 16, 1944—Promoted to Ensign; June 1, 1945—Promoted to Lieutenant Junior Grade; July 1, 1955—Promoted to Lieutenant Commander; July 1, 1964—Retired.

ADDITIONAL STATEMENTS

TRIBUTE TO SANDRA ESTY

• Mr. INHOFE. Mr. President, I would like to recognize Ms. Sandra ''Sandi'' J. Esty, one of our most distinguished civil servants who will retire from Federal service on June 7, 2008, after contributing over 35 years of dedicated service to our country. She serves as the Chief, Air Operations Division, Office of Legislative Liaison, Office of the Secretary of the Air Force, the Pentagon, Washington, DC. She is responsible for managing, planning, developing and executing all facets of congressional travel matters for the Department of the Air Force. Ms. Esty also serves as the senior adviser and special assistant to the Director, Legislative Liaison and Air Force leadership with oversight of the Air Force Congressional Travel Program.

Ms. Esty left Syracuse, NY, in 1972 to begin her illustrious civil service career as a clerk-stenographer in the Office of the Air Force Reserve, the Pentagon. After demonstrating remarkable competence in working congressional constituent inquiries, she was selected to work Air Force constituent issues in the Secretary of the Air Force Legislative Liaison Inquiry Division, in 1975. She was promoted and served a short tour as the Administrative Assistant for the Secretary of the Air Force Space Systems, Budget Office before being asked to return to the Air Force Legislative Liaison Branch in 1981, this time as the Administrative Assistant to the Chief of Air Operations Division in Legislative Liaison. She was promoted in 1983 and served as Administrative Assistant to the Deputy Assistant Secretary of the Air Force for Acquisition, Electronic Warfare. In 1985, she returned to Legislative Liaison as the Administrative Assistant to the Director of Legislative Liaison and then was assigned as an action officer in the White House Liaison Branch, Legislative Liaison, where she established herself as one of the top leaders of Legislative Liaison. In 1988, she was promoted and selected as the Deputy Chief, Air Operations Division, Legislative Liaison, and then, in 1997, she was promoted as a GS–15 and continued to serve in her current position as Chief, Air Operations Division.

During her tenure in the Air Operations Division, Ms. Esty was responsible for all the travel requirements of Members and staff of Congress arranged by the Air Force. Ms. Esty's calm, logical, thorough method of dealing with unique situations involved some of this country's most important citizens, its legislators. Her true dedication to ''doing it right,'' the absolute insistence on honesty and integrity, and the patience under extreme daily pressure are the standards that Ms. Esty leaves for all those who follow. She coordinated and executed over 10,000 congressional trips worldwide, to include the movement of approximately 70,000 Members and staff of Congress to 193 countries and 7 continents. I personally travelled on many of the trips with the Senate Armed Services delegations that Ms. Esty arranged, coordinated, and flight followed. Each was a complete success.

I join my colleagues in expressing our sincere appreciation to Ms. Esty who has provided many years of dedicated and professional service to the Congress and the U.S. Air Force and wish her well in all her future endeavors.•

TRIBUTE TO DR. CARL V. PATTON

• Mr. ISAKSON. Mr. President, I wish today to honor in the RECORD of the Senate a great educator in the State of Georgia. On June 30, 2008, Dr. Carl V. Patton will retire as president of Georgia State University after 16 years of outstanding service.

Dr. Patton has led Georgia State University in its transition from a commuter school into a vibrant research university that is home to more than 28,000 students representing every county in the State, every State in the Nation, and 160 countries.

Georgia State has grown into one of this Nation's leading urban research universities, reflecting Dr. Patton's vision for a partnership between Atlanta and the university. Instead of designing walls to keep the city and its urban ways separate from the campus, he has insisted that the university fully integrate its research, teaching and service mission into the fabric of the urban environment of its downtown Atlanta home.

As the university has grown physically, it has grown in stature as well. The College of Law, which was in its infancy when Dr. Patton became president in 1992, is now ranked within the top 100 law schools. The Andrew Young School of Public Policy, founded in 1996, has grown from an idea to an internationally recognized program that works in over 30 countries around the globe as well as at home in the areas of health care, environment, air quality, taxation, aging, education, child care, and diversity.

The J. Mack Robinson College of Business continues to rank among the best in both graduate and undergraduate offerings, with two programs ranked in the top 10 by US News and World Report. The College of Health and Human Sciences leads the country

in research on urban health issues such as HIV, health care shortages, criminal justice, social work and nutrition.

Georgia State's College of Arts and Sciences hosts one of only two bio-safety level 4 labs, which will move shortly into a new Science Park that this Congress has seen fit to support. The new Science Park promises to bring cutting-edge research in the bio and neurosciences and will facilitate the growth of bio-technology in Atlanta and beyond.

Finally, the College of Education is hard at work partnering with urban schools to provide a clinical, supervised method for training our future teachers to ensure the success and longevity of these new teacher careers and, most importantly, the long-term success of our children who live within our major urban centers.

Dr. Patton has lived his life in the way he hopes his students live theirs, tirelessly volunteering for service in his community through organizations such as Central Atlanta Progress, the Rotary and the Grady Memorial Hospital Corporation. However, his example and his hard work will not stop at retirement, as he plans to continue to live downtown and assist Georgia State in its future endeavors to raise capital and to expand its student body to tackle the tough issues of our times.

It gives me a great deal of pleasure and it is a privilege to recognize on the Senate floor the contributions of Dr. Carl V. Patton to higher education in Georgia. He has served Georgia State University, the city of Atlanta, the State of Georgia and the United States of America very well. Dr. Patton has earned the many happy years of retirement ahead of him.●

CELEBRATING THE 100TH ANNIVERSARY OF HOLY NAME OF JESUS PARISH

● Mr. LUGAR. Mr. President, I wish today to congratulate Holy Name of Jesus Catholic Church and School in Beech Grove, IN, currently celebrating the centennial year of the founding of the parish. On the weekend of June 27–29, 2008, the clergy, students, and parishioners who are part of the Holy Name community will honor this signal event. I am confident it will be a time of joy, worship, and fellowship that members will cherish well into the future.

Holy Name was founded in 1908 by the Rt. Rev. Silas Chatard, the first Bishop of Indianapolis. In its inaugural decade the parish grew steadily, and the years that followed brought about exciting changes and expansions to the facilities and ministries provided by the church. In the early 1920s, the Holy Name School was built; its first class graduated in 1923; and to date, the school has graduated over 4,200 students from prekindergarten to eighth grade.

I applaud Holy Name and its many members for the laudable service they provide local communities in the greater Indianapolis area and beyond, and I am hopeful that these festivities will be an opportunity for celebrants to not only honor the past achievements of their parish, but the blessings of another 100 years as well.●

OSWEGO ELKS

● Mr. SCHUMER. Mr. President, I ask that the following statement be printed in the RECORD.

The statement follows.

[From the Elks Magazine, Apr. 2008]

ALL-AMERICAN LODGE—OSWEGO ELKS SHINING FORTH IN NEW YORK STATE

(By Mark Hagland)

Just because something is old doesn't mean it's tired. In fact, in the case of Elks Lodge No. 271, in Oswego, New York, the opposite is, most vigorously, true. The Oswego Lodge, with over eleven hundred members and a very large contingent of core active members, has been for years a leader lodge in its region, its state, and the nation. Showered with awards for outstanding achievement in such key areas as youth programs, veterans activities, and ritual ceremony, the Oswego Lodge was designated an All-American Lodge in 2006–2007 by the GL Lodge Activities/State Associations Committee.

In fact, in the key area of youth programs, the Oswego Lodge has won first or second place in the state of New York every year for more than twenty years, confirms John Rinaldo, Oswego's exalted ruler. ''We're absolutely committed to the youth of this community,'' Rinaldo says, and all the awards are evidence of the lodge's long-term commitment, a commitment that actually goes back nearly to the beginning of the lodge's history, he notes.

That history is a long and storied one. The Oswego Lodge was inaugurated on June 24, 1894, at a time when Grover Cleveland was in his second term as president, during the nationwide depression of 1893 to 1896.

That the Oswego Lodge should have come into being during a time of community—and nationwide—need should surprise no one who understands and upholds Elks' values. For the 114 years of its existence, the lodge has been deeply involved in supporting its community through a wide range of programs and activities. Because of all the hard work and constant participation of its active members, the Oswego Lodge exemplifies the motto Elks Care—Elks Share.

Just ask some of those who have benefited from lodge members' volunteerism.

Sheri Valle, Voluntary Service Program Assistant at the nearby Syracuse VA Medical Center, for example, points out that ''local Elks lodges have donated the equivalent of more than $18,000 just this year in activities, items, and cash donations, and this particular lodge has donated more than $5,000 in items, time, and cash donations.''

And though the monetary amounts are gratifying, Valle immediately adds that ''the biggest benefit to us is always the time the Elks spend with our veteran patients, especially in our nursing home care unit. Patients live there and really don't have a lot of opportunity to see people outside the medical center.'' The Oswego Lodge members, in addition to volunteering to transport patients and residents to various places, visit the nursing home residents virtually every day. Among numerous other activities, the lodge supports a playing card club in the nursing home; regularly hosts the distribution of T-shirts and golf hats to residents; and makes sure to create special activities for the various holidays. ''They've been wonderful during the holidays,'' Valle enthuses. ''It's wonderful to see the faces of the veteran patients when the Elks are here. They're a lot happier, and they're asking, 'When are they coming next?' ''

The same kinds of comments come from school officials in Oswego. ''There doesn't appear to be anything that they've been asked to do that they've said no to, if it benefits kids,'' says Bill Foley, public relations director for the Oswego School District. ''And,'' Foley adds immediately, ''practically everyone asks them for help, but they're always more than willing to give.''

Foley cites the smaller size of the Oswego community, and the interconnectedness of its residents, when describing the generosity of the Elks' giving and volunteerism there. ''Almost all of them went through our schools,'' he notes. ''So they're giving back to the community in which they've grown up, and that is just tremendous.''

Among the recognitions and awards the Oswego Elks bestow in the local school system are Teen of the Month awards and annual scholarships for graduating seniors. In a smaller community like Oswego, which serves about forty-five hundred students, such awards and recognitions are by definition high-profile and resonate strongly. Indeed, Foley can speak of them with personal zeal, since his own son, Michael, was named Teen of the Month during the 1996–1997 school year. ''Michael was very proud,'' Foley recalls. ''He held his head so high when he achieved that; it meant so much to him to be recognized.''

From such experiences, Foley says that it's clear that ''students need to receive some recognition. Being named Teen of the Month or receiving a scholarship builds confidence, morale, and self-esteem. There's nothing but positive value in this, and the Elks are having a major impact on our youth through such programs.''

A SPECIAL CULTURE

Because of all the activities that the Oswego Elks Lodge is involved in, there is always a buzz of volunteerism humming around the lodge itself. If there were a single word that would best describe the lodge's atmosphere, it might be ''enthusiastic.''

''It's all about an enthusiastic, community-focused outlook,'' says Rinaldo. ''What you've heard from these folks,'' he explains, referring to community leaders like Bill Foley and Sheri Valle, ''is what this lodge is all about. Everything has been geared toward the kids, toward the vets, toward the community. It all comes back to what the Elks are doing for the community. As far as the All-American Lodge Award goes, I think we've earned it. Everyone here is committed to this community.''

''At the same time,'' says Daniel Capella, a past exalted ruler of the Oswego Lodge and a past president of the New York State Elks Association, ''we have a lot of fun, and that's part of what makes it go nicely. We know how to laugh.''

Still, Capella notes, a tremendous amount of work and energy go into all the lodge's activities, including the social activities that take place at the lodge itself: ''From the first Friday in January through April, we serve three hundred or four hundred meals every Friday night here at the lodge. Volunteers show up at four or four-thirty in the afternoon, we start serving dinner at five, and it goes on well into the evening. And yet we're never short of volunteers to support the Friday dinners.''

GOOD CITIZENSHIP MAGNIFIED

The Oswego Lodge demonstrates its Americanism and good citizenship in various ways,

including very strong support for local law enforcement and broad community efforts. Those efforts and that support are clearly recognized and appreciated by law enforcement and municipal officials. In a community of seventeen thousand, such good works are very much noticed.

''In a smaller city such as this, everybody seems to know what everybody else is doing,'' says Edward Geers, Oswego's fire chief. ''And if there's a need in one family, everybody helps out. I visit other places, but love coming back here,'' he adds. ''Everybody here is interested in the city as a whole and the community as a whole. If somebody's in need, whatever it is, the community pulls together; and the Elks have always been a big part of that.''

The Elks' appreciation of the people and organizations that hold the town together is shown regularly through public recognition. For the lodge's annual public safety recognition event, called Lincoln Day in Oswego, Geers develops a profile of the personnel who might deserve the lodge's Firefighter of the Year Award, and then he ''lets the firefighters decide who they feel is worthy. And when the Elks recognize that person, it means a lot.'' Geers continues, ''I think everyone realizes that even though an individual wins an award, it's not just that one individual who's being recognized. It reflects on the entire department. We stand as one, and that perception is very important for us.''

Geers, an active Elk for twenty-three years, adds: ''I'm proud to say I'm a member of the Oswego Elks, because of the wonderful things they've done in the community. Other organizations do little things, but the Elks are trendsetters, who make sure everything's done right.''

Oswego's chief of police, Michael Dehms Jr., agrees that receiving the Oswego Lodge's public safety award is a distinct honor. ''It's good to be recognized, but when you're recognized by an organization like the Oswego Elks, it means a lot.'' Dehms notes that the Elks also have made numerous important contributions directly to public safety. For example, in the 1980s, the Oswego Lodge purchased a working police canine for the department's canine unit. What's more, Dehms points out, every year during the community's biggest social event, called Harborfest, the Elks ''supply meals for our officers and state police, for the officers who have to work through it and can't go home for dinner. Anything we've ever asked for, they've always helped us,'' he adds.

According to Dehms, the Elks ''definitely set an example of community involvement.'' One of the Elks' programs, for example, honors the memory of a deceased police officer by maintaining an ongoing memorial fund in his name that provides college scholarships.

Mayor Randolph Bateman easily summarizes the Oswego Elks' exceptional volunteerism by saying that ''the Elks' contribution to the community is great. They're involved in various activities, including youth activities. And last year, they hosted the New York Elks' bowling tournament, which brought significant income into the city.''

Another example of the Oswego Elks' civic involvement that Mayor Bateman cites is the Youth Community Day that the lodge sponsors every year in May. Youth Community Day includes an Elks-sponsored luncheon for students and local government officials. At the luncheon, the mayor and various city department heads speak to the students, explaining some of the functions of city government, and give the students the opportunity to meet public officials directly. Such events, Bateman says, are extremely important in helping reinforce the natural cohesiveness that already exists in a community like Oswego.

As the school district's Bill Foley sees it, a smaller community like Oswego brings out the best in people, and the Elks of Oswego help to encourage that. ''We look like a sleepy little town on the lake,'' he says, ''but what amazes me is the way this town always pulls together, whether during the ice storm of a few years ago, or during Harborfest. This is a caring community,'' he emphasizes. ''It's almost like a community of the past. We joke about Oswego maybe being a few years behind other places, but we care about each other and pull for each other. And to have folks like the Elks be so involved, it's tremendous.''●

TRIBUTE TO VESTAVIA HILLS HIGH SCHOOL

● Mr. SESSIONS. Mr. President, I would like to make some remarks today about Alabama's State champion and national finalist in the ''We the People'' competition. Vestavia Hills High School placed fourth in the national We the People: The Citizen and the Constitution national finals, held in Washington, DC. This impressive competition, headed by the Center for Civic Education, engaged young people in the fundamental ideals and values of American constitutional government.

Members of this remarkable team from Vestavia Hills included Diana Chen, Colleen Cusick, William Desmond, Felipe Goncalves, Lauren Hammonds, Pei-Ann Lin, Tyler Martin, Robert Nuttall, Shannon O'Sheal, Thomas Oliver, Sean Sapp, Curry Stevenson, Andrew Swindle, Wesley Vaughn, Jay Watson, Ylia Wilson, Shin Xu, and Zaka Yazdi.

I would like to congratulate Amy Maddox, the teacher who led this fine team. Teachers shape the future, and I appreciate Ms. Maddox's investment in these students. As a former educator and the father of three children, I have a great admiration for educators, and I am grateful that educators like Ms. Maddox are making a difference.

I would also like to thank Janice Cowin, the executive director of the Alabama Center for Law and Civic Education.

I applaud the efforts of students, teachers, and community leaders who made this accomplishment possible. Vestavia Hills High School is an exceptional school and has represented Alabama well. I encourage these students to continue pursuing a deep understanding of the Constitution and our Government. It is important that we raise up quality leaders that will serve our country in years to come.●

MESSAGES FROM THE HOUSE

At 12:14 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House disagrees to the amendment of the Senate to the bill (H.R. 4040) to establish consumer product safety standards and other safety requirements for children's products and to reauthorize and modernize the Consumer Product Safety Commission; it agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. DINGELL, Mr. WAXMAN, Mr. RUSH, Ms. DEGETTE, Ms. SCHAKOWSKY, Mr. BARTON of Texas, Mr. WHITFIELD of Kentucky, and Mr. STEARNS as managers of the conference on the part of the House.

At 5:20 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House agrees to the amendment of the Senate to the bill (H.R. 2642) making appropriations for military construction, the Department of Veterans Affairs, and related agencies for fiscal year ending September 30, 2008, and for other purposes, with amendments, in which it requests the concurrence of the Senate.

ENROLLED BILLS SIGNED

At 5:32 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 6022. An act to suspend the acquisition of petroleum for the Strategic Petroleum Reserve, and for other purposes.

H.R. 6051. An act to amend Public Law 110–196 to provide for a temporary extension of programs authorized by the Farm Security and Rural Investment Act of 2002 beyond May 16, 2008.

The enrolled bills were subsequently signed by the President pro tempore (Mr. BYRD).

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–6276. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from October 1, 2007 through March 31, 2008; ordered to lie on the table.

EC–6277. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cyproconazole; Pesticide Tolerance'' (FRL No. 8362–9) received on May 13, 2008; to the Committee on Agriculture, Nutrition, and Forestry.

EC–6278. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, the report of a violation of the Antideficiency Act that occurred within the Department of the Navy and has been assigned case number 07–06; to the Committee on Appropriations.

EC–6279. A communication from the Assistant Secretary of the Navy (Installations and Environment), transmitting, pursuant to law, notification of the Department's decision to conduct a streamlined competition of aircraft maintenance functions performed by personnel of the Fleet Logistics Support Squadrons at Andrews Air Force Base, MD; to the Committee on Armed Services.

EC–6280. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Land Disposal Restrictions: Site-Specific Treatment Variance for P and U-Listed Hazardous Mixed Wastes Treated by Vacuum Thermal Desorption at the Energy Solutions' Facility in Clive, Utah'' (FRL No. 8565–9) received on May 13, 2008; to the Committee on Environment and Public Works.

EC–6281. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Final Rule for Implementation of the New Source Review Program for Particulate Matter Less Than 2.5 Micrometers'' ((RIN2060–AN86)(FRL No. 8566–1)) received on May 13, 2008; to the Committee on Environment and Public Works.

EC–6282. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report on the feasibility study that was undertaken to evaluate hurricane and storm damage reduction opportunities for Pawleys Island, South Carolina; to the Committee on Environment and Public Works.

EC–6283. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Assumption of Liabilities'' ((RIN1545–BH95)(TD 9397)) received on May 13, 2008; to the Committee on Finance.

EC–6284. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Rebates'' (Rev. Rul. 2008–26) received on May 13, 2008; to the Committee on Finance.

EC–6285. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''QSP: Reverse Subsidiary Merger; Step Transaction'' (Rev. Rul. 2008–25) received on May 13, 2008; to the Committee on Finance.

EC–6286. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Section 956 Rep Exception Relief'' (Rev. Proc. 2008–26) received on May 13, 2008; to the Committee on Finance.

EC–6287. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Simplified Relief from Withholding Tax Upon Disposition of U.S. Real Property Interests'' (Rev. Proc. 2008–27) received on May 13, 2008; to the Committee on Finance.

EC–6288. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the export of defense articles to Chile for the manufacture of the SIG556 Rifle; to the Committee on Foreign Relations.

EC–6289. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the text of an agreement between the American Institute in Taiwan and the Taipei Economic and Cultural Representative Office; to the Committee on Foreign Relations.

EC–6290. A communication from the Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the certification of a proposed manufacturing license agreement for the export of defense articles to Brazil for the SP 2022 semi-automatic pistol; to the Committee on Foreign Relations.

EC–6291. A communication from the Director of Regulations Management, National Cemetery Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Graves Marked with a Private Headstone or Marker'' (RIN2900–AM93) received on May 13, 2008; to the Committee on Veterans' Affairs.

EC–6292. A communication from the Director of Regulations Management, Office of General Counsel, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Accreditation of Agents and Attorneys; Agent and Attorney Fees'' (RIN2900–AM62) received on May 13, 2008; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment:

S. 2511. A bill to amend the grant program for law enforcement armor vests to provide for a waiver of or reduction in the matching funds requirement in the case of fiscal hardship.

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 2913. A bill to provide a limitation on judicial remedies in copyright infringement cases involving orphan works.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted.

By Mr. INOUYE for the Committee on Commerce, Science, and Transportation.

*William J. Brennan, of Maine, to be Assistant Secretary of Commerce for Oceans and Atmosphere.

*Lily Fu Claffee, of Illinois, to be General Counsel of the Department of Commerce.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mrs. BOXER:

S. 3020. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the postmarket surveillance of devices; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LAUTENBERG (for himself and Mrs. MCCASKILL):

S. 3021. A bill to amend title 49, United States Code, with respect to length and weight limitations for buses, trucks, and other large vehicles on Federal highways, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEVIN (for himself and Mr. VOINOVICH):

S. 3022. A bill to amend the Federal Water Pollution Control Act to prohibit the sale of dishwashing detergent in the United States if the detergent contains a high level of phosphorus; to the Committee on Environment and Public Works.

By Mr. AKAKA:

S. 3023. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to prescribe regulations relating to the notice to be provided claimants with the Department of Veterans Affairs regarding the substantiation of claims; to the Committee on Veterans' Affairs.

By Mr. BIDEN (for himself and Mr. LUGAR):

S. 3024. A bill to authorize grants to the Eurasia Foundation, and for other purposes; to the Committee on Foreign Relations.

By Mr. THUNE:

S. 3025. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for the purchase of a flexible fuel vehicle; to the Committee on Finance.

By Mr. KERRY (for himself and Ms. SNOWE):

S. 3026. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. REID (for Mrs. CLINTON):

S. 3027. A bill to amend the National and Community Service Act of 1990 to establish a program to provide college coaches to low- and middle-income high-achieving high school students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. REID (for Mrs. CLINTON):

S. 3028. A bill to amend the National and Community Service Act of 1990 to promote community service among United States youth by connecting secondary school seniors to community service opportunities; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself and Ms. SNOWE):

S. 3029. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. BAUCUS, Mr. BAYH, Mr. BROWN, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Mr. CONRAD, Mr. CRAIG, Mr. CRAPO, Mrs. DOLE, Mr. DOMENICI, Mr. GRASSLEY, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. KERRY, Ms. LANDRIEU, Mr. LEAHY, Mrs. LINCOLN, Mr. MENENDEZ, Mr. SCHUMER, Ms. SNOWE, Mr. STEVENS, Mr. VITTER, Mr. VOINOVICH, and Mr. WICKER):

S. Res. 567. A resolution designating June 2008 as ''National Internet Safety Month''; to the Committee on the Judiciary.

By Mr. CARPER (for himself, Mr. VOINOVICH, Mr. ALEXANDER, Mr. BAYH, Mr. BOND, Mr. GREGG, Mr. NELSON of Nebraska, and Mr. ROCKEFELLER):

S. Res. 568. A resolution commemorating the 100th anniversary of the founding of the National Governors Association; considered and agreed to.

ADDITIONAL COSPONSORS

S. 211

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services, volunteer services, and for other purposes.

S. 400

At the request of Mr. SUNUNU, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 400, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

S. 1437

At the request of Ms. STABENOW, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from Oklahoma (Mr. COBURN) were added as cosponsors of S. 1437, a bill to require the Secretary of the Treasury to mint coins in commemoration of the semicentennial of the enactment of the Civil Rights Act of 1964.

S. 1906

At the request of Mr. BAUCUS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1906, a bill to understand and comprehensively address the oral health problems associated with methamphetamine use.

S. 1907

At the request of Mr. BAUCUS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1907, a bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to understand and comprehensively address the inmate oral health problems associated with methamphetamine use, and for other purposes.

S. 2040

At the request of Mr. BOND, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 2040, a bill to amend the Internal Revenue Code of 1986 to increase the alternative tax liability limitation for small property and casualty insurance companies.

S. 2059

At the request of Ms. MIKULSKI, her name and the name of the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. 2059, a bill to amend the Family and Medical Leave Act of 1993 to clarify the eligibility requirements with respect to airline flight crews.

S. 2067

At the request of Mr. MARTINEZ, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2067, a bill to amend the Federal Water Pollution Control Act relating to recreational vessels.

S. 2209

At the request of Mr. HATCH, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2209, a bill to amend the Internal Revenue Code of 1986 to provide incentives to improve America's research competitiveness, and for other purposes.

S. 2368

At the request of Mr. PRYOR, the name of the Senator from Alaska (Mr. STEVENS) was added as a cosponsor of S. 2368, a bill to provide immigration reform by securing America's borders, clarifying and enforcing existing laws, and enabling a practical employer verification program.

S. 2504

At the request of Mr. THUNE, his name was added as a cosponsor of S. 2504, a bill to amend title 36, United States Code, to grant a Federal charter to the Military Officers Association of America, and for other purposes.

S. 2523

At the request of Mr. KERRY, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 2523, a bill to establish the National Affordable Housing Trust Fund in the Treasury of the United States to provide for the construction, rehabilitation, and preservation of decent, safe, and affordable housing for low-income families.

S. 2533

At the request of Mr. KENNEDY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2533, a bill to enact a safe, fair, and responsible state secrets privilege Act.

S. 2585

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2585, a bill to provide for the enhancement of the suicide prevention programs of the Department of Defense, and for other purposes.

S. 2666

At the request of Ms. CANTWELL, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 2666, a bill to amend the Internal Revenue Code of 1986 to encourage investment in affordable housing, and for other purposes.

S. 2668

At the request of Mr. KERRY, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2668, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 2705

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2705, a bill to authorize programs to increase the number of nurses within the Armed Forces through assistance for service as nurse faculty or education as nurses, and for other purposes.

S. 2708

At the request of Mrs. BOXER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2708, a bill to amend the Public Health Service Act to attract and retain trained health care professionals and direct care workers dedicated to providing quality care to the growing population of older Americans.

S. 2766

At the request of Mr. NELSON of Florida, the names of the Senator from Virginia (Mr. WEBB) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 2766, a bill to amend the Federal Water Pollution Control Act to address certain discharges incidental to the normal operation of a recreational vessel.

S. 2781

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2781, a bill to amend title XVIII of the Social Security Act to increase the per resident payment floor for direct graduate medical education payments under the Medicare program.

S. 2790

At the request of Ms. LANDRIEU, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2790, a bill to amend title XVIII of the Social Security Act to provide for coverage of comprehensive cancer care planning under the Medicare program and to improve the care furnished to individuals diagnosed with cancer by establishing a Medicare hospice care demonstration program and grants programs for cancer palliative care and symptom management programs, provider education, and related research.

S. 2795

At the request of Mr. DURBIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 2795, a bill to amend the Public Health Service Act to establish a nationwide health insurance purchasing pool for small businesses and the self employed that would offer a choice of private health plans and make health coverage more affordable, predictable, and accessible.

S. 2862

At the request of Mr. SANDERS, his name was added as a cosponsor of S. 2862, a bill to provide for National Science Foundation and National Aeronautics and Space Administration utilization of the Arecibo Observatory.

S. 2874

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2874, a bill to amend titles 5, 10, 37, and 38, United States Code, to ensure the fair treatment of a member of the Armed Forces who is discharged from the Armed Forces, at the request of the member, pursuant to the Department of Defense policy permitting the early discharge of a member who is the only surviving child in a family in which the father or mother, or one or more siblings, served in the Armed Forces and, because of hazards incident to such

service, was killed, died as a result of wounds, accident, or disease, is in a captured or missing in action status, or is permanently disabled, and for other purposes.

S. 2931

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2931, a bill to amend title XVIII of the Social Security Act to exempt complex rehabilitation products and assistive technology products from the Medicare competitive acquisition program.

S. 2932

At the request of Mrs. MURRAY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2932, a bill to amend the Public Health Service Act to reauthorize the poison center national toll-free number, national media campaign, and grant program to provide assistance for poison prevention, sustain the funding of poison centers, and enhance the public health of people of the United States.

S. 2938

At the request of Mr. GRAHAM, the names of the Senator from Tennessee (Mr. CORKER) and the Senator from Colorado (Mr. ALLARD) were added as cosponsors of S. 2938, a bill to amend titles 10 and 38, United States Code, to improve educational assistance for members of the Armed Forces and veterans in order to enhance recruitment and retention for the Armed Forces, and for other purposes.

S. 2942

At the request of Mr. CARDIN, the names of the Senator from Missouri (Mrs. MCCASKILL), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Colorado (Mr. SALAZAR) were added as cosponsors of S. 2942, a bill to authorize funding for the National Advocacy Center.

S. 3007

At the request of Mr. SMITH, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 3007, a bill to hold the surviving Nazi war criminals accountable for the war crimes, genocide, and crimes against humanity they committed during World War II, by encouraging foreign governments to more efficiently prosecute and extradite wanted criminals.

S. RES. 482

At the request of Mr. ENZI, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. Res. 482, a resolution designating July 26, 2008, as ''National Day of the American Cowboy''.

S. RES. 541

At the request of Mr. FEINGOLD, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. Res. 541, a resolution supporting humanitarian assistance, protection of civilians, accountability for abuses in Somalia, and urging concrete progress in line with the Transitional Federal Charter of Somalia toward the establishment of a viable government of national unity.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA:

S. 3023. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to prescribe regulations relating to the notice to be provided claimants with the Department of Veteran's Affairs regarding the substantiation of claims; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I introduce the proposed Veterans' Notice Clarification Act of 2008. This bill would require VA to issue regulations specifying the content of notices provided to claimants who seek VA benefits and services. Following a number of court decisions, VA's notification letters to veterans have become increasingly long, complex, and difficult to understand.

These notification letters must be simplified, as veterans, VA, veterans' advocates and outside review bodies have all recommended. The letters should use simple ordinary language rather than bureaucratic legalese and they should be focused on the specific type of claim that the veteran is bringing.

My bill would require different notice contents depending upon whether the claim is an original claim, a claim to reopen, or a claim for an increase in benefits. VA would also have the discretion to provide additional or alternative contents for notice if appropriate to the benefits sought. For example, an original claim for service-connected compensation may require different content than a claim for a specially adapted housing grant.

The notice required for original claims by the Veterans Claims Assistance Act, Public Law 106–475, should provide useful information based on the documents submitted to VA and the benefit sought. The information and evidence requested by VA should be relevant to the claim filed. For example, the information and evidence requested by VA for a claim for disability compensation and financial information concerning claims for pension benefits are wholly different. A veteran should not be made to submit information that is unrelated to his or her claim.

I believe that this bill, if enacted, will assist VA in developing appropriate criteria to implement the requirements of the current law. In addition, courts which review appeals from VA decisions should find it easier to identify errors in notification by measuring the notice against clear regulatory criteria.

I urge all of my colleagues to support this measure, so that veterans, survivors and dependents seeking VA benefits may be provided with clearer and more understandable notices.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3023

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veterans' Notice Clarification Act of 2008''.

SEC. 2. REGULATIONS ON CONTENTS OF NOTICE TO BE PROVIDED CLAIMANTS WITH THE DEPARTMENT OF VETERANS AFFAIRS REGARDING THE SUBSTANTIATION OF CLAIMS.

Section 5103(a) of title 38, United States Code, is amended—

(1) by inserting ''(1)'' before ''Upon receipt''; and

(2) by adding at the end the following new paragraph:

''(2)(A) The Secretary shall prescribe in regulations requirements relating to the contents of notice to be provided under this subsection.

''(B) The regulations required by this paragraph—

''(i) shall specify different contents for notice depending on whether the claim concerned is an original claim, a claim for reopening a prior decision on a claim, or a claim for increase in benefits;

''(ii) may provide additional or alternative contents for notice if appropriate to the benefit or services sought under the claim;

''(iii) shall specify for each type of claim for benefits the general information and evidence required to substantiate the basic elements of such type of claim; and

''(iv) shall specify the timing of the issuance of notice.''.

By Mr. REID (for Mrs. CLINTON):

S. 3027. A bill to amend the National and Community Service Act of 1990 to establish a program to provide college coaches to low- and middle-income high-achieving high school students; to the Committee on Health, Education, Labor, and Pensions.

Mrs. CLINTON. Mr. President, in honor of AmeriCorps Week, I am pleased to introduce legislation that will place more of our Nation's low- and middle-income high school students on the road to higher education. My legislation will address the disparity that exists in college persistence between lower-income, high-achieving students and their more affluent peers.

According to the National Educational Longitudinal Survey, NELS, more than 1.5 million high school students with annual household incomes of less than $85,000 do not earn college degrees despite having ranked in the top half of their high school classes. Further, a recent report from the Jack Kent Cooke Foundation found that 59 percent of lower-income high-achieving students graduated from college compared to 77 percent of their higher income peers. America cannot remain competitive in the global economy if we continue to squander our college talent every year. That is why I am sponsoring the Coaching Our Adolescents for College Heights Act, or the COACH Act.

The COACH Act creates a pilot AmeriCorps program to recruit, train, and place recent college graduates, or coaches, in high schools to help prepare low- and middle-income, high-performing high school students for success in college. Under this program, coaches will be responsible for working with school staff to build a strong college-going culture within their high schools. Coaches will be paired with a cohort of low- and middle-income, high-achieving students to ensure student enrollment and success in college-prep coursework and to connect participating students with summer internships, community service activities, and other opportunities that will enrich each student's academic experience. Coaches will also help students and their parents in understanding the college application, admissions, and financial aid processes as well as work with students to select and enroll in the institutions of higher education that best meet each student's educational and social needs.

The role of coaches will not end once students are enrolled in college, as coaches will be required to monitor their students' academic performance and social adjustment through the end of each student's first year of college. In this way, coaches will ensure that students are connected to the support services they need to persist in and ultimately graduate from college.

A recent study by the Consortium on Chicago School Research found that only 41 percent of students who aspired to go to college took the steps necessary in their senior year to apply to and enroll in a four-year college, despite being well-qualified for even the most selective colleges and universities. It is among these students that the Nation suffers the greatest loss in proven talent. Unfortunately, our high schools are struggling to provide these students with necessary guidance. In 2002, the National Center of Education Statistics found that the average ratio of high school students to full-time guidance counselors was 315 to 1. Furthermore, only 10 percent of public schools have advisors whose sole responsibility is college counseling. The COACH Act not only addresses the need to prepare our high-achieving, low- and middle-income students for college, but it also engages eager AmeriCorps members as a necessary resource for completing this task.

I hope my colleagues will join me in this effort to help these students succeed in higher education and compete in the global economy.

By Mr. REID (for Mrs. CLINTON):

S. 3028. A bill to amend the National and Community Service Act of 1990 to promote community service among United States youth by connecting secondary school seniors to community service opportunities; to the Committee on Health, Education, Labor, and Pensions.

Mrs. CLINTON. Mr. President, in honor of AmeriCorps Week, I am pleased to introduce a bill that will help keep our Nation's high school seniors engaged in learning and community service. My legislation will connect high school seniors to service opportunities within their schools or communities while earning money for college.

The senior year of high school is a crucial transition time for youth. Despite this fact, many twelfth grade students opt to take less challenging courses, or no classes at all, during their final year of high school, a phenomenon commonly termed ''senioritis.'' I strongly believe we should use this opportunity to provide a service-oriented education for young people across the country. That is why I am sponsoring the Senior Year Community Service Act.

This legislation will create a pilot program to enable six local educational agencies to connect high school seniors with service opportunities within their communities or schools. The bill calls on the Corporation of National and Community Service to assist local educational agencies with the implementation of this pilot program. Using grant funds, the local educational agency will establish a partnership with a community based organization to implement this pilot program, provide a service coordinator to assist participating high schools, and provide information to students about this program as early as their junior year.

The Senior Year Community Service Act also requires the Department of Education to study the effects of this program on participating seniors. The evaluation will measure student academic achievement on State academic assessments, graduation rates and student rates of college enrollment, persistence and graduation. If the evaluation proves that this program is successful in increasing student achievement, the legislation calls upon the Department of Education to make this program a universal experience for high school seniors.

Research has shown that participation in community service activities can lead to increased student achievement. In one study, students involved in community service and service-learning reported higher grades and better school attendance. In another study, civically-engaged high school students tended to make greater academic progress and were more likely to graduate from college.

The benefits of community service participation can reach beyond the school walls. The National Service-Learning Clearinghouse notes that in addition to increased academic achievement, service learning contributes to students' increased self-efficacy, enhanced problem-solving skills, and enhanced civic engagement.

We have seen colleges and universities take their own approaches to solving the problem of ''senioritis.'' Earlier this year, the New York Times reported that a handful of universities are taking action against slacking high school seniors—ranging from requiring students to meet monthly with the dean of admissions once enrolled, to rescinding admission status completely. Programs that keep seniors engaged in school can prevent college-bound students from squandering their precious opportunities.

The Senior Year Community Service Act will prevent many high school students from wasting their senior year and makes community service a common expectation for high school seniors. I hope that my Senate colleagues will join me in supporting this bill that will help our youth stay on track for a bright and successful future.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 567—A BILL DESIGNATING JUNE 2008 AS ''NATIONAL INTERNET SAFETY MONTH''

Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. BAUCUS, Mr. BAYH, Mr. BROWN, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Mr. CONRAD, Mr. CRAIG, Mr. CRAPO, Mrs. DOLE, Mr. DOMENICI, Mr. GRASSLEY, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. KERRY, Ms. LANDRIEU, Mr. LEAHY, Mrs. LINCOLN, Mr. MENENDEZ, Mr. SCHUMER, Ms. SNOWE, Mr. STEVENS, Mr. VITTER, Mr. VOINOVICH, and Mr. WICKER) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 567

Whereas there are more than 1,000,000,000 Internet users worldwide;

Whereas, in the United States, 35,000,000 children in kindergarten through grade 12 have Internet access;

Whereas approximately 86 percent of the children of the United States in grades 5 through 12 are online for at least 1 hour per week;

Whereas approximately 67 percent of students in grades 5 through 12 do not share with their parents what they do on the Internet;

Whereas approximately 30 percent of students in grades 5 through 12 have hidden their online activities from their parents;

Whereas approximately 31 percent of the students in grades 5 through 12 have the skill to circumvent Internet filter software;

Whereas 61 percent of the students admit to using the Internet unsafely or inappropriately;

Whereas 12 percent of middle school and high school students have met face-to-face with someone they first met online;

Whereas 42 percent of students know someone who has been bullied online;

Whereas 56 percent of parents feel that online bullying of children is an issue that needs to be addressed;

Whereas 47 percent of parents feel that their ability to monitor and shelter their children from inappropriate material on the Internet is limited; and

Whereas 61 percent of parents want to be more personally involved with Internet safety: Now, therefore, be it

Resolved, That the Senate—

(1) designates June 2008 as ''National Internet Safety Month'';

(2) recognizes that National Internet Safety Month provides the citizens of the United States with an opportunity to learn more about—

(A) the dangers of the Internet; and

(B) the importance of being safe and responsible online;

(3) commends and recognizes national and community organizations for—

(A) promoting awareness of the dangers of the Internet; and

(B) providing information and training that develops critical thinking and decision-making skills that are needed to use the Internet safely; and

(4) calls on Internet safety organizations, law enforcement, educators, community leaders, parents, and volunteers to increase their efforts to raise the level of awareness for the need for online safety in the United States.

Ms. MURKOWSKI. Mr. President, today I introduced a resolution designating June 2008 as National Internet Safety Month.

The Internet has become one of the most significant advances in the 20th century and, as a result, it affects people's lives in a positive manner each day. However, this technology presents dangers that need to be brought to the attention of all Americans. Consider the pervasiveness of Internet access by children and the rapid increase in Internet crime and predatory behavior. Never before have powerful educational solutions—such as Internet safety curricula for grades kindergarten through 12—been more critical and readily at hand.

I-SAFE is one nonprofit organization that has worked tirelessly to educate our youth and our community on these important issues. Formed in 1998, I-SAFE educates youth in all 50 States, Washington, DC, and Department of Defense schools worldwide to ensure that they have a safe experience online.

It is imperative that all Americans learn about the Internet safety strategies which will help keep their children safe from victimization. Consider the facts: In the United States, about 35 million school-aged children have Internet access. Eighty-six percent of middle and high school students are online for at least one hour per week.

An alarming statistic is that 61 percent of middle and high school youths admit to using the Internet unsafely or inappropriately. Furthermore, at least 12 percent of these students have met face-to-face with someone they first met online and 42 percent of these students know of someone who has been bullied online.

Now is the time for America to focus its attention on supporting Internet safety, especially bearing in mind that children will soon be on summer vacation and will spend more time online.

SENATE RESOLUTION 568—COMMEMORATING THE 100TH ANNIVERSARY OF THE FOUNDING OF THE NATIONAL GOVERNORS ASSOCIATION

Mr. CARPER (for himself, Mr. VOINOVICH, Mr. ALEXANDER, Mr. BAYH, Mr. BOND, Mr. GREGG, Mr. NELSON of Nebraska, and Mr. ROCKEFELLER) submitted the following resolution; which was considered and agreed to:

S. RES. 568

Whereas, in 1908, President Theodore Roosevelt invited the Nation's Governors to the White House to discuss conserving America's natural resources;

Whereas the Governors decided to form an association through which they could continue to come together on a bipartisan basis to discuss mutual concerns and share State practices;

Whereas, 100 years later, the National Governors Association serves as the collective voice of the 55 Governors of States, commonwealths, and territories;

Whereas, for the past century, Governors have utilized the organization to explore issues, develop solutions, and build consensus on diverse national policies;

Whereas the National Governors Association has played a key role in shaping public policy and addressing America's most pressing challenges; and

Whereas the National Governors Association is celebrating 100 years of gubernatorial leadership–honoring the past, celebrating the present, and embracing the future: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the leadership of the Nation's Governors and honors their contributions to American politics and society; and

(2) commemorates the 100th anniversary of the founding of the National Governors Association.

AMENDMENTS SUBMITTED AND PROPOSED

SA 4777. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table.

SA 4778. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4779. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4780. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4781. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4782. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4783. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4784. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

SA 4785. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 4777. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 4751 proposed by Mr. REID (for Mr. GREGG (for himself and Mr. KENNEDY)) to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the end of the substitute amendment, insert the following:

SEC. ___. AUTHORIZATION OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM.

Section 508 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3758) is amended by striking ''for fiscal year 2006'' through the period and inserting ''for each of the fiscal years 2006 through 2012''.

SA 4778. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PUBLIC SECTOR EMPLOYEES' RIGHT TO WORK.

(a) PROVIDING PUBLIC SECTOR EMPLOYEES WITH THE RIGHT TO WORK.—Section 4(b) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by adding at the end the following:

''(6) Providing for the rights of all public sector employees in the State, by mandating that no such employee pay any dues or fees to a labor organization as a condition of employment.''.

(b) ROLE OF THE AUTHORITY.—Section 5(a) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by striking ''in section 4(b)'' and all that follows through the period at the end and inserting ''in section 4(b).''.

SA 4779. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. LIFE AT CONCEPTION.

(a) IN GENERAL.—Section 4(b) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by adding at the end the following:

''(6) Requiring that the State shall have taken steps to protect the rights, life, and safety of all of its citizens, born or unborn, by enacting laws to protect the lives of these citizens and granting to the born and unborn equally the right to life guaranteed under the Constitution and enumerated under the 14th Amendment, and declaring such protections to be vested in each human being from the time of conception.''.

(b) ROLE OF AUTHORITY.—Section 5(a) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by striking ''described in section 4(b)'' and all that follows through the period and inserting ''described in section 4(b).''.

SA 4780. Mr. DEMINT submitted an amendment intended to be proposed by

him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. MEMBERS-ONLY BARGAINING.

(a) MEMBERS-ONLY BARGAINING.—Section 4(b) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by adding at the end the following:

''(6) In order to protect the rights of the individual worker—

''(A) prohibiting a State or local government from entering into an exclusive representation agreement with a labor organization; and

''(B) ensuring that a labor organization is only representing its own members, and that the rights of nonmembers to bargain on their own behalf is provided for.''.

(b) ROLE OF THE AUTHORITY.—Section 5(a) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by striking ''in section 4(b)'' and all that follows through the period at the end and inserting ''in section 4(b).''.

SA 4781. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RIGHT TO CARRY WEAPONS.

(a) IN GENERAL.—Section 4(b) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by adding at the end the following:

''(6) Granting citizens of the State the right to carry concealed weapons to assist in protecting the safety of its citizens and public safety officers.''.

(b) ROLE OF AUTHORITY.—Section 5(a) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by striking ''described in section 4(b)'' and all that follows through the period and inserting ''described in section 4(b).''.

SA 4782. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RECIPROCITY.

(a) IN GENERAL.—Section 4(b) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by adding at the end the following:

''(6) Granting citizens of other States where the concealed carrying of firearms has been duly provided for by law the ability to exercise that right in their State without the further issuance of permits.''.

(b) ROLE OF AUTHORITY.—Section 5(a) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by striking ''described in section 4(b)'' and all that follows through the period and inserting ''described in section 4(b).''.

SA 4783. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PREVENTING PAYROLL DEDUCTION.

(a) PREVENTING PAYROLL DEDUCTION.—Section 4(b) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by adding at the end the following:

''(6) Prohibiting the deduction of labor organization dues or fees of any kind directly from an employee's paycheck.''.

(b) ROLE OF THE AUTHORITY.—Section 5(a) of the Public Safety Employer-Employee Cooperation Act of 2007 is amended by striking ''in section 4(b)'' and all that follows through the period at the end and inserting ''in section 4(b).''.

SA 4784. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PUBLIC SAFETY OFFICER RIGHT-TO-WORK.

Section 4(b) of this Act is amended by adding at the end the following:

''(6) Forbidding any public safety employer from negotiating a contract or memorandum of understanding that requires the payment of any fees to any labor organization as a condition of employment.''.

SA 4785. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions; which was ordered to lie on the table; as follows:

On page ___, line ___, insert the following:

SEC. ___. COLLECTION OF UNION DUES FROM ILLEGAL IMMIGRANTS PROHIBITED.

(a) IN GENERAL.—It shall be unlawful for a labor organization to collect dues or initiation fees from any individual who is physically present in the United States in violation of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(b) STATE RESPONSIBILITIES.—

(1) IN GENERAL.—Notwithstanding any other provision of this Act, a State law shall be deemed to have failed to substantially provide for the rights and responsibilities described in section 4(b) unless the Authority determines that such law, in addition to meeting such rights and responsibilities, prohibits labor organizations from collecting dues or initiation fees from any individual who is physically present in the United States in violation of the Immigration and Nationality Act.

(2) ENFORCEMENT AUTHORITY.—The Authority may issue and enforce regulations to carry out paragraph (1) in the manner provided under section 5.

(c) DECERTIFICATION OF PUBLIC SAFETY LABOR ORGANIZATIONS.—In addition to any enforcement measures authorized under subsection (b)(2), if the Authority determines that a labor organization has violated any provision under subsection (a) or (b), the Authority shall issue an order that decertifies the labor organization or otherwise notifies the labor organization that the organization will no longer be recognized by the Authority as the exclusive representative of employees for collective bargaining purposes.

(d) REQUIRED PARTICIPATION BY PUBLIC SAFETY LABOR ORGANIZATIONS.—Section 402(e) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (title IV of division C of Public Law 104–208; 8 U.S.C. 1324a note) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) LABOR ORGANIZATIONS.—

''(A) IN GENERAL.—All labor organizations (as defined in section 3 of the Public Safety Employer-Employee Cooperation Act of 2007) shall elect to participate in the basic pilot program and shall comply with the terms and conditions of such election.

''(B) VERIFICATION OF ALL MEMBERS.—Notwithstanding any other provision in this title, each participating labor organization shall use the confirmation system to seek confirmation of the identity and employment eligibility of each member of such labor organization.

''(C) DEADLINE FOR COMPLIANCE.—The verifications required under subparagraph (B) shall be completed—

''(i) not later than 1 year after the date of the enactment of the Public Safety Employer-Employee Cooperation Act of 2007 for all members of the labor organization as of such date; and

''(ii) for individuals who become members of such labor organization after such date of enactment, not later than 14 days after the commencement of such membership.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, May 15, 2008, at 2:30 p.m., in Executive Session to consider pending military nominations.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 15, 2008, at 3 p.m. in Executive session to conduct a hearing.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Thursday, May 15, 2008, at 10 a.m. in room 253 of the Russell Senate Office Building.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate to conduct a hearing on Thursday, May 15, 2008, at 1.50 p.m., in room SD–366 of the Dirksen Senate Office Building.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, May 15, 2008, at 2 p.m. to hold a hearing on U.S.-China relations.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Thursday, May 15, 2008, at 10 a.m. to conduct a hearing entitled ''Nuclear Terrorism: Providing Medical Care and Meeting Basic Needs in the Aftermath.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on Thursday, May 15, at 9:30 a.m. in room 562 of the Dirksen Senate Office Building to conduct a hearing.

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

COMMITTEE ON THE JUDICIARY

Mr. HARKIN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, to conduct an executive business meeting on Thursday, May 15, 2008, at 10 a.m. in room SD–226 of the Dirksen Senate Office Building.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet during the session of the Senate on Thursday, May 15, 2008, at 2 p.m. in order to conduct a hearing entitled, ''National Security Bureaucracy for Arms Control, Counterproliferation, and Nonproliferation Part I: The Role of the Department of State.''

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

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Jenna Jones of my staff be granted floor privileges for the duration of today's session.

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

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following staff of the Finance Committee be allowed on the Senate floor for the duration of the debate on the farm bill: Ayesha Khanna, Bridget Mallon, Scott Guenther, Bruce Fergusson, Kelsey Hamilton, Libby Cohn, Nathan Empsall, Ezana Teferra, Jeremiah Langston, and Thea Murray.

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

Mr. CASEY. Mr. President, I ask unanimous consent that Caryn Long from my staff be granted the privilege of the floor for today and throughout the remaining time on the bill.

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

ENCOURAGING DISPLAY OF THE FLAG OF THE UNITED STATES ON FATHER'S DAY

Mr. DURBIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 2356 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2356) to amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 2356) was ordered to a third reading, was read the third time, and passed.

TEMPORARY EXTENSION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3029 introduced earlier today.

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

The assistant legislative clerk read as follows:

A bill (S. 3029) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

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

Mr. KERRY. Mr. President, on May 23, 2008, many of the Small Business Administration's programs and authorities will expire.

Unfortunately, it has become commonplace for those in the small business community to face an expiration of the programs they depend upon. Since September 30, 2006, we have had to pass four temporary extensions to keep the Small Business Administration authorized. And here we are, yet again, trying to pass a temporary bill to continue these vital small business programs—this time through March 20, 2009.

Since Democrats took the majority over a year ago, the Committee on Small Business and Entrepreneurship has worked hard to create a good climate for small businesses in this country. To that end, we have had 20 hearings, 6 roundtables, and passed 5 major bills out of committee to address the needs of the small business community, needs which have gone unmet the past 7 years. During that time, we have often encountered obstruction from the administration and Republican congressional leadership. Despite the cooperation of the very supportive ranking member I have in Senator OLYMPIA SNOWE, who is cosponsoring this legislation, some on the other side have blocked our legislation and have blocked the appointment of conferees, which leaves us unable to conference with the House and get much-needed legislation signed into law. The Republicans, now in the minority, fear what will happen in a conference. Rather than work through differences and accomplish something, it is easier to block legislation. Who suffers from all this needless obstruction? Small business owners and their employees.

Just today, we saw how it is possible to get things done. S. 163, the Small Business Disaster Response and Loan Improvements Act of 2007, was included in the farm bill conference report. This legislation, which was adopted as an amendment to the farm bill, was then negotiated with the House as part of the farm bill conference, allowing us to enact meaningful reforms in the way the Small Business Administration comes to the aid of disaster victims.

My hope is that once we have this extender bill in place, the administration and the Republican leadership will realize that five temporary authorizations are five too many and allow our committee to do what it has been attempting to do, which is to do a comprehensive reauthorization of the rest of the small business programs. Therefore, I urge my colleagues to pass this temporary bill and then give us the support we need for a comprehensive reauthorization of small business programs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 3029) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3029

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.

(a) IN GENERAL.—Section 1 of the Act entitled ''An Act to extend temporarily certain authorities of the Small Business Administration'', approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 110–136 (121 Stat. 1453), is amended by striking ''May 23, 2008'' each place it appears and inserting ''March 20, 2009''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on May 22, 2008.

SIGNING AUTHORIZATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the majority leader, Senator REID, of Nevada be authorized to sign enrolled bills during the adjournment of the Senate.

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

ORDERS FOR MONDAY, MAY 18, 2008

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 2 p.m., Monday, May 19; that following the prayer and the pledge, the Journal of the proceedings be approved to date, the morning hour be deemed to have expired, the time for the two leaders be reserved for their use later in the day, and the Senate proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

PROGRAM

Mr. DURBIN. Mr. President, as previously announced, there will be no rollcall votes on Monday. The next vote is expected to occur Tuesday morning.

ADJOURNMENT UNTIL MONDAY, MAY 19, 2008, AT 2 P.M.

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 8:26 p.m., adjourned until Monday, May 19, 2008, at 2 p.m.

EXTENSIONS OF REMARKS

TRIBUTE TO MRS. MARY ELLEN TOLLIVER

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. DAVIS of Illinois. Mr. Speaker, there is no greater gift that one can give when they give of themselves and Mr. Speaker such was the life and such is the legacy of Mrs. Mary Ellen Tolliver.

Mary Ellen Tolliver was born on September 1, 1915 in Richmond, Virginia; to the union of the late Thomas Day and Georgetta Walker-Day. Mary Ellen Day was the oldest of four children.

On Tuesday, May 13, 2008 at 2:30 a.m., God called Mary Ellen Day home for she had done her part. ''Peace I leave with you, my peace I give unto you: not as the world giveth, give I unto you. Let not your heart be troubled neither let it be afraid'' (John 14:27).

Mary Ellen Day moved to Pennsylvania as a young child with her family where she attended the public school system. Mary Ellen Day was married to John L. Toliver in 1935 and they attended Enon Tabernacle Baptist Church in Germantown, where she worshiped until her passing. John and Mary Toliver never had children of their own, but considered many in the community as their own family and provided them with values and traditions that will live on forever.

Mary Ellen Toliver dedicated her life to the field of mental health. She worked as a nurse at the Byeberry State Mental Hospital in Pennsylvania, also known as the Philadelphia State Hospital for 40 years from where she retired.

While at Byeberry, Mary Ellen Toliver became close to and took two long-term patients from Byeberry into her home in Germantown. Julia and Sweeney were abandoned by their families, but felt at peace with Mary Ellen Toliver. Mary Ellen Toliver shared her home with both ladies until their passing; Julia for 24 years and Sweeney for 30 years. They brought her great joy.

Mary Ellen Toliver, was preceded in death by her husband John L. Toliver, her brother Sonny Day, and sister Mabel Day. Mary Ellen Toliver leaves to cherish her lasting memories; her sister Willeta Day, and her sister Aquilla Laws. Mary Ellen Toliver leaves a host of nieces, great-nieces, nephews, great nephews, cousins, and the Enon Tabernacle Baptist Church family.

CONGRATULATING TOM HAMBY ON THE OCCASION OF HIS RETIREMENT

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. BONNER. Madam Speaker, it is with great pride and pleasure that I rise to honor the long and distinguished career of Tom Hamby, on the occasion of his retirement from AT&T Inc.

A native of Social Circle, Georgia, Tom earned a Bachelor of Science degree in engineering at the University of Georgia. He was commissioned in the Army Corps of Engineers and went on to serve 10 years in the reserves and National Guard.

As the Birmingham News described Tom, he is ''one of Birmingham's most influential business leaders.'' With a career spanning over 37 years, Tom has served in various assignments in the network, marketing, and regulatory departments in Georgia, Alabama, and Washington, DC, and he was appointed to his current position, AT&T president—Alabama, in 1999.

In the early 1990s, Tom led the effort to bring caller identification and voice mail products to customers. During his tenure as president, the Alabama Legislature passed landmark telecommunication legislation, which led to greater competition, investment, customer choice as well as new services.

Tom is also well-known in Birmingham and throughout the State of Alabama as a leader in both the business and civic communities. He is chairman of the board of the Birmingham Museum of Art and the Greater Alabama Council of Boy Scouts of America. He is a past chairman of Birmingham's Metropolitan Development Board, the Business Council of Alabama, and the Birmingham Regional Chamber of Commerce. He is a current director on the boards of Protective Life Corp. and the Birmingham Civil Rights Institute.

Madam Speaker, I ask my colleagues to join me in recognizing a dedicated community leader and friend to many throughout the State of Alabama. I know his family; his wife, Wyona; and his many friends join me in praising his accomplishments and extending thanks for his service over the years on behalf of the city of Birmingham and the State of Alabama.

Tom will surely enjoy the well deserved time he now has to spend with family and his first grandchild, who is due this summer. I wish him the best of luck in all of his future endeavors.

HONORING THE ACHIEVEMENTS OF HELEN MYERS

HON. JERRY McNERNEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. McNERNEY. Madam Speaker, I ask my colleagues to join me in honoring Mrs. Helen Myers as the Brentwood Chamber of Commerce's Citizen of the Year. Helen is an extraordinary woman whose entrepreneurial endeavors, generous spirit, and deep commitment to the residents of Brentwood will benefit our community for generations to come.

One of seven children, Helen's father passed away when she was only five years old. To support her family during this time of need, she began selling produce from her mother's vegetable garden to neighbors. This entrepreneurial spirit carried into her adulthood, and she is now a successful small business owner of both Irene's Dress Shop and The Weathervane.

The only child in her family to graduate from high school, Helen went on to marry Bill Myers. Together they moved to California, and eventually settled in Brentwood in 1968 with their two children, Corky and Sherry.

Soon after moving to Brentwood, Helen joined the East Contra Costa Chapter of the Soroptimists International Club, of which she has proven to be both a valuable member and a tireless volunteer. She has not only been instrumental in raising funds for various community projects, she has also served on numerous boards and commissions, including the Delta Hospital Board, the City's Art Commission, and the Art Society Board.

Helen's friends and family describe her as someone who is always looking out for others. As an example of her kindness, friends often tell the story of the time Helen caught a young woman shoplifting in one of her stores. After soon learning the woman was homeless and living out of her car with her young child, Helen decided against calling the police, and instead provided the woman with food and clothing and contacted a social service agency to assist her with housing. A few weeks later, the young woman returned to Helen, thanked her for her compassion, and reimbursed her for the food and the clothing.

A woman who has given so much to her community, Helen has done so quietly and without fanfare, making her selection as the Brentwood Chamber of Commerce's Citizen of the Year all the more worthy of public recognition. From her countless hours as a volunteer, to her success as a small business owner, Helen has touched the lives of many and has improved the community of Brentwood for years to come.

It is for these reasons that I ask my colleagues to join me in honoring Helen Myers, Brentwood Chamber of Commerce's Citizen of the Year.

CONFERENCE REPORT ON H.R. 2419, FOOD, CONSERVATION, AND ENERGY ACT OF 2008

SPEECH OF

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. HOLT. Mr. Speaker, I rise today to commend the Conference Committee for its hard work on the Farm Bill, and for all of the improvements the final bill makes to existing nutrition, conservation, organic farming and other important programs. But I also must express my great disappointment that, in this year of record crop prices and soaring agricultural profits, we have let a precious opportunity go by to implement real reform to the extremely outdated commodity and price support programs in the bill.

The good news today fills a long list. According to the USDA, more than 11 percent of U.S. households are food-insecure. Today, we will approve more than $10 billion in funding for programs that provide American families with low cost, healthy food, including more than $1 billion for The Emergency Food Assistance Program and more than $1 billion for the USDA Snack Program. This bill also increases the minimum benefit for food stamp recipients and excludes retirement and education savings accounts from the assets to be considered in determining eligibility. And I am particularly pleased to see that it includes $5 million in funding annually for Community Food Projects grants, which funding I have previously urged Congress to maintain and which I engaged in a colloquy about with the gentlelady from Connecticut Ms. DELAURO in connection with the Fiscal Year 2008 Agriculture Appropriations Bill.

Similarly, the bill before us today will authorize almost $8 billion in conservation funding, including increasing funding for the Environmental Quality Incentives Program by $3.4 billion, adding more than $1 billion in new funding for the Conservation Security Program, reestablishing the funding level for the Wetlands Reserve Program at $1.4 billion, and doubling funding for the Farm and Ranchland Protection Program. And I was especially pleased to see that the House-passed provision that would have restricted USDA conservation programs from encouraging farmers to reduce their use of toxic pesticides in implementing integrated pest management programs was removed from the final bill, and I would like to thank the two dozen Members who joined me in sending a letter to the Conferees to request that the pesticides discrimination provision be removed.

The Farm Bill supports organic farmers by providing $22 million in funding for the USDA's organic certification cost share program, which defrays the costs that organic producers incur when seeking organic certification, provides $5 million in funding for organic marketing data, and authorizes the Secretary of Agriculture to make payments of up to $20,000 per year, capped at $80,000 over six years, to a producer for conservation practices related to organic production or the transition to organic production. I have long supported facilitating the conversion to organic farming, and was delighted to have the support of this chamber when it voted in favor of my amendment to the Fiscal Year 2007 Agriculture Appropriations Bill to more than double the funding for the Organic Transitions Research program.

Therefore, although I will be voting in favor of this bill today, for all of the good that it will do, I note that there is still a substantial amount of good that it should have done, and will not. Although the commodity programs in the bill account for less than 13 percent of the Farm Bill funding, and represent a decrease of $60 billion compared to the last Farm Bill in 2002, we could have, and should have, done better.

First, although cuts to direct payments totaled $300 million, that represents a decrease of less than one percent to the $50 billion program. At the same time, subsidies for commodities such as soybeans and wheat have actually increased, despite the fact that prices for those commodities have also increased—by more than 100 percent and 200 percent, respectively, since 2002. The House-passed Farm Bill would have guaranteed $840 million in funding for the McGovern-Dole International Food for Education and Child Nutrition Program over five years, but in the final bill the program was cut to one tenth that amount—only $84 million. According to news reports, the amount of international food aid provided represents less than 1 percent of the Farm Bill's total cost, while at the same time the bill preserves the trade-distorting subsidy programs that make it virtually impossible for farmers in developing nations to compete.

And finally, I was troubled to learn that an 11th-hour change was inserted into the bill by the Conference Committee, despite it not having been debated or voted on in either Chamber, that would negate a U.S. Court of Appeals, DC Circuit ruling mandating disclosure of USDA data relevant to producer compliance with subsidy programs. In reaching its decision, the Court stated that "there is a special need for public scrutiny of agency action that distributes extensive amounts of public funds in the form of subsidies and other financial benefits." No title of the Farm Bill has been more hotly debated than the commodity title, the original justifications for which have all but evaporated over time, and thus it troubles me that a provision that not only goes to the very heart of that matter but also appears to fly squarely in the face of a recent court ruling on the subject is being put before this body without debate or a specific vote on the merits. In fact, I intend to request a hearing on this last-minute language.

Therefore, this is one of those decisions that is not clear cut. On balance, I feel that the good news in the Farm Bill outweighs the bad, although not by much. I want to commend my colleague from Wisconsin Mr. KIND for his continuing leadership in working to develop a Farm Bill that more equitably reflects our modern day needs and economic realities, and I want him to know that I look forward to working with him and others in the future to address the shortcomings of this bill.

COMMEMORATING RANDY JEFFERS

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. LAMPSON. Madam Speaker, I rise today to commemorate a true Texan, Randy Jeffers of Amarillo, Texas.

Mr. Jeffers is the 2008 chairman of the 90,000 strong members of the Texas Association of Realtors, TAR.

The tireless leader of TAR, Mr. Jeffers has worked day and night to ensure that the eternal American dream of homeownership will not be denied to any Texan, even in these challenging times for the real estate market.

As a former realtor and real estate course instructor, I fully recognize the sub-prime mortgage crisis facing our Nation. The real estate market affects every city, town, county, and State in our country, and as we have all seen, the wellbeing of the housing market is key to the overall strength of the U.S. economy.

This Congress and the Texas Association of Realtors have worked hard to address serious issues facing our housing market, and we are working together toward a balanced solution that turns the market around, stops falling prices, stops abuses, aids stable homeownership, and preserves our vibrant communities.

Mr. Jeffers was not able to come to Washington for his legislative conference this year, but I wanted to set the record straight that Mr. Jeffers passionately believes that real estate is a major driving force behind a strong American economy and he is working hard to champion his industry at every opportunity.

IN HONOR OF ARKANSAS' THIRD DISTRICT POLICE OFFICERS

HON. JOHN BOOZMAN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. BOOZMAN. Madam Speaker, I rise in support of National Peace Officer Memorial Day and recognize the sacrifices and honorable service of law enforcement officers in Arkansas and throughout the country.

Their efforts were first honored with this special recognition in 1962 when President John F. Kennedy designated May 15th as Peace Officers Memorial Day and the week as National Police Week.

The law enforcement career path attracts many brave Americans. Today there are more than 900,000 sworn law enforcement officers serving, which is the highest number ever.

With the honor of the badge also comes the possibility of anguish. On average a law enforcement officer is killed in the line of duty in the United States every 53 hours. Earlier this year, the Third District of Arkansas experienced the loss of an Arkansas State Trooper who sacrificed his life while on duty.

My appreciation for these Americans who help protect us every day is immeasurable. We must recognize and honor the efforts of these brave men and women not only this week, but all year long.

KEEPING SPORTS IN PERSPECTIVE

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. TOWNS. Madam Speaker, I would like to share with my colleagues an excellent May 13th article by Steve Politi of The Star Ledger entitled "Spygate Shouldn't Concern Congress." It emphasizes the importance of Congress remaining focused on critical national issues such as the economy, healthcare, education and the war.

[From the Star-Ledger, May 13, 2008]

SPYGATE SHOULDN'T CONCERN CONGRESS

(By Steve Politi)

If Congress really wanted to make a difference in our lives, it could hold hearings on how to make our most annoying sports storylines go away. Start with the endless debate over Joba Chamberlain and his eighth-inning celebrations, then move to Roger Clemens' creepy personal life.

Then, and only then, should Washington tackle "Spygate," which has dragged on through an entire season and has the legs to make it to training camp. No matter what Roger Goodell declares today after meeting with fired Patriots video assistant Matt Walsh, the NFL commissioner can't get rid of this one himself.

Arlen Specter will see to that. The Pennsylvania senator plans to meet with Walsh this afternoon, and it's hard to believe he'll emerge from their conversation and tell the world that the matter is settled. Which means, sometime in the near future, Bill Belichick could be packing his hoodie for a trip to Washington and another unnecessary sports-related hearing.

Specter is another politician who has figured out that the quickest path to easy publicity—and to getting noticed by his football-loving constituency—is to take on a sports issue. Why settle for C-SPAN when you can get on ESPN and a few hundred sports radio stations, too?

Congress can make an impact on a sports issue occasionally, as it did with steroids in baseball. Without those early hearings, Major League Baseball would have continued to take its time cleaning up the sport and Mark McGwire might have a bust in Cooperstown.

But what, exactly, would society gain from a hearing into the Spygate mess? Is it to set an example for kids who might steal signals at their Pop Warner games? To distract us from rising gas prices, the struggling economy and the million or so more important issues?

"Congress has a legitimate reason to conduct hearings on any number of issues in sports," said Stephen Ross, director of Penn State's Institute for Sports Law Policy. "The question is, what are they looking at? Steroids is a legitimate public problem. Whether a mass on Roger Clemens' butt is evidence of steroid use is not."

Specter insisted recently that "we have a right to have honest football games," but the Founding Fathers must have forgotten to include that with life, liberty and the pursuit of happiness. NFL games should be fair, of course, but the responsibility for keeping them that way belongs to the NFL.

Goodell fined Belichick, who was caught taping signals at the season opener against the Jets last fall, $500,000 and docked the team a draft pick. He should have suspended Belichick, too, to send a message that even the league's most successful coach is not above the rules.

But Goodell is the one who should make that decision. Walsh apparently will arrive at the NFL offices in New York today without a smoking gun—reports from February that Walsh had taped the St. Louis Rams' walk-through before the 2002 Super Bowl were false.

Walsh did turn over eight tapes made from 2000 to 2002, which further confirms what we already know: Belichick is a cheater. He has been scolded and embarrassed, his legacy as a coach tarnished forever. Do another eight examples make it more tarnished?

No one can ever say for sure what impact taping signals had on the Patriots dynasty. The answer is probably more than the NFL wants to admit, and less than the posse chasing after Belichick with the torches thinks. Dragging the coach and commissioner to Capitol Hill won't clear up a thing.

"If the sole focus of the hearing is, 'What did Belichick do and when did he do it?' I agree it's hard to see the need," Ross said. "Whether it becomes the football equivalent of a discussion of Tom Cruise and Katie Holmes, well, that remains to be seen."

It is hard to believe that Specter's motives are pure. Beyond the usual grandstanding for the cameras. his secondlargest political contributor is Comcast, which is battling the NFL over fees for the NFL Network. Tops on the list? Comcast's Washington lobbying firm.

Soaring cable bills! Now there's a good topic for a Congressional hearing. We love a good conspiracy, but the only way Spygate resembles Watergate is how long it has dominated the news. Bill Belichick is not Richard Nixon. He shouldn't be heading to Washington.

PERSONAL EXPLANATION

HON. JERRY WELLER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. WELLER of Illinois. Madam Speaker, I rise today to enter into the RECORD votes I would have cast had I been present for rollcall votes 306 through 316. I was absent on Tuesday, May 13th and part of the day Wednesday April 14th due to personal reasons.

If I were present I would have voted, "yea" on rollcall vote 306, "yea" on rollcall vote 307, "yea" on rollcall vote 308, "nay" on rollcall vote 309, "nay" on rollcall vote 310, "nay" on rollcall vote 311, "yea" on rollcall vote 312, "yea" on rollcall vote 313, "yea" on rollcall vote 314, "yea" on rollcall vote 315, "yea" on rollcall vote 316, and "nay" on rollcall vote 317.

HONORING PFC WILBUR J. (WEB) FENBERT FOR BEING NAMED 2008 VETERAN OF THE YEAR

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. JORDAN of Ohio. Madam Speaker, I am honored to commend to the House the distinguished service of PFC Wilbur J. (Web) Fenbert to the United States of America during World War II. PFC Fenbert will receive Veteran of the Year honors at an Armed Forces Day celebration breakfast this weekend.

During his time in the military, Web served in the 4th Armored Division which was the spearhead of the 3rd Army as it pushed into German territory. Web was an ambulance driver and moved casualties to field hospitals. In 1944, on Christmas Day, his division moved into Bastogne, and casualties had to be evacuated to the field hospital in Chaumont. Web bravely made seven trips through German artillery shell fire as he carried 22 wounded soldiers to the hospital.

Web's closest call was in a combat offensive called Task Force Baum while involved in a mission to liberate the concentration camp at Hanneburg, Germany. The camp was sixty miles behind German lines. Web picked up five casualties from a battle at Schweinhaim and took them back to the field hospital. Once there, he was ordered not to return. Although the Task Force reached Hanneburg, they ran into a Panzer Division on their return. All Task Force members were either killed or taken as prisoners of war.

Web has many war memories. One is of seeing General Patton and General Eisenhower directing traffic at a crossroads outside Bastogne. Another memory is of liberating POW camps such as Moosburg. He said that Buchenwald was the worst. Web said, "I'll never forget the stench or the heinous scene." Web was also at Foshenbroke, Germany, where General Patton was killed, and he attended the funeral.

At the end of the war, Web turned in his ambulance which had 29 shell holes and said, "I wasn't even scratched."

RECOGNIZING THE ACHIEVEMENTS AND ACCOMPLISHMENTS OF J. MICHAEL DURNIL DURING HIS TENURE AT ROOSEVELT UNIVERSITY

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. DAVIS of Illinois. Madam Speaker, I want to take this opportunity to recognize the significant contributions of J. Michael Durnil, Ph.D., to Roosevelt University. Dr. Durnil will leave Roosevelt University, where he has devoted his talents and energies for the last 15 years, for the newly created position of Senior Vice President for GLADD, the Gay and Lesbian Alliance Against Defamation in Los Angeles.

Throughout his career at Roosevelt, Dr. Durnil has been a staunch advocate for students, especially those who are the first in their family to attend Roosevelt, a protector and promoter of the university's image, reputation, and history as an institution of higher education founded on the principles of social justice and academic excellence, and a devoted cheerleader for Roosevelt University at both the Chicago and Schaumburg campuses.

During his time at Roosevelt, Dr. Durnil rose quickly through the ranks, beginning as Dean of Students, serving as the Campus Executive Officer for the Schaumburg campus, and eventually being promoted to Vice President for Administration and Assistant Secretary to the Board of Trustees. In spring 2004, he was honored as an American Council on Education Fellow, a highly prestigious appointment made

only to the Nation's top college and university leaders. He spent the next academic year at Fairleigh Dickinson University in New Jersey.

Upon his return in 2005, he was named to the newly created position of Vice President for Governmental Affairs and University Outreach, the position he will leave on May 28, 2008. Making a strong impact from the start, Dr. Durnil oversaw the creation, direction and implementation of strategic activities focused on governmental, community, public and external relations for the university.

Through Dr. Durnil's efforts, Roosevelt University gained national and international recognition as a major sponsor for the 2006 Gay Games, which were hosted by the City of Chicago. From serving as a registration site for the 140,000 participants to hosting a mayoral press conference on campus to providing housing for athletes, Roosevelt University was a major part of this event, thanks to Dr. Durnil. His hard work and penchant for developing productive and solid relationships in Springfield and Washington, DC, has resulted in a strengthened presence and recognition for the university with elected officials.

With deep appreciation and admiration for his efforts, I thank Dr. Durnil for his service to Roosevelt University and the city of Chicago and wish him well in his new endeavors.

CONGRATULATING JULIAN SMITH ON THE OCCASION OF HIS RETIREMENT

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. BONNER. Madam Speaker, it is with great pride and pleasure that I rise to honor the long and distinguished career of Julian Smith, on the occasion of his retirement from Alabama Power Company.

With a career spanning over 34 years, Julian rose through the ranks of the Alabama Power Company. Julian joined Alabama Power in 1974 in the construction department at Greene County Steam Plant. In 1982, he transitioned to the governmental affairs department, and in 1991, he was promoted to vice president of governmental affairs. Julian assumed his current position, vice president of corporate relations, in 2000.

Julian has been active in Alabama politics his entire adult life. He served as corporate liaison to former Alabama Governor Don Siegelman. In 2001, he was appointed to the Delta Regional Authority as well as the Alabama Commission on Physical Fitness. Julian also served as corporate liaison for the creation of the Alabama Black Belt Community Foundation, leading Alabama Power to partner with Auburn University in their effort to establish a Regional Foundation for the Black Belt.

Julian serves on the board of trustees for Marion Military Institute. He is an alumnus of Leadership Birmingham. He served on the 1996 Birmingham Soccer Organizing Committee as well as numerous committees for the Birmingham Chamber of Commerce. In 1981, the Alabama Jaycees named Julian among the "Four Outstanding Young Men of Alabama."

Madam Speaker, I ask my colleagues to join me in recognizing a dedicated community leader and friend to many throughout Alabama. I know his family and his many friends and colleagues join me in praising his accomplishments and extending thanks for his service over the years on behalf of the State of Alabama.

Julian will surely enjoy the well deserved time he now has to spend with family and loved ones. On behalf of a grateful State, I wish him the best of luck in all his future endeavors.

HONORING LEE HUDSON OF NAPA COUNTY, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. THOMPSON of California. Madam Speaker, I rise today to recognize Mr. Lee Hudson, who is being honored by the Napa Valley Grapegrowers as their Grower of the Year on Friday, May 16, 2008. Mr. Hudson is being recognized for his outstanding contributions to the wine grape industry and the larger community of the Napa Valley.

Hudson Vineyards has established itself over the last 25 years as one of the truly great vineyards of the Napa Valley. Mr. Hudson found his love for winemaking early on, receiving his B.S. in Horticulture from the University of Arizona and continuing his education in Viticulture and Enology at the University of California, Davis. Mr. Hudson's dedication and passion to his craft shows in the number of critically acclaimed wines that Hudson Vineyards has produced and continues producing today.

Throughout his career, Lee Hudson has set a lofty standard for farming in the Napa Valley. These high standards are reflected not only in the quality of his fruit and clients, but also in the loyalty of his employees. In recent years, Mr. Hudson has brought significant benefits to some of his field-based employees by offering after-hours English courses and low-cost housing options on the ranch.

Mr. Hudson is a great role model for other growers in the industry through his innovation, progressive farming techniques, and managing vineyards and surrounding land with a "systems approach". This "systems approach" makes Hudson Vineyards stand out among the rest in land stewardship and land conservation. Mr. Hudson sets a tremendous example with his strong advocacy for the preservation of agriculture in the Napa Valley, as well as his active involvement with the Napa Valley Grapegrowers.

Madam Speaker and colleagues, it is appropriate at this time that we thank Mr. Lee Hudson for the incredible work he has done on behalf of the Napa Valley. As a respected grape grower he has advanced the reputation of Napa Valley grapes and wine, and has been a model citizen and superb steward of the land.

NATIONAL PEACE OFFICERS MEMORIAL DAY

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. REICHERT. Madam Speaker, Today is National Peace Officers Memorial Day.

Just outside this chamber, are thousands of law enforcement officers, here to honor the fallen.

Freedom is not something we can take for granted. Police officers understand their role in this and take it seriously. For 33 years, I wore the badge of the King County Sheriff's office, and understand the sacrifice, and the pain of losing a partner.

My good friend Mr. POE has a resolution honoring these brave men and women who sacrificed all while protecting our communities and keeping our children safe. The House Oversight and Government Reform Committee passed the resolution on May 1st and yet the Majority has failed to bring it to the floor. Why? The House has honored our peace officers and passed this resolution every year since 1999. This is the first time in 5 years the resolution has failed to come to the floor during National Police Week.

Madam Speaker, on this National Peace Officers Memorial Day, I ask this body to reconsider, and pass the resolution honoring these brave men and women.

TRIBUTE TO MS. CRYSTLE STEWART, MISS USA 2008

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. LAMPSON. Madam Speaker, on April 11, 2008, Crystle Stewart, 26, of Missouri City, Texas was awarded the coveted Miss USA crown. I am honored to recognize her on this tremendous accomplishment.

Miss Stewart graduated from the University of Houston with a degree in consumer science and merchandising and now runs her own company "Inside/Out." This remarkable company aids young women in building self-esteem and volunteers with many organizations in the community. Her ability to juggle academics, her company, and work at a modeling agency is a testament to her amazing discipline and strong desire to succeed.

In the process of obtaining her crown, Miss Stewart made history; she is only the second African-American woman to win the title of Miss Texas and the first in more than a decade. I commend Miss Stewart for being a trailblazer, scholar, and success story to young women throughout the country, and I wish her luck as she competes for the title of Miss Universe in Vietnam this June. I know she will continue to bring pride to the state of Texas and the United States of America.

THE GREEN SCHOOLS ACT OF 2008, H.R. 6065

HON. MARK STEVEN KIRK

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. KIRK. Madam Speaker, I am proud to stand here today to introduce legislation with Congressman CHRISTOPHER CARNEY (D–PA) which will provide healthier and more productive environments for students.

As energy prices soar and state budgets shrink, schools around the country need more assistance than ever to keep afloat. Congress can provide a commonsense way to help schools achieve fiscal sustainability by helping them to reach energy sustainability through energy efficient and other green improvements.

According to the independent U.S. Green Buildings Council which established a nationally recognized green school certification program, the LEED rating system, green schools on average save $100,000 per year. This is enough to hire two new teachers, buy 500 new computers or purchase 5,000 new textbooks. In fact, if all new school construction or school renovations went green, energy savings alone would total $20 billion over the next ten years.

Green schools also provide better environments for our children, improving student achievement and health. Students at LEED certified schools perform twenty percent better on reading tests and twenty-four percent better on math tests than the average student. There are nearly forty percent fewer asthma occurrences at green schools, contributing to the decreased number of sick days students experience.

Providing green school improvements are extremely cost effective. Construction costs average less than $3 per square foot more to build, yet save roughly $12 per square foot in energy and water savings.

Some schools are already investing in green school technology to take advantage of all the benefits it provides. I am proud that a school in my Congressional District of northern Illinois, Thomas Middle School, installed a one-kilowatt solar array on its roof in November, 2007 with a $10,000 grant from the Illinois Clean Energy Community Foundation. The photovoltaic panel produced enough energy to date to offset more than 310 pounds of carbon dioxide. The output so far is equivalent to the energy needed to power 3 homes for one day, or operate one TV for 1,084 hours.

Thomas Middle School teachers also use the solar array data to help teach students about the importance of renewable energy. Classes use the information from the solar panels in experiments about energy conservation and environmental protection.

I applaud Thomas Middle School Principal Tom O'Rourke and science department chair Jay Bingaman for taking such an initiative to improve the school, environment and education of their students.

We are introducing the Green Schools Act to encourage schools all around the country to follow the example of Thomas Middle School. This legislation provides up to $10,000 in matching grants for schools to undertake green construction and improvement projects. The bill would also reauthorize the Qualified Zone Academy bonds program, which is used to fund renovations and repairs at schools in low-income neighborhoods. The bill would require that any improvements or rehabilitations be energy efficient. Since its establishment in 1997, the QZAB program has provided nearly $1.7 billion for school improvements projects.

I hope my colleagues will join me in supporting this bill to improve the health and education of our children and provide financial security to schools.

CONFERENCE REPORT ON H.R. 2419, FOOD, CONSERVATION, AND ENERGY ACT OF 2008

SPEECH OF

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. VISCLOSKY. Madam Speaker, I have supported and cosponsored legislation to allow farmers who grow fruit and vegetables for processing to opt out of farm programs on an acre for acre basis without limitation. That legislation would reduce farm program costs and improve the environment by allowing more extensive crop rotations. I am very pleased that the conference report takes a step toward that proposal by establishing a pilot project to allocate 75,000 acres of new authority for production of fruit and vegetables for processing in specified Midwestern states. The U.S. Department of Agriculture (USDA) has broad discretion in administration of this pilot project to meet the objectives of the pilot project. The conference report does not specify a procedure for allocation of the pilot project acreage or other administrative matters, such as re-allocation of unused acreage allocations among states. However, the USDA is clearly required to establish rules to assure that this additional fruit and vegetable production authority will not be abused. Only fruit and vegetables under contract for processing are to be produced under this authority.

The USDA is to assure that all of the crop produced is delivered to a processor and that the quantity of crop delivered under the original contract (the contract in existence upon Farm Service Agency certification) does not exceed the quantity that is produced on the contracted acreage. Additionally, the effects of the pilot project and fruit and vegetable restrictions on the specialty crop industry, both fresh and processed, are to be evaluated. These restrictions are intended to ensure protection of the objectives of the pilot project, not to compel food waste or excessive regulatory burden. Further, the conference report includes an important statement of policy indicating that in the next recalculation of base acreage, fruit and vegetable production will not cause a reduction in farmer's base acreage. While this is a timid step in reducing restrictions on production of fruits and vegetables, I commend this step in the right direction.

PERSONAL EXPLANATION

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. ROSKAM. Madam Speaker, on rollcall No. 307, I was detained in traffic while returning to the Capitol. Had I been present, I would have voted "aye."

HONORING LIEUTENANT COLONEL JOHN R. DEHAVEN ON BEING NAMED 2008 VETERAN OF THE YEAR

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. JORDAN of Ohio. Madam Speaker, I rise today to honor LTC John R. DeHaven of Findlay, OH, on being named 2008 Veteran of the Year at the Armed Forces Day Celebration on Saturday, May 17, 2008, in Findlay, OH.

A graduate of Findlay High School, John was drafted in 1941 into the Infantry and taught trainees to use rifles in Texas Training Camp. In 1942, he passed the exam for the Army Air Corps and took his Basic Flight Training in Randolph Field in San Antonio, TX. He later completed his advanced pilot training in Victoria, TX. During his training, he flew the BT–6 single engine biplane. Later in 1942, he graduated and stayed in Victoria as a flight instructor.

During World War II, John was assigned to the Chinese-American Composite Wing to fight against the Japanese. Before his move to China, he trained in Mitchell Field on Long Island. His mission was to fly P–40's from Karachi, India to Kunming, China. While in Karachi, John trained American and Chinese Pilots for the 5th Fighter Group.

As the struggle in China against the Japanese intensified, John showed incredible bravery. His unit was constantly re-deployed and they eventually ended up in Zhejiang, a mountainous area where flights were incredibly dangerous.

His main mission was to strike the Japanese, often going after eight to ten aircraft per mission. He also escorted B–25 bombers to Japan. On one mission, John was returning to base and got separated from his squadron. It got dark and John was lost and running out of fuel. He had to fire his machine gun over a town, causing all the town's lights to go out. He then saw the searchlight in the distance and followed it to base.

As the war drew to a close, John returned to the United States to train pilots in Texas. When the war ended, he remained in the Air Force Reserve and rose to the rank of Lieutenant Colonel. After his retirement, he remained active with the military, serving as a liaison for the Air Force Academy interviewing and recommending Academy applicants.

I am honored to join the chorus of well-wishers as the State of Ohio again recognizes his distinguished service to Ohio's veterans. He is a shining example of our mutual responsibility to serve those who devoted their lives to protecting the freedoms we enjoy.

IN HONOR AND IN MEMORY OF BRIAN D. SHRADER OF HUEYTOWN, ALABAMA

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. BONNER. Madam Speaker, I rise today to honor the life of a young man from Hueytown, Alabama, who recently made the ultimate sacrifice while serving as a firefighter for the United States Department of Defense in Mosul, Iraq.

A 1994 graduate of Pleasant Grove High School, Brian's childhood dream was to become a career firefighter. Brian had even interviewed with Mobile Fire-Rescue by telephone from Iraq and would most likely have received a position in the upcoming class of recruits.

In a fitting tribute, the Mobile Fire-Rescue Department honor guard escorted the funeral procession down Interstate 65 from Hueytown to Mobile. The procession was met by the Mobile County Sheriff's Office at the Mobile County line, and the hearse carrying Brian's casket passed under a 30-foot-by-50-foot flag hung from extended ladders of two Mobile Fire-Rescue trucks on its way to the Mobile cemetery where he was laid to rest.

At this difficult time, it is only appropriate for us to pause and give thanks to God that there are still young men like Brian D. Shrader. His life and actions personify the very best America has to offer. I feel certain his many friends and family, as well as his fellow firefighters in Iraq, while mourning the loss of this fine young man, are also taking this opportunity to remember his many accomplishments and to recall the fine gift they each received simply from knowing him and having him as an integral part of their lives.

Madam Speaker, I urge my colleagues to take a moment and pay tribute to Brian D. Shrader and his selfless devotion to our country and the freedom we enjoy.

We should also remember his wife, Rebecca Shrader; their three children, Kaitlyn, Hailey, and Jacob; his parents, Richard F. Shrader Sr. and Linda Shrader; and his other relatives and many friends. Our prayer is that God will give them all the strength and courage that only He can provide to sustain them during the difficult days ahead.

HONORING THE NAPA VALLEY AGRICULTURAL PRESERVE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. THOMPSON of California. Madam Speaker, I have had the honor for the past 10 years to represent in the House of Representatives the Napa Valley, an area known throughout the world for its immense beauty, environmental consciousness and bountiful agriculture. This evening, the Jack L. Davies Napa Valley Agricultural Land Preservation Fund will celebrate an act of foresight and wisdom that has helped the Napa Valley to earn its lofty reputation: the creation of the Napa Valley Agricultural Preserve.

In 1968, the Napa County Board of Supervisors passed Ordinance No. 274, creating the Napa Valley Agricultural Preserve. The ordinance ensured that agriculture and open space were the "highest and best use" of our land and should be preserved for those uses. This unprecedented action revolutionized land use policy nationwide and paved the way for other landmark measures, such as measure J, to help preserve agricultural land.

Among its many virtues, the establishment of the Ag Preserve proved that responsible land stewardship and a thriving economy were not mutually exclusive values; indeed, the Napa Valley owes much of its economic prosperity and special quality of life to the preservation of its agricultural and open space lands.

Madam Speaker and colleagues, it is my distinct pleasure to honor Napa County Supervisors Dewey Anderson, Jack Ferguson, and those former Supervisors who are with us in spirit Henry Wigger, Julius Caiocca and Pete Clark for having the foresight to protect the land so that future generations could enjoy the majesty of the Napa Valley. We also salute those who are working today to preserve and protect agricultural land and open space in Napa County.

FINANCIAL NET WORTH

HON. F. JAMES SENSENBRENNER, JR.

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. SENSENBRENNER. Madam Speaker, through the following statement, I am making my financial net worth as of March 31, 2008, a matter of public record. I have filed similar statements for each of the 29 preceding years I have served in the Congress.

ASSETS—REAL PROPERTY

Single family residence at 609 Ft. Williams Parkway, City of Alexandria, Virginia, at assessed valuation. (Assessed at $1,502,816). Ratio of assessed to market value: 100% (Unencumbered)—$1,502,816.00.

Condominium at N76 W14726 North Point Drive, Village of Menomonee Falls, Waukesha County, Wisconsin, at assessor's estimated market value. (Unencumbered)—$153,700.00.

Undivided 25/44ths interest in single family residence at N52 W32654 Maple Lane, Village of Chenequa, Waukesha County, Wisconsin, at 25/44ths of assessor's estimated market value of $1,760,300.00—$1,000,170.04

Total Real Property—$2,656,686.40.

2008 DISCLOSURE

Common & preferred stock	# of shares	$ per share	Value
Abbott Laboratories, Inc.	12200	55.15	672,830.00
Alcatel-Lucent	135	5.76	777.60
Allstate Corporation	370	48.06	17,782.20
AT&T	5335.8322	38.30	204,362.37
JP Morgan Chase	4539	42.95	194,950.05
Benton County Mining Company	333	0.00	0.00
BP PLC	3604	60.65	218,582.60
Centerpoint Energy	300	14.27	4,281.00
Chenequa Country Club Realty Co.	1	0.00	0.00
Comcast	634	19.34	12,261.56
Darden Restaurants, Inc.	1440	32.55	46,872.00
Delphi Automotive	212	0.09	19.08
Discover Financial Services	156	16.37	2,553.72
Dunn & Bradstreet, Inc.	2500	81.38	203,450.00
E.I. DuPont de Nemours Corp.	1200	46.76	56,112.00
Eastman Chemical Co.	270	62.45	16,861.50
Eastman Kodak	1080	17.67	19,083.60
El Paso Energy	150	16.64	2,496.00
Exxon Mobil Corp.	9728	84.58	822,794.24

2008 DISCLOSURE—Continued

Common & preferred stock	# of shares	$ per share	Value
Fairpoint Communications, Inc.	26	9.02	234.52
Gartner Group	651	19.34	12,590.34
General Electric Co.	15600	37.01	577,356.00
General Mills, Inc.	2280	59.88	136,526.40
General Motors Corp.	304	19.05	5,791.20
Hospira	1220	42.77	52,179.40
Idearc	67	3.64	243.88
Imation Corp.	99	22.74	2,251.26
IMS Health	5000	21.01	105,050.00
Kellogg Corp.	3200	52.56	168,192.00
Kimberly-Clark Corp.	1740	64.55	112,317.00
Merck & Co., Inc.	34078	37.95	1,293,260.10
3M Company	2000	79.15	158,300.00
Medco Health	8218	43.79	359,866.22
Monsanto Corporation	2852.315	111.50	318,033.12
Moody's	2500	34.83	87,075.00
Morgan Stanley/Dean Whitter	312	45.70	14,258.40
NCR Corp.	68	22.83	1,552.44
Newell Rubbermaid	1676	22.87	38,330.12
JP Morgan Liquid Assets Money Mkt	718.76	1.00	718.76
Pactiv Corp.	200	26.21	5,242.00
PG&E Corp.	175	36.82	6,443.50
Pfizer	22211	20.93	464,876.23
Qwest	571	4.53	2,586.63
Reliant Energy	300	23.65	7,095.00
RH Donnelly Corp.	500	30.31	15,155.00
Sandusky Voting Trust	26	1.00	26.00
Solutia	82	14.00	1,148.00
Tenneco Automotive	182	27.94	5,085.08
Teradata	68	22.06	1,500.08
Unisys, Inc.	167	4.43	739.81
US Bank Corp.	3081	32.36	99,701.16
Verizon	1430.6338	36.45	52,146.60
Vodaphone	323	29.51	9,531.73
Weenergies (Wisconsin Energy)	1022	43.99	44,957.78
Total common & preferred stocks and bonds			$6,656,430.29

Life insurance policies	Face $	Surrender $
Northwestern Mutual #4378000	12,000.00	80,901.36
Northwestern Mutual #4574061	30,000.00	194,541.15
Massachusetts Mutual #4116575	10,000.00	12,130.16
Massachusetts Mutual #4228344	100,000.00	304,668.59
American General Life Ins. #5–1607059L	175,000.00	41,647.56
Total life insurance policies		$633,888.82

Bank & savings & loan accounts	Balance
JP Morgan Chase Bank, checking account	13,850.37
JP Morgan Chase Bank, savings account	14,274.18
M&i Lake Country Bank, Hartland, WI, checking account	9,958.76
M&I Lake Country Bank, Hartland, WI, savings	370.60
Burke & Herbert Bank, Alexandria, VA, checking account	1,570.17
JP Morgan, IRA accounts	128,939.66
Total bank & savings & loan accounts	$168,963.74

Miscellaneous	Value
1994 Cadillac Deville—retail value	$3,350.00
1989 Cadillac Fleetwood—retail value	$2,200.00
1996 Buick Regal—retail value	$3,000.00
1991 Buick Century automobile—retail value	$1,600.00
Office furniture & equipment (estimated)	$1,000.00
Furniture, clothing & personal property (estimated)	$180,000.00
Stamp collection (estimated)	$110,000.00
Interest in Wisconsin retirement fund	$410,371.69
Deposits in Congressional Retirement Fund	$182,301.98
Deposits in Federal Thrift Savings Plan	$303,826.87
Traveller's checks	$7,800.00
17 ft. Boston Whaler boat & 70 hp Johnson outboard motor (estimated)	$6,500.00
20 ft. Pontoon boat & 40 hp Mercury outboard motor	$12,500.00
Total miscellaneous	$1,224,450.54
TOTAL ASSETS	$11,340,419.79

LIABILITIES—None.

Net worth—$11,340,419.79.

2008 DISCLOSURE

STATEMENT OF 2007 TAXES PAID

Federal income tax—$124,247.00

Wisconsin income tax—$37,582.00

Menomonee Falls, WI property tax—$2,415.42

Chenequa, WI property tax—$24,575.49

Alexandria, VA property tax—$12,649.00

I further declare that I am trustee of a trust established under the will of my late father, Frank James Sensenbrenner, Sr., for the benefit of my sister, Margaret A. Sensenbrenner, and of my two sons, F. James Sensenbrenner, III, and Robert Alan Sensenbrenner. I am further the direct beneficiary

of five trusts, but have no control over the assets of either trust. My wife, Cheryl Warren Sensenbrenner, and I are trustees of separate trusts established for the benefit of each son.

Also, I am neither an officer nor a director of any corporation organized under the laws of the State of Wisconsin or of any other state or foreign country.

TRIBUTE ON THE PASSING OF SCOTT S. STUART

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. PAUL. Madam Speaker, I rise to pay tribute to a man who recently died at a tragically young age. I am appending his official obituary to this extension of remarks. In addition to those things listed in his obituary, I would like to point out that Scott was very involved in community and political events. This, for him, was essential to share his concern for his country. Scott held a deep and abiding belief in the rights, freedom and dignity of human beings.

May he Rest In Peace.

Stuart, Scott S. Stuart of Baltimore, Maryland, and Canton, Connecticut, passed away peacefully in his sleep on Wednesday, May 7th. He was 43 years old. Scott was the Director of Alumni Relations at Loyola College since June of 2007. Prior to this position, he was the director of alumni relations for his alma mater Niagara University. Scott also had over 15 years of corporate experience as an executive in the banking industry and as a fund-raising director in the nonprofit sector. He held the position of vice president, director of marketing, for OBA Bank in Washington, DC. In this post, he formulated corporate growth strategies and directed and identified marketing programs and opportunities, helping to ''re-brand'' America's oldest thrift institution. Earlier, he spent several years working for the Boy Scouts of America in Boston, Mass., and Washington, DC., as district executive, district director, development director, and director of major gifts.

After graduating from Niagara University in 1986 with a bachelor's degree in commerce/marketing, Scott worked his way up the corporate ladder at M&T Bank to assistant vice president. Scott enjoyed traveling, backpacking, skiing and winter camping. But first and foremost, he loved his family. He was a devoted son and brother and was happiest when he was around them. He had an infectious spirit and love of life and faith. Scott is survived by his mother, Anne Stuart of Canton, Conn., and three younger siblings, Brian and his wife Yvonne of Boston, Mass., Sean Stuart of Broad Brook, Conn., and Tracy Stuart of New Canaan, Conn. To continue to keep his memory alive, the family asks that you pass on a good deed to someone in need.

TRIBUTE TO COLONEL TOM SCHIESS

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. WALDEN of Oregon. Madam Speaker, on the occasion of the change of command this weekend at the 173rd Figher Wing at Kingsley Field in Klamath Falls, Oregon, I rise to share with you and our colleagues my pride in an outstanding officer and a great American: Colonel Tom Schiess, United States Air Force, Commander of the 173rd Fighter Wing at Kingsley Field. I will have the honor of attending the change of command ceremony in Klamath Falls this weekend, and before Colonel Schiess relinquishes his command I want to express our nation's gratitude for his service. My comments today echo the admiration of residents of the Klamath Basin community and the respect and affection of the men and women who serve in his command. Colonel Schiess is the type of leader who makes a difference in any endeavor he pursues, and he has made a tremendously positive impact at Kingsley Field.

Colonel Schiess, who is approaching 5,000 flight hours, spent eight and a half years in the United States Air Force before joining the Oregon Air National Guard in 1991. His active duty assignments include: Tyndall AFB as a T–33 Instructor Pilot; McDill AFB as an F–16 Student Pilot; Hill AFB, UT; and AL Minhad AB, United Arab Emirates as an F–16 Pilot. He flew 34 combat missions in Operation Desert Storm while deployed in support of the war effort. While stationed at Kingsley Field, he has been Chief of Wing Standardization and Evaluation, 114th Fighter Squadron Operations Officer, 114th Fighter Squadron Commander, 173rd Operations Group Commander, and 173rd Maintenance Group Commander. Colonel Schiess excelled in each of these roles.

Madam Speaker, in the course of his unselfish service to his country and the State of Oregon, Colonel Schiess has earned many awards, including the Meritorious Service Medal, Aerial Achievement Medal, Air Medal, Air Force Commendation Medal, Air Force Achievement Medal, Combat Readiness Medal, Air Force Longevity Award, National Defense Service Medal, Air Force Outstanding Unit Award, Global War on Terrorism Medal, Kuwait Liberation Medal, Southwest Asia Campaign Medal, and Oregon Faithful Service Medal with ''M'' device.

Colonel Tom Schiess has clearly distinguished himself with awards and recognitions, Madam Speaker, but he is most proud of the collective accomplishments of the 173rd Fighter Wing, which he has led so ably. With the motto of ''Land of No Slack,'' Colonel Schiess leads a world class training facility of more than 1,000 Oregon Air National Guard personnel and state and contract employees at Kingsley Field.

As Wing Commander, Colonel Schiess is essentially the Chief Executive Officer and top leader of a very large and highly successful organization. Colonel Schiess is responsible for the production of F–15 sorties to generate student-flying training to graduate the best air-to-air F–15 pilots in the world. The 173rd Fighter Wing serves as one of only two professional F–15 schoolhouses in the United States for Air Force and Air National Guard fighter pilots.

The 173rd Fighter Wing accomplishes its primary mission, F–15 flight training, on the leading edge of innovative training technology and techniques, setting the standard for military training centers worldwide. The Wing flawlessly provides over 4,700 hours and over 3,500 sorties for the training mission as well as training opportunities for the Combat Air Force. The Wing has received a Lockheed Martin award for its generation of 20,000 accident-free F–15 sorties since it converted to the F–15 in 1998.

The Wing, under the command of Colonel Schiess, has not only distinguished itself as a world class training facility, but has also proven itself to be a significant international ambassador, deploying to Plovdiv, Bulgaria to participate in Sentry Lion, an air-to-air exercise with the Bulgarian Air Force. Subsequently, the 173rd Operations Group hosted six Bulgarian officers for a week as part of a familiarization program in the United States.

The Wing consistently earns outstanding ratings in accomplishing its mission. The high morale and job satisfaction of Colonel Schiess' team are reflected in extremely high retention rates, reenlistment rates, and manning and training rates in the unit career advisory program.

Colonel Schiess and his team have endeared themselves to the community, rendering over 45,000 volunteer hours annually. Each year they welcome the community onto the base with their Sentry Eagle Exercise open house or hosting an outstanding air show. The men and woman at Kingsley Field are not visitors to the Klamath community; they are active and deeply involved neighbors who do a great deal to make the Klamath Basin the very special place that it is.

Madam Speaker, I know that my praise of Colonel Tom Schiess and his exceptional team not only represents the gratitude of the local community, but of a nation well served and protected by highly trained and highly motivated individuals. The time that Colonel Schiess has dedicated in commanding the 173rd Fighter Wing will long be remembered as a period of unmatched accomplishment and stellar service at Kingsley Field. Tom has achieved his goal of seeing that the men and women of the 173rd Fighter Wing are citizen airmen who are second to none, and are constantly ready, reliable, and relevant in answering America's needs through brave, confident, and unselfish service.

My colleagues, please join me in thanking Colonel Tom Schiess for his dedication, his commitment, and his tremendous success in a very big and important job.

H.R. 5872, BOY SCOUTS OF AMERICAN CENTENNIAL COMMEMORATIVE COIN ACT

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. ETHERIDGE. Mr. Speaker, I rise today in strong support of H.R. 5872, the Boy Scouts of America Centennial Commemorative Coin Act. This bill directs the Secretary of the Treasury to mint and issue up to 350,000 $1 silver coins in 2010 to commemorate the centennial of the founding of the Boy Scouts of America. The $10 surcharge required for each coin will be paid to the National Boy Scouts of America Foundation.

Mr. Speaker, I have long been honored to be associated with the Boy Scouts of America. I am the proud father of an Eagle Scout and

I have been proud to support the Occoneechee Council of the Boy Scouts in North Carolina through volunteer work and vital fundraising. I have been honored to receive the Silver Beaver, the Scouts' highest award for volunteering,

Scouting has contributed to the fabric of American life for nearly 100 years. The Boy Scouts of America was incorporated on February 8, 1910, and chartered by Congress in 1916, The Boy Scouts of America's original mission was to provide an educational program for boys and young men to build character, to train in the responsibilities of participating in citizenship, and to develop personal fitness.

You know, North Carolina and America and indeed the entire world have changed a great deal since 1910, yet the Boy Scouts endure. The Boy Scouts remain a mainstay of American life because the message of this organization is timeless: developing American citizens who are physically, mentally and emotionally fit.

The leadership and service skills learned as a Boy Scout have enabled men to become leaders in all walks of life: government, business, sports, science and the arts. These include such distinguished individuals as: President Gerald R. Ford, our first Eagle Scout to become President; Secretary of Defense Robert M. Gates; and my friend, Richard Gephardt, the former Majority Leader of the U.S. House of Representatives, and Supreme Court Justice Stephen Breyer. Closer to my home, former North Carolina Governor and Senator Terry Sanford was an Eagle Scout.

The Boy Scouts of America is an institution that contributes so much to the strength of our social fabric. The activities of the Boy Scouts reinforce our moral core and help sustain our American values, generation after generation.

I support the issuance of this commemorative centennial coin, and I urge my colleagues to join me in support of this bill.

INTRODUCTION OF THE HELP AMERICA VOTE ACT AMENDMENTS BILL

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Ms. NORTON. Madam Speaker, as another presidential election fast approaches, I am pleased to introduce a bill to amend and improve the Help America Vote Act of 2002, HAVA, which was enacted after the chaos of the 2000 presidential election. The genesis of my bill is my own experience and observations from the 2004 elections here in the District of Columbia and campaigning in other parts of the country during the 2004 presidential elections.

The first provision is in response to the long lines that voters have been forced to endure throughout the country that may have deterred significant numbers of voters and would require States to permit counties or other subdivisions upon request to begin voting prior to the scheduled date of an election. During the 2004 election, some subdivisions had voting machines that were modern and plentiful, while other jurisdictions in the same State were burdened with scarce and out-of-date machines, resulting in long lines. In the pivotal state of Ohio, which determined the outcome of the close 2004 presidential election, the controversy was deepened by reports that lines were particularly long in counties where there were large minority populations compared with largely white counties. One reason for the difference is that in many States, voting machines are purchased by counties or other jurisdictions. Differences in income levels, tax bases and other issues often result in large disparities within the same State in the availability of machines. Small changes in the calendar day that voting begins can help eliminate these disparities and the lines that discourage the exercise of the right to vote, and without the often significant capital investment in new equipment.

The second provision of my bill adds a section to HAVA that responds to calls my office received regarding absentee ballots sent in that inadvertently did not include postage, or had insufficient postage. My bill would require officials to accept such absentee ballots. Postage mistakes may be made depending on the number of issues on the ballot and the resulting size and weight of the envelope containing the ballot. The cost to authorities, if any, is de minimis. The public interest in counting every ballot voters have cast outweighs the incidental, virtually immeasurable cost, if any. There should be no doubt that such ballots should be counted.

A third provision amends HAVA to eliminate the confusion that arises when voters go to the incorrect voting sites because they are first-time or infrequent voters or their usual voting site has been changed. To encourage participation, my bill would allow voters registered anywhere in the State to cast a provisional ballot and have it counted and verified. However, voters would be told the correct polling site to allow the option of going to the correct site and thereby avoiding any doubt that their ballots would be counted.

The 2000 presidential election was a calamity of such historic proportions that it cast doubt on the validity of the election of the President of the United States and led to the enactment of HAVA. The continuing problems in the 2004 elections were very serious, unacceptable, and controversial. Although that election was also razor thin close, its problems took longer to surface and there was no delay in the certification and settlement of the final result through the Supreme Court in Bush v. Gore in 2001. However, the 2004 elections were another close call that yielded bitter controversy. Beyond the recent election controversies, the voting franchise is precious enough for us to want and endeavor to protect its full expression. Congress must be willing to learn from our continuing experience to make improvements in protecting the right to vote as they are needed. My bill simply uses the experience from my own district and elsewhere to contribute to this effort.

CONCERN ABOUT TREATMENT OF U.S. CITIZEN IN BELARUSIAN DETENTION

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. HASTINGS of Florida. Madam Speaker, as Chairman of the Commission on Security and Cooperation in Europe, I would like to draw attention and concern to the case of Mr. Emanuel Zeltser, a U.S. citizen who was detained March 12th upon his arrival in Minsk, Belarus, charged with "use of forged documents." In the entire time that Mr. Zeltser has been detained, he has only been allowed visitation by the U.S. Embassy twice, on March 21st and April 25th. Upon the latter visit it was noted by the U.S. consul that Mr. Zeltser had been beaten several times and appeared in greatly weakened health. Mr. Zeltser suffers from Type 2 diabetes and a severe form of arthritis. Though his condition causes him severe pain and has further deteriorated during his incarceration, the authorities in the detention facility where he is held have reportedly denied him necessary medications. Without proper medications, Mr. Zeltser may not be able to survive the harsh conditions of his detention. Furthermore, according to his lawyer, Belarusian authorities have recently extended the period of Mr. Zeltser's term of detention.

It is incumbent upon the Belarusian government to provide Mr. Zeltser full consular access, proper medical care, and ensure that he is not subjected to further physical abuse and degrading treatment—consistent with its international legal obligations and basic human rights standards.

Time is of the essence in Mr. Zeltser's case, as further delays could lead to further deterioration of his health to the point of endangering his life.

Madam Speaker, I call upon the Belarusian authorities to ensure that Mr. Zeltser immediately receives the medication his doctor has prescribed, and is protected from further ill-treatment, given access to U.S. consular representatives and any medical attention he may need. On April 25, the State Department requested the Government of Belarus to release Emanuel Zeltser on humanitarian grounds. I urge the Belarusian Government to favorably consider that request.

CELEBRATING TAYLOR'S 40TH ANNIVERSARY

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. DINGELL. Madam Speaker, I rise today to acknowledge, honor, and celebrate the City of Taylor on the occasion of its 40th Anniversary. Incorporated as a city on May 13, 1968, and named after our country's 12th president, Taylor's roots as a community date to the mid-19th Century. What began as a largely agricultural town grew into a prosperous and diverse city which features ample retail and industry for employment and safe neighborhoods for her citizens.

Taylor first began as a Township when residents succeeded in petitioning for their own government in 1847. Like many Michigan communities, Taylor began to thrive when Ford Motor Company opened the nearby Rouge Plant. The Rouge, as it was often simply called, provided over 100,000 jobs at one time during the 1930s. This mighty economic engine created a boom in the burgeoning town that would carry it through the Great Depression and World War II, during which it played an invaluable part of the American war effort.

As the auto industry continued to expand, Taylor grew as well. At the time of incorporation as a city in 1968, Taylor had a population of over 70,000 and was one of the largest cities in southeast Michigan. Residents like to say that ''all roads lead to Taylor,'' a statement justified by the many major transportation arteries that flow through the city. Taylor has taken wonderful advantage of this fact by becoming not only a community that it is necessary to drive through, but also a community that is necessary to stop in and enjoy.

Taylor continues to thrive today as a result of active involvement and partnership from its corporate and individual citizens alike. Taylor is home to numerous industries and businesses, a large and impressive new SportsPlex, and many beautiful new municipal buildings and community centers. Of particular pride to the city and the region, Taylor is the annual host of the Junior Little League World Series—a week-long tournament that features teams from across the globe.

Madam Speaker, I ask that all of my colleagues join me in honoring the City of Taylor on its 40th Anniversary. The City of Taylor is home to vibrant and stable neighborhoods, significant industrial production, world-class youth sports, and numerous commercial business opportunities.

In celebrating Taylor's 40th Anniversary, we are honoring a city that truly represents the best of American history and progress.

HONORING MARIAN LOFTIN AND THE CHILDREN'S TRUST FUND OF ALABAMA FOR 25 YEARS OF SERVICE TO THE CHILDREN OF ALABAMA

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. BONNER. Madam Speaker, today I rise to pay tribute to Marian Loftin and the Children's Trust Fund of Alabama for 25 years of dedicated service to protecting the children of Alabama.

Created in 1983 by the Alabama legislature, the Children's Trust Fund was created to reduce the incidence of child abuse and neglect. The Children's Trust Fund was unique in the fact that it specifically focuses on solving the problem of child abuse before it occurs.

This state agency, which has its own board, funding and staff dedicated solely to preventing child abuse, is the state of Alabama's only agency designated to preventing child neglect and maltreatment.

Through education initiatives and community involvement, the Children's Trust Fund has worked to increase awareness, prevent the abuse and neglect of children, find new and effective solutions for preventing child abuse before it occurs, and strengthen Alabama families to prevent such tragedies in the future.

Madam Speaker, I ask my colleagues to join with me in congratulating both Marian Loftin and all of those at the Children's Trust Fund on 25 years of service to the children of Alabama and their families. For all their accomplishments, I extend my heartfelt thanks for their continued service to the children of Alabama, the First Congressional District, and the state of Alabama.

HONORING DR. CARROLL L. ESTES PHD OF HEALDSBURG, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. THOMPSON of California. Madam Speaker, I rise today along with my colleagues Congresswoman JACKIE SPEIER, Congresswoman LYNN WOOLSEY, and you as Speaker of the House of Representatives, to honor the contributions of Carroll L. Estes, PhD. Dr. Estes is one of our country's most highly acclaimed leaders in the field of aging, who has combined distinguished scholarship with a sustained commitment to public sociology.

Dr. Estes was raised in Texas by her mother, Carroll Cox Estes, an artist and writer, and her father, the late U.S. District Judge Joe E. Estes. She received her AB in Sociology from Stanford University, her MA in Sociology from Southern Methodist University, and her PhD from the University of California, San Diego. Her first book, The Decision Makers: The Power Structure of Dallas, published in 1963, gained notoriety on both local and national levels at the time of President Kennedy's assassination.

Over her 40 year career, Dr. Estes has been passionately devoted to improving the health and economic security of vulnerable and underserved populations, with special concern for women, older persons, and ethnic and racial minorities. Through research, teaching, and public service, she has steadfastly worked to advance the public good and the interests of America's most powerless and disenfranchised populations. She is an internationally recognized policy advisor in the field of social insurance, Social Security, Medicare, and long term care.

Dr. Estes has authored and co-authored eight books and more than 150 scientific articles and coedited 15 books. Her research, including her groundbreaking book, The Aging Enterprise (1979), has contributed to understanding of the impact of social policy on the elderly. Her latest book, Social Insurance, Social Justice and Social Change will be published in 2009.

Dr. Estes's current scholarship is focused on the social movements surrounding the privatization of social insurance programs for the elderly. She is also working on the missing feminist revolution in old age policy and studies of the long term care ombudsman program and access to elder mental health services.

In 1979, Dr. Estes cofounded the Aging Health Policy Center, and in 1985 it was approved by the University of California Board of Regents as the Institute for Health & Aging (IHA). Dr. Estes was appointed its first director and served for nearly two decades. She was also chairperson of the Department of Social & Behavioral Sciences in the School of Nursing from 1981 through 1992.

Dr. Estes's service extends far beyond academia. She was a consultant to U.S. Commissioners of Social Security and the U.S. Senate and House Committees on Aging and was a member of Federal commissions, committees of the Institute of Medicine and the National Academy of Sciences, and private foundation boards. She is past president of the Gerontological Society of America (GSA), the American Society on Aging (ASA), and the Association for Gerontology in Higher Education (AGHE), and past national vice-president of the Older Women's League. Dr. Estes is a long-time member of many advocacy organizations induding: the Gray Panthers, Responsible Wealth, the Older Women's League (of which she was national vice president). She worked directly with both Tish Sommers and Maggie Kuhn, who continue to inspire her activism.

In 2006 Dr. Estes received the Lifetime Achievement Award from the National Committee to Preserve Social Security and Medicare, where she is currently vice chair. She is also a current member of the Sonoma County Council on Aging.

Most important among Dr. Estes's many contributions is that of mother and grandmother to her daughter Duskie Estes, her son-in-law John Stewart, and her precious granddaughters Brydie and Mackenzie.

Madam Speaker, it is appropriate that Dr. Carroll L. Estes, PhD, is being honored at a University of California, San Francisco, symposium celebrating her 40 years of policy research and leadership in health and aging. We are grateful for her many contributions as a distinguished scholar, inspiring teacher, influential policy advisor, institution builder and advocate for the most vulnerable in our Nation.

A TRIBUTE TO JOSEPH SELLERS, JR.

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. BRADY of Pennsylvania. Madam Speaker, I rise to honor Joseph Sellers, Jr., President and Business Manager of Sheet Metal Workers Local 19 Union. Throughout his career, Mr. Sellers has exemplified exceptional labor leadership for the Sheet Metal Workers, the city of Philadelphia, and beyond.

Mr. Sellers began his career as a sheet metal worker apprentice in 1980, and became a journeyman four years later. In the years since, Mr. Sellers has been honored with a number of leadership positions within the Sheet Metal Workers Local Union 19. He was first appointed Training Coordinator in 1996, and was then elected to the position of Business Representative four and a half years later. Just two years after that, he was unanimously appointed by the Local 19 Executive Board to his current position as President and Business Manager. He was overwhelmingly elected to the same position in 2003 and 2006, and is currently serving a three-year term.

During his current tenure, he also holds a number of prominent leadership positions, including President of the Pennsylvania and New Jersey State Councils of Sheet Metal Workers, Vice-President of the Philadelphia AFL–CIO, President of the Mechanical Trades District Council of Delaware Valley, President for the Metropolitan Association of Presidents and Business Representatives, and many other prestigious positions. Mr. Sellers has also been active on behalf of a number of charities throughout his career, and is a long time supporter of the Unico Salute to Labor.

Mr. Sellers's unwavering dedication to organized labor is commendable, as are his enthusiasm and proficiency in leadership. He truly

embodies the Unico motto, ''Service Above Self.''

RECOGNIZING COOPER BARNES, TUCKER BARNES, CONNOR MAGID, AND STEVEN PARKER OF VENETA, OREGON

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. DEFAZIO. Madam Speaker, I rise today to recognize Cooper Barnes, Tucker Barnes, Connor Magid, and Steven Parker of Veneta, Oregon. These Veneta Elementary School students are 2008 National ExploraVision winners. The team earned first place in the grade 4–6 division for designing an underwater energy generator to harness the power of ocean waves.

The team accepted the challenge of this extracurricular activity with enthusiasm, determined to create a technology for clean energy generation that was simple and cost-effective. They were supported and encouraged by their teacher and project coach, Michelle Beller, and Mentor Scottie Barnes. Their working prototype, the Wavemaster, successfully fused science, technology, and imagination, and it worked!

ExploraVision, now in its sixteenth year, is sponsored by the National Science Teachers Association and Toshiba. The competition highlights the natural curiosity and creativity of kids. The student projects showcase their innate desire to explore, experiment, invent, and ask really good questions.

Congratulations to Steven, Connor, Tucker, and Cooper for their outstanding achievement. I am proud to represent these young Oregon scientists and excited about the potential of the Wavemaster.

HONORING THE WORK OF WELCOME HOME TROOPS

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. ISSA. Madam Speaker, today I rise in support of the efforts of the Welcome Home Troops, a Southern California based organization dedicated to ''Returning the Hearts of Our Soldiers to our Homeland.''

Welcome Home Troops is a non-profit organization based in Lake Elsinore, California. Its efforts extend beyond California to Texas, Kentucky, and future expansion to additional states. Dedicated to the reintegration of The Global War on Terrorism veterans back into the community, Welcome Home Troops provides support services to help servicemembers transition comfortably from combat to home, restore personal relationships, and encourage a productive and positive life after military service.

Welcome Troops sponsors job fairs, college fairs, financial aid counseling, relationship counseling, drug abuse counseling, Vets to Vets mentoring, and Post Traumatic Stress Disorder (PTSD) counseling. According to the National Center for PTSD, at least 18% of those serving in Iraq and at least 11% of those serving in Afghanistan will suffer from PTSD. Welcome Home Troops aspires to provide services that will lessen the effects of war time stresses.

In honor of Memorial Day, Welcome Home Troops will involve the community with a Military Appreciation night in Lake Elsinore, California on May 24, 2008. This full afternoon and evening will be filled with assistance outreach opportunities and family fun activities to be capped with an evening game of baseball.

Madam Speaker, I ask you to please join me in congratulating Welcome Home Troops for their dedication this Memorial Day and beyond to our returning servicemembers and their families.

HONORING THE RETIREMENT OF CEDAR HILL CITY SECRETARY FRANKIE LEE

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. MARCHANT. Madam Speaker, I rise today to honor Frankie Lee on the occasion of her retirement as City Secretary for the City of Cedar Hill.

Frankie Lee began her service to the City of Cedar Hill on September 20, 1977, when she joined the City as the Purchasing Agent/Secretary. She is currently the longest serving employee of the City of Cedar Hill, holding a 30 Year Service Certificate.

Frankie was Appointed City Secretary on April 1, 1984, upon the retirement of then-City Secretary Marie Vincent.

During her tenure with the City of Cedar Hill, Frankie has been associated with seven Mayors, four City Managers and numerous Council Members. She has been a first-hand witness to the growth and progressiveness of Cedar Hill, growing from a population of approximately 6,800 in 1980 to 46,000 in 2008.

In her early years as City Secretary, Frankie was in charge of Human Resources, insurance, payroll and zoning. Her current role as City Secretary includes Official Meeting Notices, Minutes, City Public Information Coordinator, Records Management Officer and numerous other duties. For several years she was one of Cedar Hill's Alternate Members of the North Central Texas Housing Finance Corporation.

She has also been responsible for the City's general and special elections and has worked closely with the Dallas County Elections Department to insure the proper management of ballots, early voting, Election Day Voting, and results. It is estimated that in her over 24 years as City Secretary, Frankie has overseen approximately 50 elections.

Frankie has been an active Member of the Texas Municipal Clerks Association, North Texas Municipal Clerks Association, and International Institute of Municipal Clerks. Through the years she has attended many Training and Certification Courses and Professional Seminars presented by these organizations, as well as the Texas Attorney General and Secretary of State.

In 2005, she was a Texas Municipal Clerks' Honor Roll ''Honoree''.

Frankie attended the University of Texas at Arlington and is a Graduate of the Leadership Southwest Class of 1996–97.

She is an active Member of the Cedar Hill Lions Club, serving on the Board of Directors, and has Chaired the Annual Pancake Breakfast for the past three years. Lion Tamer-Elect for 2008–09, she was recently Honored at the Lions District Convention as the Cedar Hill Lions Club ''Grass Roots Lion'' for 2007–08.

A Member of First United Methodist Church of Cedar Hill, Frankie has two grown daughters and one grandson.

Madam Speaker, in closing, I would like to commend and congratulate Frankie Lee on all of her accomplishments. Her numerous years of service and dedication to the City of Cedar Hill is worthy of recognition. It is an honor to represent Frankie Lee in the 24th District of Texas and I wish her continued success in the years to come.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2419. FOOD, CONSERVATION, AND ENERGY ACT OF 2008

SPEECH OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. DINGELL. Mr. Speaker, today I rise in support of H.R. 2419, the Food, Conservation, and Energy Act. It has been a long road to this point, and while I must say that I am not entirely pleased with the final bill, I do believe that it makes important steps forward to reforming the priorities of our farm policy.

Michigan has had a tough go of things lately—and farming is no exception. Just last spring and summer Michigan experienced severe weather and droughts that caused enormous damage to local farms, leading the USDA to designate 83 Michigan counties as disaster areas. I have long said that farming is an inherently risky enterprise and with the recent downturn in the economy and fickle Michigan weather, it is clear to see why.

I will be frank and say that this bill is far from perfect. Personally, I would have liked to see greater reforms in the areas of conservation and fruit and vegetable programs, however, I do think Michigan will benefit from the bill. Like the farm bill the House passed last summer, I am pleased to note that most of our farmers in the 15th District of Michigan will not see any significant negative changes if the farm bill is enacted. All of the safety net programs from the 2002 farm bill are maintained with minor changes—including direct payments and the counter cyclical and the marketing loan programs.

However, the conference report does take measures to curb wasteful spending and distribute our resources to those in need. This bill places a cap on payments to those with an adjusted gross income (AGI) of $500,000 or more, and puts in place the first-ever cap for farm income at $750,000 for fixed direct payments. In addition, the bill would eliminate the ''3-entity'' rule that allows producers to collect payments for multiple ownership interests.

As a diverse agricultural state, Michigan has the second-widest variety of farm products after California, this legislation will provide great support for specialty crops. In 2006 Michigan produced 825,470 tons of fresh market and processing vegetables and the state

ranks 5th in exports of fruits and 8th in exports of vegetables nationally. This bill creates a brand new section dedicated to fruit and vegetable producers and allocates a total of $1.3 billion for new specialty crop programs including $466 million over ten years for the specialty crop block grant program, which provides grants to states to support projects in research, marketing, education, pest and disease management, production and food safety.

The conference agreement will also create a pilot Farm Flex project that will allow farmers to switch base acres to specified fruits or vegetables for processing for 2009 through 2012 crop years. This pilot project is limited to seven Midwestern States, including Michigan which is allocated 9,000 acres. This planting flexibility pilot program provides an important opportunity for specialty crop producers and I am pleased Michigan is included. More importantly, this will help the 1.26 million Michiganders that are currently using food stamps.

Given Michigan's economic situation, I have advocated that a second economic stimulus package include an increase in food stamp benefits, and I am pleased that the Farm Bill has increased funding commitments for the Food Stamp Program and the Emergency Food Assistance Program (TEFAP). The conference agreement includes $7.8 billion for the Food Stamp program and would raise and index inflation for the program's standard deduction and minimum benefit. This is the first time since the program was created 40 years ago that the Food Stamp Program would fully account for annual inflation. According to the Congressional Budget Office, this will help 11 million low income people.

TEFAP, a program that has provided assistance to approximately one million people in Michigan, will see $1.26 billion in funding that will benefit food banks and food pantries across the country. More importantly, this bill will increase annual funding for commodity purchases from $140 million to $250 million allowing organizations to meet the increasing demand for food services and the rising food prices. The CBO estimates that Michigan alone will receive $45 million in additional TEFAP funding from fiscal year 2008 to 2017. This is critical to organizations in Southeastern Michigan such as Gleaners Community Food Bank, who just over the last holiday season provided over 34,000 meals using the TEFAP program.

Now while this conference agreement contains many benefits for my home state, as a lifetime conservationist I am extremely disappointed in the conservation title. I was displeased to see that the cap for the Conservation Reserve Program was lowered to 32 million acres. Both the Senate and the House had reauthorized the current enrollment level of 39.2 million acres. Lowering the cap would result in a cut of almost 7 million acres. Each year this program helps produce 13.5 million pheasants and 2.2 million ducks. As the largest land retirement program, lowering the cap will be devastating.

And while the Wetlands Reserve Program is continued through 2012, it is done so at a lower level than in the 2002 Farm Bill. This is extremely disappointing because 50 percent of Michigan's threatened or endangered species require healthy and functional wetlands. Michigan currently has enrolled 125 easements of over 16,000 acres and has a backlog of close to 25,000 acres. This reduction will be extremely detrimental as it is the only conservation program solely dedicated to restoring wetland habitat.

In addition, I have real concerns about the wisdom and merit of the agricultural chemicals tax credit provided in Section 15343 that allows a tax credit up to $2,000,000 per year until 2012 for eligible agricultural businesses to pay for and offset the costs of security measures taken to protect pesticides and fertilizers used in agricultural operations. Fortune 500 companies that manufacture or retail agricultural pesticides and fertilizers should not need the taxpayer to help offset the costs of employee security training, installation of security lighting, computer security measures, locks and fences to protect their facilities, and other such security measures.

Finally, Section 7524 amends current law to direct the Secretary of Agriculture to issue a permit to the Department of Homeland Security to transfer live foot-and-mouth disease virus from Plum Island, New York, to the mainland United States. The majority of the research at Plum Island is concentrated on foot-and-mouth disease, which is very highly contagious, and which Federal law has for more than 50 years restricted to Plum Island. An accidental release of this infectious virus could have grave implications for the livestock industry and for the national economy. This issue is highly controversial, yet it has not been the subject of hearings nor open debate. I believe that it is a mistake to proceed with this until Congress has fully examined whether USDA and DHS have adequately assessed the health and economic risks, environmental impacts, and cost-benefit of this proposal.

Mr. Speaker, this bill is not a perfect one, however, it has bipartisan support. I know from my years in this institution that compromise is necessary in order to be successful, and I know the conferees worked night and day to come to this agreement. I feel confident Michigan farmers and producers will benefit from this final bill, as will the folks in Michigan who have fallen on hard times, which is why I stand today to lend my support.

IN HONOR OF ARMED FORCES DAY

HON. NANCY E. BOYDA

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mrs. BOYDA of Kansas. Madam Speaker, I rise today to honor all branches of the military this Armed Forces Day. I speak for Kansas and for the United States when I say that the men and women who make our country safe have earned our respect and our appreciation.

Many are called upon to protect our towns, our businesses and our homes in times of crisis. When Mother Nature strikes, the National Guard absorbs the blow and ensures that life will go on as usual. Each of our military personnel has been tasked with the defense of our Nation. When terrorism, tyranny and injustice strike, the National Guard, the Army, the Navy, the Marines, the Air Force, and the Coast Guard absorb the blow so that we can remain free. Free to enjoy our values, to pursue our hopes and dreams.

These service men and women have been asked to travel to Iraq or Afghanistan, to be away from their spouses, their children, their jobs—that's a lot to ask of anyone. Yet they go and they fulfill their responsibilities to their State and our country. Today we recognize these brave men and women. Every day we recognize those who serve. I want to thank them for their vital role in making this Nation the land of the brave and the home of the free.

TRIBUTE TO BOB REGNIER

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. MOORE of Kansas. Madam Speaker, I rise today to pay tribute to Bob Regnier, who recently was named Philanthropist of the Year by the Kansas City Council on Philanthropy. I was honored to attend a luncheon on May 9th at which he received this very well-deserved honor, which prompted me to consider Bob Regnier's lifetime of service to Johnson County and the entire Kansas City metropolitan area. Bob is the living embodiment of the anonymous saying, ''Those who can, do. Those who can do more, volunteer.''

I have been privileged to know Bob Regnier for many years. He embodies the observation of leadership consultant Don Blohowiak: ''A balanced life is the centered intersection of your values, time and action. That's where integrity resides.'' Starting in 1970 as a safe deposit clerk and teller at Baltimore Bank in Johnson County, he rose within the Boatmen's Bank organization and, in 1989, he left that organization following a merger and founded the Bank of Blue Valley, meeting with his first customers in a doublewide mobile home. The Bank of Blue Valley developed from its initial asset base of $2,150,000 to an organization with total assets in excess of $700 million total loans in excess of $550 million and total deposits in excess of $550 million.

Just as importantly, however, Bob Regnier has been a tireless volunteer and source of strength for the Kansas City metropolitan area. As he said in a 2006 column in the Kansas City Business Journal, ''There is no question that Kansas City is a good place to live and raise a family. The question for all of us is, will this be a 'great' place to live? The choice is up to each one of us.'' Phrased differently by Dr. Seuss, the keystone of Bob Regnier's service to our community is based upon this idea: ''Unless someone like you cares a whole awful lot, nothing is going to get better. It's not.''

Madam Speaker, a cursory review of the many, many ways Bob Regnier has served our Kansas City community as a dedicated volunteer simply would not do him justice. Below I've listed his past civic commitments and current civic activities, as well as the numerous other public recognitions he has earned over the years for his good works. I thank you and the U.S. House of Representatives for joining me in taking note of this distinguished history.

CIVIC—PAST COMMITMENTS

Heart of American United Way, 1977–1988, Member of Campaign Cabinet in 1987–1988; UMKC Banking Advisory Panel, 1986–2000; UMKC Bloch School Alumni Board, 1990–1996; Blue Valley Educational Foundation, 1993–

1997, Treasurer, 1994–1995; Health Partnership of Johnson County, 1994–1995, Treasurer, 1994–1995; Blue Valley School District Board, Member 1995–2003, President 1998–2000; Blue Valley School District Bond Campaigns, Campaign Co-Chairman 1998, 2005; Johnson County Sales Tax for Benefit of Public Schools Campaign, Campaign Co-Chairman 2002, 2005; Menorah Medical Center Foundation, 1998–2003; Enterprise Center of Johnson County Board, 1998–2006, Vice Chairman, 2002–2003, Chairman 2003–2005.

Overland Park Chamber Research & Development Foundation, 2000–2004; Health Midwest Johnson County Board, 2001–2003; United Community Services ''Navigating the Future'' Task Force, 2002–2003; Salvation Army Christmas Campaign Chairperson, 2003; Honorary Co-chairman Ronald McDonald Hope Is Building Campaign, 2003–2006; Honorary Vice Chairman Avila College Capital Campaign, 2003–2006; Menorah Medical Center Board of Trustees, 2003–2007, Vice Chairman, 2005–2007; Menorah Legacy Foundation Board, 2003–2006; Co-Chairman of Development Committee, 2004–2006; Truman Medical Center Foundation, Co-Chairman, Capital Campaign for Behavioral Health Network, 2005–2007; Honorary Dinner Co-chair 30th Annual Jewish Community Relations Bureau/American Jewish Committee Human Relations Dinner, 2006; Arts Council of Johnson County, Shooting Stars Gala, Honorary Chairperson, 2007.

CIVIC—PRESENT COMMITMENTS

Johnson County Community College Foundation Board, 1996–Present, Some Enchanted Evening Scholarship Dinner, 1996–2001, Executive Committee, 1999–Present, Some Enchanted Evening Chair Couple–2000, Chairman Technology Center ''Blue Ribbon Task Force''–2002, Chairman Business & Technology Center Capital Campaign, 2003–Present, Vice Chairman 2005–Present, Chairman 2007–Present; Kansas University Edward's Campus Board of Advisors, 2000–Present; Greater Kansas City Chamber Johnson County Leadership Council, 2001–Present, Chairman, 2004–2007; Community Foundation of Johnson County Board, 2002–Present, Vice Chairman, 2005–2006; Union Station Kansas City Board, 2003–Present, Vice Chairman, 2005–Present; REACH Foundation, 2003–Present, Secretary 2003–2006, Chairman 2006–Present; Greater Kansas City Chamber Board of Directors, 2003–Present, Co-Chairman of Annual Meeting, 2004, Vice Chairman & Treasurer, 2004–2005, 2nd Vice Chairman, 2005–2006 1st Vice Chairman, 2006–2007; Chairman 2007–Present.

Civic Council of Kansas City, 2003–Present, Regional Infrastructure Task Force, 2003–Present, P–12 Education Task Force, 2004–Present, Board of Directors, 2004–Present, Vice Chairman, 2007–Present; Arts Council of Greater Kansas City, 2004–Present, Vice Chairman, 2005–Present; Greater Kansas City Community Foundation Board, 2005–Present; Midwest Research Institute, Board of Trustees, 2005–Present; University of Kansas Medical Center & Hospital Advancement Board, 2006–Present; United Way of Greater Kansas City, Board of Directors, 2007–Present, Nelson Atkins Museum of Art, Board of Trustees, 2007–Present; University of Kansas Hospital Authority, Board of Directors, 2007–Present.

PROFESSIONAL & CIVIC RECOGNITION

UMKC Block School Alumni Achievement Award, 1996; Ernst & Young Financial Entrepreneur of the Year, 1998; Overland Park Chamber of Commerce ''OP Award''–2002, 2004, 2005; Wayside Waifs ''Fur Ball'' Honoree, 2003; Johnson County Community College ''Johnson Countian of the Year,'' 2004; Johnson County Housing Coalition Sunflower Award for Community Service, 2004; Salvation Army ''Others Award,'' 2005; Jewish Family and Children's Services Alfred Benjamin Award, 2005.

Safehome ''Jubilee Gala'' Honoree, 2005; Health Partnership of Johnson County ''Evening of Stars'' Honoree, 2006; Johnson County Community College ''Open Petal Award,'' 2006; Midwest Christian Counseling Center ''Ethics in Business'' Award Finalist, 2006; Baker University ''Distinguished Leadership in Business'' Award, 2006; NAACP, Olathe Branch Martin Luther King Legacy Award, 2007; Shawnee Mission Educational Foundation Patron Award Recipient, 2007; Volunteer Center of Johnson County ''Volunteer of the Year,'' 2007.

PAYING TRIBUTE TO MRS. MARY BAILEY WHITTINGTON ''WHITT'' DAVENPORT

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. HINCHEY. Madam Speaker, I rise today to honor posthumously Mrs. Mary Bailey Whittington "Whitt" Davenport for her invaluable contributions in the areas of education, the arts and historic preservation in Ulster County, New York. For more than 70 years, Whitt Davenport was the epitome of generosity and benevolence. Her pioneering spirit is directly responsible for the creation of a consolidated school system in the Rondout Valley and the construction of Marbletown Elementary School. One of her most notable efforts was advocating for the establishment of Ulster County Community College, where her husband went on to serve as its first president.

Whitt Davenport was born in Greenwood, Mississippi on June 3, 1911 to William and Anna Whittington. Her father, a lawyer and cotton planter, also had the distinct honor of being a member of the U.S. House of Representatives for 28 years. Whitt met Kenneth Davenport during her tenure as a student at Vassar College in Poughkeepsie. They married shortly after her graduation in September 1933.

Once the Davenports took up residence in their historic home in Stone Ridge, Mrs. Davenport quickly become an active member of her newly adopted community. As a native Southerner, she retained her distinctive accent and brought a sense of Southern charm to all of her endeavors. Over the years, she opened her home for the many parties needed to support her philanthropic efforts and was often honored for her volunteerism.

Whitt Davenport was well known for her interest in books and volunteered at the Stone Ridge Library, going on to serve as both a librarian and president of the library board. Her commitment to the arts remains unparalleled, and she has even been called "Queen of the Arts." She served on the Board of the Ulster Performing Arts Center, Music in the Mountains, and the Hudson Valley Philharmonic. After the death of her husband in 1982, she, along with her family, established the Kenneth Davenport National Competition for Orchestral Works.

Her drive and determination helped save the landmark Luke Kiersted House in Kingston's Stockade District from the threat of Urban Renewal demolition and she planned the restoration of the gardens at the Senate House Historic site. Mrs. Davenport gave her time to many other organizations, lending them her sense of purpose, strength, and wisdom.

Madam Speaker, I had the pleasure of knowing Whitt Davenport over the course of many years. Her work on behalf of her community was inspiring and commendable. In fact, Whitt Davenport was a force to be reckoned with. It is with sorrow that we mark her passing and with pride and gratitude that we remember her grand accomplishments.

APPOINTMENT OF CONFEREES ON H.R. 4040, CONSUMER PRODUCT SAFETY MODERNIZATION ACT

SPEECH OF

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. STEARNS. Mr. Speaker, I would like to first state that it was a pleasure, in my former capacity as Ranking Member of the Subcommittee on Commerce, Trade and Consumer Protection, to work with my good friend from Illinois, Chairman RUSH, in crafting this important legislation. H.R. 4040, the Consumer Product Safety Commission Reform Act, will greatly enhance the ability of the CPSC to secure the proper funding and sufficient number of employees to ensure that the products we import from abroad and manufacture here at home will not harm those who purchase them.

Millions of Americans are concerned with the safety of toys and other children's products due to lead contamination found in millions of toys imported from China. I commend my colleagues on both sides of the aisle for coming together and taking action to safeguard consumers from lead exposure, and to provide the Consumer Product Safety Commission (CPSC) with the tools and funding it needs to safeguard the public.

The House on December 19, 2007, overwhelmingly approved H.R. 4040, a bill that will change current law and add more stringent lead paint and lead content standards, making them the toughest in the world. It also requires testing of children's products in accredited labs, and tracking labels on all children's products.

Furthermore, the bill authorizes increased funding for the CPSC to hire more personnel, creation of a new state-of-the-art laboratory, and the institution of an expedited release of information on health safety risks to the public. All of which will make the CPSC more effective.

The House Committee on Energy and Commerce worked tirelessly to produce this bipartisan legislation and I now ask my colleagues to vote "Yes" on this Motion to Instruct conferees and support this bipartisan House passed legislation and call for this bill to remain unchanged through the conference negotiations with the Senate.

PERSONAL EXPLANATION

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. EMANUEL. Madam Speaker, I was absent from the Chamber for rollcall vote 320 on May 14, 2008. Had I been present, I would have voted ''aye.''

IN RECOGNITION OF BARBARA GOODWIN

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. COSTA. Madam Speaker, I rise today along with my colleague from California, Congressman DENNIS CARDOZA to pay tribute to the distinguished public service of Barbara Goodwin. After working nearly 40 years with the County of Fresno, she has decided to retire this year.

During her tenure, Barbara worked tirelessly to improve Central California's transportation system. At retirement, she held the position of Executive Director of the Fresno County Council of Governments. We have had the pleasure of working with Barbara frequently and her dedication to the community is to be commended.

Due to her vast knowledge and attention to detail, Barbara was frequently called upon by State agencies to represent the Valley on transpiration issues at forums and meetings. Over her distinguished career, Barbara has served on multiple statewide committees such as the University of California's advisory panel on transportation planning curriculum, and the task force on State transportation improvement program reform. In 2007 she was appointed by Governor Arnold Schwarzenegger to the California Partnership for the San Joaquin Valley.

Throughout her career with Fresno County, Barbara Goodwin has proven to be a highly effective leader who was always committed to excellent in public service. As she gets ready to spend much more time enjoying other relaxing activities, my colleague and I wish her continued success and best of luck for the future.

HONORING TIAA–CREF'S 90TH ANNIVERSARY

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. KING of New York. Madam Speaker, I rise today in honor of TIAA–CREF's 90th anniversary and to recognize the important contributions that this company has made to New York and across the country.

TIAA–CREF is a company with a rich and distinguished history. As a trustee of Cornell University in my home State of New York, philanthropist and businessman Andrew Carnegie was appalled by how many college professors could not afford to retire. He then established the Carnegie Foundation to support pension plans for professors. Soon, he realized the Foundation's endowment was too limited for the increasing number of qualified professors and, in 1918, established the Teachers Insurance Annuity Association with an initial million-dollar subsidy from the Carnegie Corporation of New York. At the time, TIAA was the only large, portable, fully-funded private pension system in the country.

In 1952, TIAA created CREF, the College Retirement Equities Fund, the world's first equity variable annuity and today the largest equity mutual fund. That year, an editor of Fortune magazine wrote, ''This is the biggest development in the insurance-investment business since the passage of the Social Security Act.''

Now, TIAA–CREF is a Fortune 100 company serving 3.4 million active and retired employees of more than 15,000 institutions. TIAA–CREF is also one of the largest employers in the United States, employing almost 1,200 individuals in New York and over 7,000 Americans nationwide.

Headquartered in New York City, TIAA–CREF provides financial services for over 10,400 participants with assets totaling over $1.3 billion in my home district and administers plans for 1,784 nonprofit educational, research, and health care institutions across New York State.

The important work that this company does in helping Americans plan for retirement and to save for a quality education is unparalleled. I am proud to be honoring them today and wish TIAA–CREF continued success.

HONORING THE 18TH ANNUAL DC BLACK PRIDE CELEBRATION

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Ms. NORTON. Madam Speaker, Memorial Day Week, May 21–26, is the 18TH Annual DC Black Pride celebration in Washington, DC.

DC Black Pride is an exciting six-day event complete with dynamic workshops, receptions, cultural arts activities, small and large nightclub events, that culminates in the world's oldest, most inclusive Black Pride Festival. Many consider DC's festival one of the world's preeminent Black Pride celebrations. The Festival consistently draws more than 30,000 people to the Nation's Capital. Attendees come from every major urban area in the United States as well as Canada, the Caribbean, South Africa, Great Britain, France, Germany, and the Netherlands. The Black Pride Festival features activities for the entire family, including performances by national recording artists, 200 exhibition booths, book signings from noted writers, participation from national and local health organizations, and arts and crafts.

Black Lesbian and Gay Pride Day, Inc. (BLGPD), the celebration's organizing body, chose the theme ''Official 18: Empowered and Poppin'' to encourage the Black lesbian, gay, bisexual, and transgender (LGBT) communities to vote, to combat homophobia, to promote health and wellness, to strengthen their communities, and to inspire Black LGBT people everywhere to live their lives with pride.

Black Lesbian and Gay Pride Day, Inc., a non-profit organization with a volunteer Board of Directors, coordinates this annual event. BLGPD's 2008 Board of Directors consists of: Courtney R. Snowden, President; Ray T. Daniels, Jr., Vice President; Christopher Lane, Corresponding Secretary; Khalid Parker, Recording Secretary; Meagan Marcano, Treasurer; and the following Members at Large: Lisa Washington, Sterling A. Washington, and Shanika Whitehurst; and these Members Emeritus: Earl Fowlkes, James W. Hawkins, Eric E. Richardson, Clarence J. Fluker, and Cheryl Dunn, who lead BLGPD in its mission to build knowledge of and to create greater pride in the Black LGBT community's diversity, while raising funds to ameliorate and prevent health problems in this community, especially HIV/AIDS.

I ask this House to join me in welcoming all attending the 18th Annual DC Black Pride celebration in Washington, DC, and I take this opportunity to remind the celebrants that United States citizens who reside in Washington, DC are taxed without full voting representation in Congress.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2419, FOOD CONSERVATION AND ENERGY ACT OF 2008

SPEECH OF

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. BISHOP of Georgia. Mr. Speaker, I rise today in support of the Conference Report of the Food, Conservation, and Energy Act of 2008. I'd like to thank the conferees who worked diligently, day and night for weeks, to craft this bipartisan agreement.

This bill provides an adequate safety net for our farmers and guarantees an affordable and nutritious food supply for the youngest and most vulnerable among us, all in a fiscally responsible way. This bill also helps producers of all commodities stay on the land they hold and love so they may continue with their livelihood, and encourages conservation of natural resources and land for use by future generations.

The bill before us today addresses many of the needs of those in southwest Georgia and Georgia's Second Congressional District, which I represent. The peanut rotation program in the conference agreement, which we paved the way for in the House bill last summer, will bring peanut growers into the next generation of agriculture by encouraging a cleaner, greener method of planting while ensuring an affordable and accessible supply to the markets that rely on U.S.-grown peanuts.

I'm also pleased that Congress has seen fit to include $100 million for Pigford Claims. This funding will begin to make up for USDA's historical inability to govern our Nation's agriculture programs in a fair, equitable, and nondiscriminatory manner.

Many in this legislative body believe this bill is not perfect; truth be told, I am among them. I have concerns about this legislation's ability to completely serve our family farmers in the face of skyrocketing fertilizer and diesel costs, an unstable commodities market that could

see prices plummet just as easily as it saw prices skyrocket, and increasingly unpredictable weather patterns that decimate entire crops in mere seconds.

Despite those worries, I am even more concerned by those who view this bill as not having reformed our commodity programs enough.

No, not every single reform requested by President Bush has been met. No, we haven't reduced the AGI to $200,000, or completely rearranged the accounting in this bill to deal with the changing baselines and budgetary gimmicking touted by the White House.

But, there has been meaningful compromise on behalf of the lawmakers to whom this legislation is most important. This legislation meets the White House demands by more than half way; this legislation represents billions of dollars to not just rural America, but to people living in every corner of this country.

And, if we can spend billions of dollars fighting a war and rebuilding another country, including supporting that country's land use and agriculture programs, I think we ought to be able to find it within our means here in Congress to support American agriculture.

Mr. Speaker, we must pass this conference report today, and we must do it by a sizable margin to send a message to the President that we will not be bullied by his negotiating tactics.

Today, I say to my colleagues on both sides of the aisle ''Let us not let the 'perfect' be the enemy of the 'good'.'' Let us pass this conference report today for our farmers and the others across this great Nation who rely on a safe and domestically grown food source.

STATEMENT FOR INTRODUCTION NASA AUTHORIZATION ACT OF 2008

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. UDALL of Colorado. Madam Speaker, today I am introducing the ''NASA Authorization Act of 2008'', a bill to reauthorize the programs of the National Aeronautics and Space Administration for fiscal year 2009. I am pleased that Science and Technology Committee Chairman BART GORDON, Ranking Minority Member RALPH HALL, and Space and Aeronautics Subcommittee Ranking Minority Member TOM FEENEY are joining me as original cosponsors. Their cosponsorship demonstrates the bipartisan nature of the support for NASA in this Congress, and I want to thank them for their efforts in helping to develop this legislation.

In addition to providing funding and programmatic direction for fiscal year 2009, this bill is also intended to provide congressional guidance for the next Administration relative to NASA. I believe that it is critically important for Congress to do so. Without a clear statement of congressional priorities and policies for the Nation's civil space and aeronautics enterprise, we run the risk of wasting both time and scarce resources during and after the transition from one Administration to the next. I want to avoid such an outcome if at all possible.

Madam Speaker, 2008 marks the 50th anniversary of the birth of the U.S. space program and the establishment of NASA. NASA has accomplished a great deal in both space and aeronautical R&D over those past five decades, and we can all take pride in what has been accomplished. However, we cannot become complacent. If we fail to invest adequately in NASA now, it is unlikely that we will see a comparable record of accomplishment over the next five decades—at a great opportunity cost to the Nation.

That is because NASA's programs are strongly relevant to addressing the Nation's needs. In short, a properly balanced and focused NASA portfolio can pay large dividends to our society as well as to our standing in the world, and maximizing the value of the NASA portfolio to the Nation is one of the main goals of the NASA Authorization Act of 2008.

Thus, the bill emphasizes a number of important areas—areas that demonstrate the role that NASA can and should play in improving the quality of life of our citizens, enhancing our economic vitality, demonstrating American leadership in the international arena through the pursuit of challenging scientific and technological goals, and helping to advance knowledge.

To that end, the NASA Authorization Act of 2008 establishes a role for NASA in leading a cooperative international effort on Earth observations research and applications, especially with respect to climate change—one of the major challenges facing our generation. It builds on the recommendations of the National Academies' Earth sciences and applications decadal survey to outline a robust and challenging agenda for NASA to pursue that will help us better understand the causes and impacts of climate change as well as other Earth system phenomena. It is an agenda that will also maximize the opportunities for transitioning those research results into applications that can benefit our society in a myriad of ways.

NASA's aeronautics research program is one of the most relevant activities that NASA undertakes as it impacts both public safety and our national economy, and the bill provides guidance to ensure that that aeronautics program will regain its former health and focus so that it can continue to contribute to the wellbeing of the nation. That guidance takes several forms. For example, the legislation provides enhanced funding for aeronautics, but it makes clear that the additional funding is to be used to take NASA's aeronautics research activities to a sufficiently mature state so that the results of that research can be transitioned to the commercial sector as well as to key public sector users. One of the most important examples of the latter is the interagency initiative to develop the next generation air transportation system for the nation, known as NextGen—a program that will improve both the safety and efficiency of our air travel system. The bill makes it clear that we need to do all we can to ensure that the aircraft of the future leave as small an impact on the environment as possible, whether it be noise, energy consumption, or harmful emissions—and that NASA has a critical role to play in that effort. And the bill requires an external review of NASA's aviation safety research to make sure that it is doing all that it can to protect the flying public.

Finally, the NASA Authorization Act of 2008 recognizes that America's human space flight activities are not, and should not, be an end in themselves. We need a results-oriented human space flight program that serves the nation's geopolitical goals in addition to advancing America's exploration of outer space. I believe that we provide the foundation for such a results-oriented approach in the bill I am introducing today. Thus, the bill includes provisions to ensure that the International Space Station—a unique orbiting R&D facility that represents a significant investment of resources by both American citizens and those of a host of other nations—will be utilized in as productive manner as possible.

In addition, the ISS is a compelling example of the value of undertaking a cooperative approach to space exploration that we would do well to emulate as we embark on exploration beyond low Earth orbit. To that end, the NASA Authorization Act of 2008 makes clear that any human exploration initiative to return to the Moon and venture to other destinations in the solar system should be undertaken as a cooperative international undertaking under U.S. leadership—and that such a cooperative approach will have the best chance of being successfully sustained if the President is personally involved in inviting our friends and allies to participate in such a venture.

It is clear that the 21st century will see the emergence and growth of ambitious human space flight programs carried out by a number of nations. It is not in our national interest to get drawn into rerunning a ''space race'' that we already won almost 40 years ago. Instead, we should be looking to leverage that emerging global interest to promote a peaceful, cooperative approach to space exploration under American leadership. Such an approach can provide a compelling ''soft power'' rationale for NASA's human exploration program and be an approach that will deliver clear benefits to America beyond just the demonstration of our technological prowess and national commitment to space exploration.

Madam Speaker, those are just three ways in which continued investment in and support for a properly focused NASA can deliver important benefits to the nation, especially if NASA works hand in hand with our colleges and universities and our commercial sector. However, I would be remiss if I didn't mention the important way in which NASA's basic and applied research activities help advance America's competitiveness and promote innovation as well as helping inspire and educate the nation's next generation of scientists, technologists, engineers, and mathematicians. That is why I and many of my colleagues consider NASA to be just as much a part of America's innovation agenda as the other agencies called out for support in the ''America COMPETES Act'' that was enacted into law last year. This bill recognizes that reality and puts NASA on the same doubling path as those agencies.

However, NASA will not be able to contribute effectively in the ways I have just outlined unless we not only invest adequately in NASA's programs but, equally importantly, direct those investments in ways that maximize their utility. Thus the bill contains a number of provisions focused on each of NASA's main mission areas to ensure that NASA can make the best use of its capabilities to advance the nation's space and aeronautics agenda.

Madam Speaker, I am a passionate believer in the value of America's space and aeronautics programs and the role that NASA can

play in delivering significant benefits to the American people. I believe that the NASA Authorization Act of 2008 that I am introducing today will go a long way towards positioning the agency for a productive future when the next Administration takes office, and I hope that Members will support it.

CONGRATULATING DISTINGUISHED SERVICE AWARD RECIPIENT DALE ENGQUIST OF MICHIGAN CITY, INDIANA

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. DONNELLY. Madam Speaker, I rise today to recognize and congratulate Dale Engquist of Michigan City, Indiana for receiving the Distinguished Service Award for his dedicated work for the National Park Service.

Dale Engquist has been with the National Park Service for 19 years. He has proven his leadership skills through developing partnerships and cooperative programs and providing collaborative opportunities for a diverse and complex audience. During Mr. Engquist's extensive career with the National Park Service, he increased the lakeshore at the Indiana Dunes by 15 percent and developed an educational program that serves over 35,000 students each year at the Paul Douglas Center for Environmental Education. Mr. Engquist is also responsible for the partnership formed between local community governments, LaPorte County, and the State of Indiana that collaborated to build a new visitor center, which is set to increase contacts with visitors to the area by 500 percent.

Mr. Engquist's vision and passion led to the development of a network of community organizations, state agencies, and environmental organizations to combat invasive species, which have been a pervasive problem along the southern tip of Lake Michigan. His participation on the Executive Steering Committee of the Chicago Wilderness greatly increased the awareness of the region to the biologically diverse and sensitive nature of the Indiana Dunes. Mr. Engquist has also signed a sister park agreement with Kampinoski National Park of Poland, formally providing opportunities for each park to meet and exchange ideas and information about resource management and education.

Due to his extended commitment to both residents and visitors to Indiana's Second District, it is my pleasure to rise today to honor Dale Engquist for receiving the Distinguished Service Award for his long and accomplished career with the National Park Service.

NATIONAL TRAIN DAY

SPEECH OF

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 2008

Mr. RANGEL. Mr. Speaker, I rise today to express my support of H. Res. 1176, Supporting the goals and ideals of National Train Day, as a Member who appreciates and recognizes the vital role of trains in our economy and as a passenger who commutes between New York and Washington, DC, on the Amtrak Acela. I find my commute by train a convenient, efficient and relaxing way to travel that enables me to read and work in comfort and arrive refreshed, usually on time, and downtown, closer to my destination. I praise the efforts of visionary leaders who over the years have advocated the preservation and modernization of passenger rail service.

Trains have played a vital and historic role in this country, transporting cargo and passengers since the early 19th century, when the first steam locomotive was built by engineer George Stephenson. Without the creation of the steam engine, the Industrial Revolution would not have occurred and our great country would not have been able to prosper as much as it has. In 1869, the first transcontinental railroad was completed. Known as the 'golden pike,' it connected both the east and west coast of the United States, linking our Nation and bridging the geographical divide like never before.

Although there are a greater number of modes of transportation—planes, cars, buses—than there were in the early 1800s, trains are still relied on to transport large amounts of freight and millions of people everyday. They have reduced congestion in major cities, helping to reduce pollution connecting people in rural areas to urban centers.

The history of trains has come a long way, from burning coal and going only 130 km/h to high-speed trains that can go from 200 km/h to 350 km/h and are electrically driven by overhead cables. Trains are constantly changing and improving. Due to global warming and greenhouse effects, trains now run more fuel efficiently, emitting only 0.2 percent of the travel industry's total greenhouse gases.

I support National Train Day because the train industry has been an important part of America's story and its economic development, as well as a large part of Americans' day-to-day lives.

TRIBUTE TO HARVEY SCHECTER

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. BERMAN. Madam Speaker, I rise to pay tribute to my dear friends of more than 30 years, Hope and Harvey Schechter. They are being honored at the 7th Annual Hillel 818 Dinner Celebration for their generous support and outstanding contributions to Los Angeles Valley College and to our community.

I have had the pleasure of working with Hope and Harvey throughout the years on many important issues of concern to the San Fernando Valley, the State of California and our Nation. I value their counsel, respect their knowledge and appreciate the help they have given me in my career.

Harvey is a remarkable individual who has dedicated his life to protecting our civil rights and combating anti-Semitism and racial discrimination. From 1952, when he began his impressive career with the Anti-Defamation League (ADL), until 1993 when he retired as Western States Regional Director of the ADL Foundation, he has been at the forefront on critical humanitarian issues of concern to the ADL, the Jewish community and the world at large. Harvey has been a mentor, confidant, friend, teacher and inspiration to others during his career. His speeches, writings, and incomparable wit have enriched all who have had the good fortune to know him.

Following Harvey's retirement from the ADL, he rediscovered the joy of learning at Los Angeles Valley College. He touched the lives of hundreds of students as he shared with them the knowledge he has gained in his 84 years.

Hope is an outstanding example of the American dream. Born in a small mining town in Arizona to Mexican-American parents who spoke no English, she overcame tremendous challenges to achieve great success. After dropping out of high school, she worked at menial jobs, including as an underpaid garment industry worker. Her personal experience with the injustices to unskilled workers led her to a career as a union organizer for the International Ladies Garment Workers Union. She helped improve the quality of life for hundreds of workers by her determination, positive attitude and resilience. Her career includes many significant contributions to our community, including Community Service Organizer, fighting for safe neighborhoods, establishing the first Head Start Operation in Los Angeles County, helping resolve racial issues as a member of the Board of Directors of the Council of Mexican American Affairs and many more. She became a Certified Court Reporter, established her own firm and was the first woman elected President of the General Court Reporters Association. During my brief period in law practice, Hope was my court reporter of choice.

Beyond her community contributions, Hope has been a valuable asset to the California Democratic Party, serving for many years on the California Democratic State Central Committee in a number of leadership positions and volunteering her time and efforts to numerous political campaigns. Hope's dedication and tireless efforts on behalf of our community are an inspiration to us all.

Hope and Harvey recently celebrated 53 years of a wonderful marriage. Although they have no children of their own, they have been ''adopted'' as parents by more than one hundred young people they have met on the campus and in the community.

I rise today to ask my colleagues to join me in honoring two special people who's caring and contributions have benefited so many.

THE NEW RUSSIAN GOVERNMENT

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. STEARNS. Madam Speaker, on May 7th, Dmitri Medvedev was sworn in as the new Russian President. It remains to be seen if he will be more than just a puppet controlled by Prime Minister Putin, but if the President's victory speech is any indication, we should expect a ''direct continuation'' of Putin's iron-fisted policies.

As Russia desires to regain its stance as a major world power, rest assured Putin and Medvedev will stop at nothing to achieve this. As Americans, we should be wary of Putin's legacy of government corruption, diminished democracy, and antagonistic stance

toward its former Soviet neighbors and the West.

Although there may be opportunities for the U.S. to re-engage with Russia under Medvedev, we must proceed with caution. Let us not forgot that there are Iranian enrichment facilities in Russia, and that Russia uses its oil and gas resources to manipulate and control its sovereign neighbors.

These are the characteristics of an emerging dictatorship hiding beneath the mask of democracy.

TRIBUTE TO 2008 ATHENA AWARD RECIPIENTS

HON. TIMOTHY WALBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. WALBERG. Madam Speaker, it is my special privilege to recognize the 2008 Lenawee County ATHENA Award recipients Durstyne Farnan, O.P., and Dr. Nancy Kelly, DVM, and Parthenon Award recipient United Bank and Trust. It is with great admiration and pride that I congratulate these individuals and this company on behalf of all of those who have benefited from their demonstrated excellence in their professions and dedicated service to Lenawee County and the State of Michigan.

ATHENA International was founded in the early 1980s by Martha Mertz, who while serving as the sole woman on the board of directors of the Lansing Regional Chamber of Commerce, was inspired to recognize female business leaders in her community whom she felt had largely been overlooked. Thus, the first ATHENA Award was presented in 1982 and 5,000 more have been awarded since to honor men and women across the globe for their professional excellence, community service, and active role in enabling women to achieve success as business and community leaders.

Durstyne Farnan, better known as Sister Dusty, has devoted much of her life to promoting international peace. An advocate for women's liberties worldwide, Sister Dusty has traveled to countries around the globe assisting women in other cultures achieve independence and promote peace. Additionally, she has educated students at Siena Heights University on the serious subject of the trafficking of women and children.

Dr. Nancy Kelly has faithfully served Lenawee County as a successful veterinarian and trusted mentor for many years. She is the on-call veterinarian for the Adrian, Madison, and Fairfield Township Fire Departments and holds an impressive record of extensive community service in the area. In addition to assisting veterinary students secure highly beneficial externships, she selflessly devotes much of her time to mentoring several local female students of veterinary medicine.

United Bank and Trust has a history of producing successful businesswomen and stands as a fine model to companies throughout Lenawee County. As a company committed to providing training and development opportunities to all employees, United has a track record of promoting women to leadership positions. United Bank and Trust has earned respect as a hometown bank for their tailored service to the Lenawee community and for encouraging each of their employees to volunteer within the community.

This year's ATHENA Award for Lenawee County was presented to Sister Dusty, Dr. Nancy Kelly, and United Bank and Trust for demonstrating excellence, creativity, and initiative in their profession and for actively assisting women in realizing their full leadership potential. The 2008 winners join an international network of men and women who work together to create leadership opportunities and encourage the empowerment of women leaders.

Madam Speaker, today I honor the recipients of the 2008 ATHENA Award for their invaluable service to the Lenawee community. May others know of my high regard for their commitment to promoting women around the world, as well as my best wishes for them in the future.

AMENDED SECURITY ASSISTANCE AND ARMS EXPORT CONTROL REFORM ACT OF 2008

SPEECH OF

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 13, 2008

Mr. MANZULLO. Mr. Speaker, today is a great day. When others talk about a dysfunctional Congress or claim that members of different political parties can't work together, they ought to look at this bill. Today, the House votes on the Security Assistance and Arms Export Control Reform Act of 2008 (H.R. 5196) that we debated on Tuesday. Subtitle A of Title I of H.R. 5916 has been in the making for the past 18 months when I first learned of the complaints from industry regarding the immense backlog of defense export license applications at the State Department. The Executive Branch, both sides of the House Foreign Affairs Committee, industry, and Non-Governmental Organizations, NGOs, interested in non-proliferation all had input into this legislation.

Last year, I joined with Representatives JOE CROWLEY of New York and EARL BLUMENAUER of Oregon to establish the Congressional Export Control Working Group. We educated Members of Congress and their staff on the importance of export control modernization efforts to both our national and economic security.

Export control modernization is extremely important to the constituents I am proud to represent in the 16th District of Illinois. This area of the country is one of the most heavily industrialized Congressional districts in the Nation. We make everything from nuts and bolts to the advanced electrical system for the new Boeing 787, the Dreamliner. Many of the products and technologies produced by the manufacturers I am so proud to represent are regulated under U.S. export control law.

When I was first elected to Congress almost 16 years ago, a manufacturer from northern Illinois came to me for assistance in navigating the regulatory process for selling their product overseas. Ever since that first experience, I have been dedicated to modernizing our Nation's export control system. I am continuing to work on policies that will enhance U.S. national security, strengthen our defense industrial base, and boost U.S. competitiveness.

One piece of that puzzle is being considered here today. The Security Assistance and Arms Export Control Reform Act of 2008—which I am proud to have co-sponsored—contains legislation (Subtitle A of Title I entitled the Defense Trade Controls Performance Improvement Act of 2008) I co-wrote along with my good friend and colleague from California, Representative BRAD SHERMAN who is the Chairman of the Terrorism, Non-proliferation, and Trade Subcommittee. This legislation will reduce defense trade license processing times, create a spare part waiver for our closest allies, and make licensing of defense items more transparent and predictable. These process improvements will make U.S. defense manufacturers in every category, including space, more competitive in the international marketplace. No longer will they have to fear being shut out of foreign markets or products because of a taint from the International Traffic in Arms Regulations, ITAR.

The bill will modernize the Federal Government's inefficient export control policy while strengthening national security and helping American companies sell more defense-related goods and services overseas to our allies.

H.R. 5916 requires the Directorate of Defense Trade Controls, DDTC, at the State Department to hire more staff to reduce the backlog of license applications that impedes legitimate trade with our allies without compromising national security. The last time I checked, the State Department has only 42 licensing officers. By 2010, this legislation requires adequate staff and resources at the State Department to review and process defense trade licenses in a timely manner. This legislation creates a ratio of at least one DDTC officer for ever 1,250 applications by 2010. The independent Congressional Budget Office, CBO, estimated that this provision would require the hiring of 35 additional licensing officers.

H.R. 5916 also requires DDTC to assign no less than 3 individuals by fiscal year 2009 to review applications for commodity jurisdiction determinations. This is one area of export controls that is extremely complex and time consuming—determining whether or not a particular widget is a commercial dual-use item or a munition. Having specialized personnel dedicated to this task will be extremely helpful in improving the processing of these determinations. The legislation also increasing the transparency of commodity jurisdiction determinations with the publication of those decisions on the Internet. This will help companies know in advance whether or not their particular product would fall into a commercial or munitions category.

The legislation also creates a series of performance goals for DDTC: No longer than 60 days to process a defense trade license; 30 days to process a defense trade license for close allies; and 7 days to process a defense trade license from our close allies in support of combat operations or peacekeeping or humanitarian operations with U.S. Armed Forces. This in no way implies forcing a premature decision—these are simply goals to achieve that have already been vetted with the Executive Branch. All tolled, CBO scored these personnel enhancement as costing $6 million in 2009 and $31 million over the next 5 years,

which is a relatively modest price to pay to insure a vibrant and growing U.S. aerospace export industry. In 2007, the U.S. exported nearly $97 billion worth of aerospace products, producing a $60 billion positive trade balance in an otherwise grim trade picture. Nevertheless, H.R. 5916 also requires a report within 90 days on possible means for DDTC to achieve 100 percent self-financing.

H.R. 5916 creates a special licensing authorization for U.S. manufactured spare and replacement parts or components in connection with defense items previously lawfully exported to our closest friends and allies. This will help free up time of DDTC employees to go after more significant threats to our national security. Finally, the bill augments the input of the private sector Defense Trade Advisory Group, DTAG, into the State Department's defense trade agenda.

In conclusion, the Security Assistance and Arms Export Control Reform Act of 2008 streamlines the export control process, reduces the application backlog, and allows greater scrutiny on sensitive exports that could harm our country. It will better protect our Nation while helping U.S. companies sell more goods and services to our allies, creating more jobs for Americans. I appreciate the Foreign Affairs Committee's bipartisan efforts on this issue, particularly Chairmen BERMAN and SHERMAN and their respective staffs, and I urge my colleagues to support H.R. 5916.

HONORING MARCUS MATHES OF PASCO COUNTY, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Ms. GINNY BROWN-WAITE of Florida. Madam Speaker, I rise today to honor an American soldier who gave his life in service to our Nation.

Army Sergeant Marcus Mathes of Pasco County, Florida, was killed Monday, April 28th outside Baghdad, Iraq, when the equipment truck he was working on was struck by enemy rocket fire. Sergeant Mathes is survived by his mother and step-father, Sue and Mike Sawyer of Sebring, his father, Ralph Mathes of Tampa, and two brothers, Kyle Mathes of Illinois, and Zach Sawyer of Sebring.

A graduate of Zephyrhills High School, Sergeant Mathes grew up in Highlands County before moving to live with his father in Pasco County. While in high school, Sergeant Mathes joined the JROTC, and had dreams of being a professional military member. Inspired by the events of September 11, he enlisted in the Army and left for boot camp on his 23rd birthday. Serving in Afghanistan from October 2006 until march 2007, Sergeant Mathes was sent to Iraq in November of 2007.

A devoted family man, Sergeant. Mathes married his high school sweetheart Julia two weeks after her graduation. The two were planning to celebrate their six-year wedding anniversary this June and had wanted to start a family together. During a visit to his base in Louisiana, Sergeant Mathes introduced his sister-in-law, Julia's sister Heather, to one of his fellow soldiers. Two months later, Bryan Harvey and Heather were married. One of his best friends who served in his same unit, Bryan was nearby when Sergeant Mathes was killed, even picking up his torn Bible where it was thrown from the truck.

Madam Speaker, it is soldiers like Sergeant Marcus Mathes who have volunteered to protect the freedoms that all Americans hold dear. While brave men and women like Marcus have perished in the name of freedom and liberty, his family, friends and loved ones should know that this Congress will never forget his sacrifice and commitment.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2419, FOOD, CONSERVATION, AND ENERGY ACT OF 2008

SPEECH OF

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. PENCE. Mr. Speaker, along with the gentle lady from Wisconsin, Representative Tammy Baldwin, I have sponsored legislation to allow farmers who grow fruit and vegetables for processing to opt out of farm programs on an acre for acre basis without limitation. That legislation would reduce farm program costs and improve the environment by allowing more extensive crop rotations. I am very pleased that the conference report takes a step toward that proposal by establishing a pilot project to allocate 75,000 acres of new authority for production of fruit and vegetables for processing in specified Midwestern states. USDA has broad discretion in administration of this pilot project to meet the objectives of the pilot project. The conference report does not specify a procedure for allocation of the pilot project acreage or other administrative matters, such as re-allocation of unused acreage allocations among states. However, USDA is clearly required to establish rules to assure that this additional fruit and vegetable production authority will not be abused. Only fruit and vegetables under contract for processing are to be produced under this authority. USDA is to assure that the crop produced is delivered to a processor and that the quantity of crop delivered under the original contract, the contract in existence upon Farm Service Agency certification, does not exceed the quantity that is produced on the contracted acreage. Further, the effects of the pilot project and FAV restrictions on the specialty crop industry, both fresh and processed, are to be evaluated. These restrictions are intended to ensure protection of the objectives of the pilot project, not to compel food waste or excessive regulatory burden. Further, the conference report includes an important statement of policy indicating that in the next recalculation of base acreage, fruit and vegetable production will not cause a reduction in farmer's base acreage. While this is a timid step in reducing restrictions on production of fruits and vegetables, I commend this step in the right direction.

HONORING THE 100TH ANNIVERSARY OF THE ESTABLISHMENT OF THE LA CROSSE, WISCONSIN BOARD OF PARK COMMISSIONERS

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. KIND. Madam Speaker, I rise today to honor the city of La Crosse's Board of Park Commissioners for their 100 years of dedication to beautifying the largest city in western Wisconsin. Through their unrelenting hard work, a comprehensive park system consisting of 13 parks throughout the city was developed. Over the past century, countless families have benefited from the opportunities these parks have provided.

The Board of Park Commissioners was established through an ordinance passed by the Common Council in May of 1908. Mayor Wendell A. Anderson, a spirited advocate for park services, appointed Joseph M. Hixon, Edward L. Colman, Lucien F. Easton, and Henry Gund to the Board of Park Commissions. All 4 men were dedicated to public service and guided by a grand vision for the city of La Crosse. This vision was made into reality after the city hired landscape architect John Nolen, an understudy of the legendary Frederick Law Olmstead.

For 100 years, La Crosse's residents and visitors have enjoyed the comfort and recreation these parks offer. Having grown up on the north side of La Crosse, I know that the park system is an essential part of the community. Badger Park offered my friends and me a safe place to shoot hoops, play softball, and go ice skating. These parks are not only a way for families and friends to enjoy one another's company, but are also a means of creating lasting memories.

I applaud the La Crosse Common Council and the Board of Park Commissioners for their inspiration and dedication over the past 100 years. Their gift to the city of La Crosse will undoubtedly be enjoyed by many generations to come.

PROVIDING FOR CONSIDERATION OF CONFERENCE REPORT ON H.R. 2419, FOOD, CONSERVATION, AND ENERGY ACT OF 2008

SPEECH OF

HON. PHIL HARE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 14, 2008

Mr. HARE. Mr. Speaker, as a Member who represents Illinois farmers and rural communities, I rise today in strong support of H.R. 2419, the Food, Conservation and Energy Act of 2008.

The Food, Conservation and Energy Act, which is endorsed by every major agriculture group in my home state of Illinois, is good for our farmers and maintains our ability to provide a safe, affordable and abundant food supply.

This bill improves nutrition and conservation programs, and supports biofuel production at great benefit to the Illinois farm economy.

Most importantly, it extends a critical safety net to help farmers manage production risks when facing unsustainably low prices or natural disasters.

Illinois receives the 4th most nutrition dollars in the nation. I was happy to see that nearly three-quarters of all farm bill spending will go toward food and nutrition programs, including $50 million for food pantries to address the rising costs of food and food shortages.

The bill also increases conservation spending to safeguard agricultural lands from the pressures of urban and suburban development, and to protect our natural resources.

Finally, the bill makes critical investments in Illinois' rural communities through biofuel production, telecommunications and wastewater infrastructure projects, and healthcare. In this time of economic. hardship, we look to new industries to rebuild the economy of Illinois and the rest of the country. This bill puts $1 billion in programs that will leverage renewable energy industry investments in new technologies and feedstocks. It also provides $320 million for biorefineries producing advanced biofuels, and $300 million for the Bioenergy Program, which directly impact Illinois.

I urge my colleagues to support final passage of this comprehensive legislation that funds important programs for rural and urban constituents across Illinois and our Nation.

HONORING 11 OUTSTANDING BROWARD COUNTY CITIZENS

HON. ROBERT WEXLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. WEXLER. Madam Speaker, today in Tamarac, Florida, 11 outstanding Broward elders will be honored at the Annual Senior Hall of Fame Breakfast. These 11 seniors being honored have volunteered in their communities and have spent countless hours helping others. Their outstanding character and compassion have truly set them apart. Those being honored are George Bisbikos, Mary Jane Bowen Graff, Sidney Feinberg, Edith Gooden-Thompson, Velma Hawthorne, Reverend Grant Lynn Ford, Dr. Henry ''Hank'' Mack, Marilyn Manning, Paul B. Snow, Lesley Tobin, and Polly Wilkie.

George Bisbikos of Sunrise, president/executive director of the Learning Center for Vision Impaired Seniors, LCVIS, has been volunteering with the vision impaired for many years. Legally blind himself, George has led a health and finance class at the Lighthouse of Broward County for the blind and vision impaired, and works relentlessly to enable the blind and partially sighted in our community to participate in activities that sighted people take for granted.

Mary Jane Bowen Graff of Fort Lauderdale is the epitome of a volunteer and has been awarded for the over 4,000 hours of her time she has donated to Holy Cross Hospital Auxiliary. An energetic, motivated, and goal/task oriented person, Mary Jane has also been an active member in Kiwanis International, serving as president of her local chapter in 2006–07; and, Mary Jane currently serves as director of the city of Fort Lauderdale's Historic Preservation Advisory Board and board member of the Fort Lauderdale Museum of Art.

Sidney Feinberg of Deerfield Beach was integral in the building of Broward Homebound Program, Inc., in Century Village Deerfield Beach, submitting the grant proposal to the Florida Legislature in 1986 and being awarded a 1-year pilot project in 1986. Broward Homebound Program, Inc., has functioned independently since 1987. Sidney has also served as president of Young Israel in Deerfield Beach, Flatbush, and Jamaica Estates, and is president of the Coalition for Century Village East and is one of the founders of the National Association of Jewish Homes for the Aged, among many other leadership positions.

Edith Gooden-Thompson of Plantation is the daughter of Reverend James Gooden and Evelyn Smith Gooden, both honored as members of the Broward Senior Hall of Fame in 2006 and 1991, respectively. Edith has been volunteering her time with numerous schools and community committees for over 40 years, and is currently serving the Aging & Disability Resource Center as the SHINE, Serving Health Insurance Needs of Elders, volunteer coordinator. In this role, Edith guides more than 25 volunteers committed to providing services to Medicare customers, their families, and caregivers. She also volunteers with Friends of the African-American Research Library and Cultural Center, Florida Leaders.net, and the National Coalition of 100 Black Women, among many other organizations.

Velma Hawthorne of Fort Lauderdale is a Foster Grandparent volunteer, having raised three of her niece's children and two grandchildren in addition to her three children. She continues to help elementary children learn how to read, mentors Girl Scouts, and assists the Broward County Library with after-school programs. During the summer, Velma also volunteers at Kids In Distress, and she enjoys teaching Sunday School and singing in the choir at Evergreen Baptist Church.

Reverend Grant Lynn Ford, Senior Bishop of the Sunshine Cathedral in Fort Lauderdale, has been providing dynamic and inspirational leadership for his congregation and multitudes of organizations, agencies and groups for nearly two decades. Reverend Ford was key in the establishment and continuum of the Noble A. McArtor Adult Day Care Center, the first such program primarily designed for the needs of Broward gay and lesbian elders, and continues to serve the needs of the diverse cross sections of Broward communities through innovative programs, services and projects.

Dr. Henry ''Hank'' Mack of Lauderhill has the distinction of being one of the few living Buffalo Soldiers of the United States Calvary. A renowned civil rights fighter and past member of the executive committee of the Fort Lauderdale NAACP, Dr. Mack has the distinction of having stood with Dr. Martin Luther King, Jr. when he made his ''I Have A Dream'' speech, and he continues to be active in opening doors for minority firms in Broward County. Dr. Mack has also been recognized numerous times for his volunteer efforts and serves on a number of public safety and education councils and committees in Broward County.

Marilyn Manning of Tamarac has spent the past 8 years donating her time and talents at Florida Atlantic University's Lifelong Learning Program, helping with registration and greeting students. She also volunteers at the Daniel Cantor Senior Center in Tamarac, working in the thrift store and assisting in the day care. Additionally, she lends a hand mentoring elementary students with behavioral issues and has helped wounded troops recuperating in Germany through her assistance to the Landstuhl Hospital Care Project.

Paul B. Snow of Hallandale Beach has volunteered his life following retirement to volunteering for the poor, elderly, homeless and disabled in south Florida, joining the Hallandale Food Pantry in 1991 and later becoming Director. In that time, the Pantry has expanded from helping 11 families in his first week to more than 7,500 families in 2007. The Pantry also assists the elderly with completing critical benefit paperwork, offers after-school community credits to students wishing to attend college, and takes over 450 inner city youth to professional sporting events.

Lesley Sobel of Margate, along with her husband Jack, recognized the need in the community for a center to aid families caring for someone with alzheimer's disease and founded the Alzheimer's Family Center to fill that need. Lesley served as president of the agency's board of directors for 10 years and has devoted a tremendous amount of time and energy to the center, as she was instrumental in the development of fundraisers which have been held annually for over two decades now. Lesley also serves on the Boards of God's Little Acre, Senior Volunteer Services, and is active with the Margate Chamber of Commerce.

Polly Wilkie of Pembroke Pines is a veteran volunteer, possessing both fundraising acumen and the passion to roll up her sleeves and work. Founder and current president of New Prestige Clubs, Polly has worked to improve the lives of children and homeless women throughout Florida. She has recruited others and inspired them to establish Prestige chapters elsewhere in Florida and in Atlanta, Georgia, and hosts networking breakfasts for business people and inspires them to volunteer. Polly is a board member of the Light of the World Clinic, the Ease Foundation Pantry, the James Jr. Fund, the Boys & Girls Club, and Crime Stoppers, and has served as commissioner for Volunteer Florida.

Madam Speaker, I would like to again congratulate these 11 outstanding Broward County citizens who are being honored at the Annual Senior Hall of Fame, and thank them for their years of service to their fellow Floridians.

TRIBUTE TO RITA AND JACK SINDER

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. BERMAN. Madam Speaker, I rise to pay tribute to two dear friends, Rita and Jack Sinder, who are being honored by Valley Beth Shalom's 60th Birthday of the State of Israel Dinner Celebration. They are being recognized for their lifetime of commitment to Israel, the Jewish people, and Valley Beth Shalom, VBS.

In 1967, Rita and Jack made their first trip to Israel just prior to the Six-Day War. The outbreak of hostilities forced their early departure on the eve of the war. The impact of their experience motivated them to mobilize the American Jewish community on Israel's behalf.

Their dedication to Israel, however, began long before the State of Israel was created.

Born in Vienna, Rita was immersed in Judaism as a young child. During WWII, when Hitler invaded Austria, Rita's father was shipped to Poland. He fortunately escaped and her mother managed to get herself and her daughters out of Austria. Rita was sent to London on Kindertransport and was not reunited with her family until the war ended. The determination, positive attitude, tremendous resilience, and adaptability that helped her survive still guide her life today. Rita's family was miraculously reunited in America, settling in Los Angeles where Rita attended Belmont High School and graduated from USC with a degree in business administration.

Jack, raised in the Orthodox tradition by his father, a prominent Rabbi in Michigan, earned a degree in mechanical engineering from Michigan State. He worked for a machine tool company that supplied parts to the big three automakers. He was asked by an associate to help send machine tools to the Jewish fighters in Israel, and together with his friends, he shipped tools which ultimately helped in the creation of the Israeli aircraft industry and the Israeli Air Force.

Rita and Jack have been an integral force in the Jewish Community, living up to the motto, ''Give of yourself first and only then ask others to join you.'' They have generously contributed their time and resources to VBS, the Jewish Federation, Israel Bonds, AIPAC and many other worthy organizations. They endowed the Midrasha Program at the VBS, where Jack formerly was a member of the board of directors and currently serves on the board of trustees and the steering committee. Rita has chaired many special events at VBS. She is past president of the San Fernando Valley Women's Division of Israel Bonds and the Golda Meir Club, an active member of AIPAC, serving on its national executive board, and is past president and member of the executive board of the Women's Alliance of Israel. Rita and Jack are founding members of the American Jewish University's Wagner Program, university patrons and also patrons of the Wiesenthal Center.

Rita and Jack work together in their business, Jasin Co., he as a real estate developer and she as a real estate broker and property manager. They are the proud parents of Sherri and Alan and adore their three grandchildren. Rita and Jack's greatest joys are being with family and friends, boating and travel.

I ask my colleagues to join me in saluting Rita and Jack Sinder, who have devoted their lives to working for the survival of the Jewish people and the State of Israel.

PAYING TRIBUTE TO MARA LETICA SAAD

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. ROGERS of Michigan. Madam Speaker, I rise to honor the accomplishments of Mara Letica Saad of Bloomfield Hills, Michigan, who has been honored by Crain's Detroit Business Publication as one of southeast Michigan's ''Most Influential Women'' over the past five years.

Mara Letica Saad's experiences are unique, remarkable and in many ways, reflect her wonderful family's success story. Mara was born in Germany during her father, Ilija Letica's journey toward America after escaping communist rule in former Yugoslavia. Soon they reached their destination in Greenville, Michigan where Mara attended the local schools and her father began to work toward his vision for Letica Corporation, a plastic packaging company.

Mara attended The University of Michigan where she earned a bachelors degree in history. She traveled west to Seattle University to study law and remained in Washington for several years working as a prosecutor and a commercial litigator.

Fortunately, Mara did not stray long from Michigan. She returned to join the family business and after twenty years, Mara continues to successfully balance many roles as the corporation's executive vice president, general counsel and secretary. Along with her father and other family members, Mara has helped build Letica Corporation, now headquartered in Rochester, Michigan into a nationwide manufacturer of paper and plastic packaging with more than a dozen locations throughout the U.S.

Mara Letica Saad's accomplishments are not limited to the business world. Throughout her life she has had a strong interest in her family's birthplace, Croatia, and was actively involved in Croatia's independence movement. With her father, she organized a group of attorneys in the U.S. to aid and supervise the 1990 elections in Croatia. Her efforts were recognized by President George H.W. Bush and she was nominated to be Ambassador to Croatia.

An active participant in the Detroit area community, Mara serves on the board of the Motor City Lyric Opera and until recently served on the board of the Mackinac Center for Public Policy. She resides in Bloomfield Hills, Michigan with her husband, Judge Henry Saad, and they have four grown children.

Mara Letica Saad has excelled in her profession and her touched many in southeast Michigan and beyond.

Mara Letica Saad is a loyal and loving family member with a passion for its history, culture, and human dignity. Madam Speaker, I ask my colleagues to join me in honoring Mara Letica Saad, recipient of southeast Michigan's ''Most Influential Women.'' She truly merits our respect and admiration.

STATEMENT ON LIHEAP

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mrs. McCARTHY of New York. Madam Speaker, I rise today to call on colleagues to fully fund the Low Income Home Energy Assistance Program, also known as LIHEAP, during this year's appropriations process, at the full $5.1 billion.

LIHEAP is a vital program that helps low-income Americans pay their heating and cooling bills.

Our nation is facing an escalating energy crisis. More and more, American families are being forced to make difficult decisions between putting food on their tables and paying their utility bills.

If the current trend continues, LIHEAP will not have enough funding for the remainder of fiscal year 2008. Soaring energy prices combined with another heat wave this summer could be deadly if we don't act now to fully fund this important program.

This presents a particular risk to our Nation's most vulnerable, the elderly, infirm and children. Extreme temperatures can be incredibly dangerous to those with compromised physical conditions. They need to be protected and we have the ability to protect them by fully funding LIHEAP.

This month, utility shut-off moratoriums that have been offered by states are set to expire just as temperatures are rising. With past-due notices on the rise, there is no question that millions of Americans could be facing summers with no cooling options available. There is simply no time to waste. I urge all of my colleagues to act now to fully fund LIHEAP. American families cannot sweat out Congress's delays on this matter.

RECOGNIZING THE 90TH ANNIVERSARY OF TIAA–CREF

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. CROWLEY. Madam Speaker, in keeping with his philosophy that ''the man who dies rich thus dies disgraced,'' Andrew Carnegie took care in distributing his substantial wealth, largerly toward the goal of promoting education. When Mr. Carnegie became a trustee at Cornell University, in my home State of New York, he was appalled to learn how little professors earned and thought they deserved financial security. As a result, he donated $10 million to fund a system of pensions that today allows colleges and universities in the United States to offer some of the best retirement plans in the Nation.

In 1918, the Carnegie Foundation established the Teachers Insurance and Annuity Association, known today as TIAA, a fully-funded system of pensions for professors. By the end of its first year, 30 public and private institutions had signed on. After World War II, facing inflation and increased longevity, TIAA created the College Retirement Equities Fund, the world's first variable annuity in 1952. As TIAA–CREF evolved over the years to meet new challenges, its noble mission bestowed on them by Carnegie never changed: to aid and strengthen the institutions they serve and to provide financial products that are suited to the needs of such entities, their employees, and their families on the best terms practicable.

In his autobiography, Carnegie wrote: ''Many college pension fund beneficiaries and their widows have written to me most affecting letters. These I can never destroy, for if I ever have a fit of melancholy, I know the cure lies in re-reading these letters.''

TIAA–CREF continues to have a special relationship with those in higher education and also serves those who work in the medical, cultural, and research fields. Today TIAA–CREF celebrates its 90th Anniversary and continues to serve those whose life work advances the greater good.

COMMEMORATING ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. NICK LAMPSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. LAMPSON. Madam Speaker, this May, all Americans take time to commemorate Asian Pacific Heritage Month. As a proud member of the Congressional Asian Pacific American Caucus, I honor and celebrate the culture, achievements and valuable contributions of Asian Pacific Americans.

This May marks thirty years since the first ten days of May were designated Asian Pacific Heritage Week. This was extended to a full month once it became quite clear that a week would not be nearly enough time to do justice to the abundant contributions Asian Pacific Americans have made to our Nation, without which we could never have reached the heights we have today.

Asian Pacific Americans are one of the most diverse, talented and successful ethnic groups in America today. There are nearly 16 million Asian Pacific Americans who call America home, representing more than 5 percent of the U.S. population.

In my district, they are without question the fastest growing ethnic group. In Fort Bend and Harris counties, the growth of Asian Pacific Americans has been dramatic. In many cases the growth of Asian Pacific Americans has been more than three times the growth of the overall population. Fort Bend now has the largest percentage of Asian Americans of any county in Texas. In particular, in Sugar Land and my home, Stafford, Asian Pacific Americans make up more than 20 percent of the overall population.

However, population growth is only part of the story. As the grandson of immigrants, I know true assimilation means preserving tradition while achieving success. I am in awe at how quickly the Asian Pacific-American community has mastered both. Asian Pacific Americans have quickly taken hold of many of the most prominent civic, industry, philanthropic and research-based positions in the Houston area.

I would specifically like to honor the trailblazing Asian Pacific American elected officials in my district. Natalie Ong, M.J. Khan, Thomas Abraham, Daniel Wong, Neeta Sane, Ken Mathew, Sonal Bhuchar, and Natasha Kamrani have broken barriers and shattered stereotypes and opened the door for a future generation of Asian Pacific American leaders.

With values of hard work, discipline, community and family, it's no wonder that Asian Pacific Americans are one of the fastest-growing, best-educated and highest-earning ethnic groups in the U.S. From the medical professionals who care for us, the educators who teach us and the titans of industry large and small, Asian Pacific-Americans are one of the most indispensable parts of our Nation's ever-growing national tapestry. Asian Pacific-Americans are authentic Americans, and proof that the American dream continues to thrive.

I am very proud of my friendship with the Asian Pacific-American community. I remain committed to working with my friends to create and promote policies that help the community and its needs. I will continue to seize every opportunity to recognize the valuable contributions Asian Pacific-Americans make to our community and to the nation.

HONORING SGT. WILLIAM P. TREECE ON BEING NAMED 2008 VETERAN OF THE YEAR

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. JORDAN of Ohio. Madam Speaker, I am honored this day to commend to the House the distinguished service of Sgt. William Patrick Treece for his sacrifices to his country on two different tours of duty. I would like to recognize Sgt. William Patrick Treece as his selection for Veteran of the Year 2008.

Sgt. Treece is a Findlay, Ohio resident. A 1988 graduate of Findlay High School, he has made a career of serving his country and his proud family of three children of the ages twelve, six, and three.

Sgt. Treece served his first tour of duty from 1989–1994 in the Gulf War; followed by a second tour from 2000–2005, serving in Iraq and Kuwait. He finished his service as a Police Sergeant.

The list of citations, honors, and medals awarded to Sgt. Treece is as long and distinguished as his active service to this Nation. He was awarded: the Marine Corps Good Conduct Medal, Coast Guard Medal, Global War on Terrorism Service Medal, Global War on Terrorism Expeditionary Medal (Iraq), Armed Forces Expeditionary Medal (Iraq), Sea Service Deployment Ribbon, Southwest Asia Service Medal (twice), Air Force Outstanding Unit Award, Presidential Unit Citation, National Defense Service Medal, Kuwait Liberation Medal (Kuwait), and Navy Meritorious Unit Commendation.

I am honored to be one of the many to add my voice in recognizing, and commending, Sgt. Treece for his invaluable and distinguished service for his country. He is a shining example of our mutual responsibility to serve those who devoted their lives to protecting the freedoms we enjoy.

IN HONOR OF JUANA BORDAS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. KUCINICH. Madam Speaker, I rise today in honor of Juana Bordas, President of Mestiza Leadership International, and in recognition of her dedication, advocacy, and promotion of leadership in the Hispanic Community.

Juana Bordas, is a national speaker and trainer who has worked tirelessly to promote leadership skills in minority communities since the beginning of her illustrious career. Her vision enabled her to found several important organizations and programs. In 1977, she founded what is now considered a national model of women's empowerment, Mi Casa Women's Center in Denver, Colorado, where she served until 1986. Mrs. Bordas is also the founding President and CEO of the National Hispana Leadership Institute, the only program of its kind in the United States that prepares Latina women for national leadership. Through this program, Mrs. Bordas partners with Harvard's JFK School of Government and Center for Creative Leadership to provide training for Hispanic women. She is also currently serving as President of Mestiza Leadership International, a unique company that focuses the promotion and fostering of leadership, diversity and organizational change.

A former Peace Corps volunteer, Mrs. Bordas has served as advisor to Harvard's Hispanic Journal on Public Policy and the Kellogg National Fellows Program. She was also a former faculty member for the Center for Creative Leadership (CCL), where she guided and mentored students in the Leadership Development Program, which is considered the most utilized executive training program in the world. She is currently the Vice President of the board of Greenleaf Center for Servant Leadership and a trustee of the International Leadership Association. Mrs. Bordas has inspired countless readers through many of her publications and essays including, ''Passion and Power: Finding Personal Purpose'', an essay in ''Reflections on Leadership'' and is a contributing author to ''Leadership in the 21st Century'' in the book ''Rethinking Leadership''. She has been recognized for her innovative and important work on empowering members of minority communities by numerous organizations and institutions. She has been inducted into the Colorado Women's Hall of Fame, is the recipient of the Wise Woman Award from the National Center for Women's Policy Studies; the Franklin Miller Award from the U.S. Peace Corps and the 2006 Leadership Legacy Award from Spellman College's Center for Leadership. She was one of fifty leaders chosen by the Colorado Legislature to design the state's future plan and was selected by Colorado Business Magazine as one of the top one-hundred influential people in the state.

HONORING THE 100TH ANNIVERSARY OF THE KUTZTOWN FIRE COMPANY NO. 1

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. GERLACH. Madam Speaker, I rise today to acknowledge and honor the Kutztown Fire Company No. 1 as they celebrate their 100th anniversary of service to their community. Organized on January 14, 1908 and incorporated on April 1, 1918, the countless hours of service and examples of heroism are a testament to the brave men and women who strive each and every day to keep our communities safe.

The Kutztown Fire Company No. 1 was organized on January 14, 1908, merging what remained of other smaller companies. It was incorporated April 1, 1918, as a completely volunteer fire company, consisting of 10 officers and 10 charter members.

During the early years of the company, funds were raised by sprinkling the streets of the borough, holding band fairs, renting the hall to outside organizations and operating a social quarters.

On October 22, 1931, the company purchased land adjacent to the Fire Dam to build

a swimming pool. The pool has been a source of income and was operated solely by the company until 1963 when the Borough Council had a new swimming pool erected along the Saucony Creek north of the Normal Avenue bridge.

Today, the Kutztown Fire Company runs approximately 450 calls annually and covers 40 square miles, which include residential and rural areas, light industrial section, a university and an interstate highway. The fire company truck crew has about 50 members which operate five pieces, under the leadership of President David J. Reimer Sr. and Fire Chief Troy Arndt. The Company will celebrate this great milestone on Saturday, May 17, 2008 with an Appreciation Banquet.

Madam Speaker, I ask that my colleagues join me in congratulating the brave men and women of Kutztown Fire Company No. 1 as they celebrate 100 years of protecting our communities. We can never thank our first-responders enough for all their dedication and sacrifices to protect the lives and property of their neighbors, and the Kutztown Fire Company No. 1 is a proud part of this great history.

CLARA WHITE MISSION—''MIRACLE ON ASHLEY ST.''

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. CRENSHAW. Madam Speaker, I rise today to congratulate and recognize the Clara White Mission located in my district in Jacksonville, Florida.

Tomorrow, the Clara White Mission will be awarded the 2007 HUD Secretary's Award for Excellence. This award, made in partnership with HUD and the American Planning Association, recognizes ''model'' programs that improve employment, education, and housing opportunities, and I cannot imagine any more deserving recipient than the Clara White Mission.

The Clara White Mission, which was founded in 1904, but traces its origins to 1880s Jacksonville, is committed to eradicating chronic homelessness in blighted areas. It should be noted that the Clara White Mission is unique in many ways, but most notably their passion for bettering not only the community but also the individual.

Tomorrow, at the Mission's ''Miracle on Ashley Street'' event, community and corporate leaders will serve the homeless and community guests a gourmet lunch prepared by area restaurants and the Clara White culinary students in an effort to help raise awareness for the program.

The project assists homeless members of the community through a variety of programs. The Mission offers permanent housing, substance abuse mediation, mental health counseling, and help to those in need of developing marketable job skills tailored to the demands of the local job market.

The saying goes, ''Give a man a fish and you feed him for a day; teach a man to fish and you feed him for a lifetime.'' The Clara White Mission puts this principle in practice every day through the programming they offer those who have the greatest need.

I congratulate this very special program and rise today to acknowledge the wonderful accomplishments of the Clara White Mission as they receive HUD's 2007 Award for Excellence.

IN HONOR OF ROBIN JAY

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. KUCINICH. Madam Speaker, I rise today in honor of Robin Jay, an award-winning speaker, author, and coach who has inspired and motivated countless entrepreneurs to establish their visions and achieve success in their field.

Robin Jay, originally from Cleveland, Ohio, started her own successful writing and public speaking career after eighteen years as an advertising account manager. She recognized the power of a positive mental attitude and that the key to success lay in leadership, management, focused attention, and self motivation. Her personable demeanor and inspiring message has enabled her to connect with audiences of entrepreneurs across the nation and quickly put her in demand as a keynote speaker and coach. As a professional key note speaker, author and corporate trainer, Ms. Jay works with her clients to accomplish the same thing she did—establish their vision and achieve it. As one of the leading business relationship experts, she teaches her clients how to build profitable business relationships in a way that motivates and inspires them.

Her first book, ''The Art of the Business Lunch'', a book on business relationships, is a best seller and is now sold in ten languages worldwide. She is also the author of ''The Power of Mentorship'' series which includes ''The Millionaire Within'', ''For the Woman Entrepreneur'', and ''Chicken Soup for the Wine Lover's Soul''. Several of her articles have been featured in What's On Magazine and she was a featured mentor in the movie ''The Power of Mentorship—Unlock Your Journey to Success''.

Ms. Jay sits on various organizational boards and has been recognized several times for her groundbreaking and inspirational work for business entrepreneurs. She was awarded the Women in Communication Media Award for the Radio Account Executive of the Year and served as past President of the Las Vegas Women in Communications organization. Currently, she is on the board of directors of the Juvenile Diabetes Foundation and The Advertising Community Talent Show.

Madam Speaker and colleagues, please join me in honor and recognition of Robin Jay for her outstanding leadership skills and for her extensive and diverse service to many individuals as they strive to achieve their dreams.

HONORING THE DISTINGUISHED SERVICE OF MR. RALPH NEALMAN AND MR. EDWARD CAMPBELL

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. GERLACH. Madam Speaker, I rise today to acknowledge and honor Mr. Ralph Nealman and Mr. Edward Campbell for their 31 years of dedicated service to the Norriton Fire Engine Company, located in East Norriton Township, Pennsylvania. Mr. Nealman and Mr. Campbell will be honored for their long history of service with the Distinguished Lifetime Achievement Award on May 17, 2008 at the annual Norriton Fire Engine Company banquet.

Before becoming a member of the Norriton Fire Engine Company in 1977, Mr. Nealman served his country for 27 years as a Sergeant First Class in the U.S. Armed Forces. As a member of the Company, he has served as Assistant Chief Engineer and Engineer, and has worked tirelessly on many committees, including the five he now chairs. Mr. Nealman has been a member of the Board of Trustees for 26 years, and he currently holds the position of Chairman of the Board.

In 1997, Mr. Nealman was awarded Life Membership for his committed service to the Company. Additionally, he was a two-time recipient of the President's Award and a recipient of the Firefighter of the Year Award. Mr. Nealman's leadership included his successful efforts to establish the first driver qualification test for the Company and his foresight in creating a radio-funding account, which was essential to the Company's efforts to comply with new duties following the 9/11 tragedy.

Mr. Campbell also became a member of the Norriton Fire Engine Company in 1977, after serving two years in the U.S. Army. Mr. Campbell holds the position of Vice Chairman of the Board of Trustees and has served as Assistant Engineer for many years. He has enthusiastically worked on the Building and Insurance Committees, and greatly improved the Company's insurance system. Mr. Campbell increased the Company's disability insurance plan, and helped to establish a joint payment plan designed to encourage youth involvement in the Company.

Mr. Campbell is also the recipient of the President's Award and the Chief Engineer's Award. Additionally, he was awarded Life Membership in 1997 in recognition of his untiring efforts on behalf of the people of East Norriton Township and the surrounding communities.

So I ask, Madam Speaker, that my colleagues join me in honoring Ralph Nealman and Edward Campbell for leading two exemplary lives of service. They have spent 31 years protecting the lives and property of their neighbors throughout East Norriton Township and the surrounding areas. May their service be an inspiration to us all and the next generation of first-responders who dedicate their lives to protecting others.

MESSAGE HONORING 4TH CONGRESSIONAL DISTRICT LAW ENFORCEMENT OFFICIALS DURING NATIONAL LAW ENFORCEMENT WEEK

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. CRENSHAW. Madam Speaker, I would like to recognize and honor all law enforcement officials for the crucial and irreplaceable job that they so tirelessly do for our communities' benefit. When I meet with various officials throughout my district and see the job that they do, I am continually impressed by the sense of honor and the level of commitment with which they so unselfishly serve. Many of them continually place their lives on the line in order to protect the families and individuals in our area. Some have indeed given their lives in the line of duty, and for that there is no measure of gratitude that can possibly rise to the level of what our community owes them.

These dedicated individuals give of their time, energy, and heart. They ask for little other than our support. They crave no spotlight or public applause. They serve out of a sense of deep love for their community and out of a sense of purpose in ensuring the citizenry is protected and justice is served.

I would like to especially recognize a fallen officer whose name was added to the wall on the National Police Memorial in Washington, D.C. this week, in a ceremony attended by Jacksonville Sheriff Rutherford.

Jacksonville Sheriff's Officer Eric Bell was killed, on duty, on October 12, 2007 when a vehicle pulled in front of his patrol car. Officer Bell was returning from a call on Heckscher Drive when a van traveling on New Berlin Road collided with his cruiser.

Officers like Eric Bell embody the belief that there is no greater purpose than serving our fellow neighbors, and Officer Bell gave his life in this noble effort. In doing so, he and other law enforcement officials model character and integrity for generations to come.

It is with a grateful heart and a sense of tremendous pride that I recognize and honor Jacksonville Sheriff's Officer Eric Bell and each individual serving our community in a law enforcement capacity during this 2008 National Law Enforcement Week.

PERSONAL EXPLANATION

HON. HEATHER WILSON

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mrs. WILSON of New Mexico. Madam Speaker, because I was unavoidably detained on Wednesday May 14, 2008, I missed rollcall votes 317, 318 and 319. Had I been present, I would have voted no on rollcall vote 317, no on rollcall vote 318 and YES on rollcall vote 319.

IN RECOGNITION OF THE 2008 ANNUAL BUSINESS OHIO BUSINESS WOMEN'S CONFERENCE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. KUCINICH. Madam Speaker, I rise today in recognition of the 2008 Annual Ohio Business Women's Conference and Expo, and in honor of the Hispanic Chamber of Commerce for Ohio and the Hispanic Business Association for their work in the state of Ohio.

The Annual Ohio Business Women's Conference is the largest event of its kind for women in business and provides business owners with the information and tools necessary to expand their market. The theme for this year's conference is ''Bridging Success'' and will feature over five hundred women business owners, entrepreneurs and corporate exhibitors. The mission, put forth by the Hispanic Chamber of Commerce for Ohio and the Hispanic Business Association is to promote women business enterprises through all stages of development. This unique and important event provides women business owners with the forum to display their products and services to America's leading corporations and government agencies, who join the conference from across the nation as sponsors, exhibitors, and attendees. This year's event will provide women business owners and entrepreneurs with networking activities, workshops, panel discussions, and matchmaking procurement sessions.

I also stand in recognition of the Hispanic Business Association (HBA) for their contributions and leadership in promoting and supporting women business owners in the Greater Cleveland Area. The Hispanic Business Association grew out of the vision of local Hispanic business owners in 1981 who were startled by the low participation of the Hispanic community in the private and public sector. Since its official incorporation as a nonprofit in 1983, the HBA has worked to fulfill its mission of promoting Hispanic business interest and its economic development and expansion through strategic partnerships, technical assistance and advocacy.

Madam Speaker and colleagues, please join me in recognition of this year's Annual Ohio Business Women's Conference and Expo as well as in recognition of the Hispanic Business Association for their diverse and extensive service to business owners and entrepreneurs in the Greater Cleveland Area.

THE DAILY 45: SALVADORAN IMMIGRANT FAMILY'S MURDER SUICIDE

HON. BOBBY L. RUSH

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. RUSH. Madam Speaker, every day, somewhere in America, an average of 45 people are shot and killed at the hands of a gun-wielding assailant. This senseless loss of life comes in all shapes, sizes, colors and zip codes. And, far too often, death comes at the hands of a loved one.

According to law enforcement authorities, on May 10th in Houston, Texas, death came at the hands of a Salvadoran immigrant husband and father of three young children. Neighbors describe, the father, Salvador, as friendly and hard-working. For reasons we'll never know, Salvador took a rifle and shot his wife, Lupe, and their three children, all under the age of 10. Before he shot himself, Salvador left a Snoopy doll and other plush animals along with a note that read, ''May God Have Mercy.'' So many dreams cut short in an instant of despair.

We must stop the senseless murders of ''The Daily 45.'' When will Americans say ''Enough is enough, stop the killing!''

IN RECOGNITION OF WHISKEY ISLAND

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. KUCINICH. Madam Speaker, I rise today in recognition of Whiskey Island, a natural beauty along Lake Erie's urban coastline near Downtown Cleveland. On Saturday May 17, 2008, our Cuyahoga County Commissioners will be dedicating the Whiskey Island Bridge so that the people will have better access to Whiskey Island. Whiskey Island is a magnificent natural asset at the mouth of the Cuyahoga River in Downtown Cleveland. This lakefront park is not only an environmental asset, but an amenity for people who live, work, and play in Downtown Cleveland.

The Cuyahoga County Commissioners were visionary in having acquired this park for the people of Northeast Ohio. I join with the Commissioners in envisioning a day when the Towpath Trail, which links our state's history, culture, nature, and geography along 110 miles between New Philadelphia and Cleveland, will connect with Lake Erie at Whiskey Island. With our continued stewardship of this important natural resource, Whiskey Island will one day be linked by this pedestrian and bicycle trail through Akron and Canton along the Cuyahoga River and its historic Towpath.

Whiskey Island and the Towpath Trail are the people's treasures. With the dedication of the improved Whiskey Island Bridge, more people may now enjoy this oasis along the shoreline of Lake Erie and the banks of the Cuyahoga River. I have supported these projects in the past and pledge my future support to preserve and protect them as the people's resources.

Madam Speaker, please join me in this moment to reflect on the beauty of Whiskey Island and the will of the people of Northeastern Ohio to protect this important patch of nature for the people's continued enjoyment. <P>Madam Speaker and colleagues, please join me in recognition of Whiskey Island, and the will of the people of Northeastern Ohio to protect this important patch of nature for the people's continued enjoyment.

VOLUSIA HONOR AIR

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 15, 2008

Mr. MICA. Madam Speaker, on Saturday, May 17, 2008, 102 Volusia County veterans from the Second World War will visit our Nations Capital as part of the Honor Air program. For each of these central Florida veterans this will be their first opportunity to see the World War II Memorial. As the Congressman from Florida's Seventh Congressional District, it will be my privilege to assist in their visit. As part of their mission to Washington, DC, I will join them in laying a wreath at the Tomb of the Unknown Soldier at Arlington National Cemetery to honor those who have paid the ultimate sacrifice for our Nation. This will be a special occasion in the lives of our World War II veterans. It will be my pleasure to welcome the first Honor Air visit from central Florida. I ask that the United States House of Representatives join me in recognizing Our Greatest Generation from Florida's Seventh Congressional District and wish them well as they gather in America's Capital City.

It is my privilege to honor the service and sacrifice of those veterans who will be visiting our Nation's Capital on May 17, 2008:

Berkley E. Adams; Robert W. Anderson; Melvin Arnold; Frank R. Balzer; George A. Bass; Jacob R. Beard, Jr.; Edwin L. Best; Vernon B. Bly; Imon F. Boarman; Alfred G. Boykin; Melvin Burgess; Kenneth P. Burnette, Jr.; Lewis H. Buzzell, Jr.; James Callahan; Charles Carafano; Duncan S. Chamberlin; John F. Cheney.

Lawrence E. Cheshire; Ralph H. Chesser; Francis H. Clifton; Odbert H. Cornwell; Edmund D. Covington, Jr.; Otis R. Daniels; William J. Dreggors, Jr.; Ernest S. Eckhardt; H. Leslie Ferrell; Charles Finlayson; Jack F. Fortes; Kenneth E. Fowler; Richard B. Fuquay; Homer Goff; Richard A. Gray; David F. Greenawalt; H.L. Guthrie; Hayden K. Hale.

Dorothy E. Halevy; Georgene E. Hall; Chester V. Hamilton; Edward M. Hampton; Edward L. Herendeen; Wayne Holby; George R. Holden; Paul Hornbaker; Lawrence J. Hubbard; Vera L. Hubler; Russell W. Hunt; Daniel Jarczynski; Eddie Jenkins; Erling Johnson; Irving Kelton; Joseph R. Killeen; Jess Knight; John A. Konrad III.

Claude G. Labranche; Edwin L. Lazarus; Ernest Lee; William F. Litke; Richard Macak; Robert B. Marriett; Evelyn Mazurak; Clifford E. McCalley; William R. McKenzie; Evert Mills; Max W. Minear; Frank R. Nicolo; Chester W. Nixon.

John C. Nuttall; William Orr; Robert L. Orwig; Priscilla I. Pagano; Charles Paiva; Earle H. Palmer; Harold Parson; William F. Patterson; Harold N. Pelton; Robert F. Pennington.

Edward J. Perry; Omar Pritchett; James P. Ragan; John Rokop; John K. Ross; Sam Roth; James E. Sankey; John A. Seeders; Bill W. Sharp; Richard A. Shaw; Phillip Sheak; Leonard Slater; Margaret E. Snowdon; Stephen M. Straight; Robert V. Talley; Margaret S. Terbeek; Angelo Todarello; John C. Toenjes; George V. Tucker; Alexander B. Veech, Jr. Gordon L. Ward; Richard H. Westervelt; Delmar E. Whipple; Donald W. Whynot; John W. Williams.

I know I join countless Americans who continue to recognize their heroism and their families' incredible sacrifice to our Nation.

Daily Digest

HIGHLIGHTS

Senate agreed to the conference report to accompany H.R. 2419, Food, Conservation, and Energy Act.

Senate

Chamber Action

Routine Proceedings, pages S4211–S4289

Measures Introduced: Ten bills and two resolutions were introduced, as follows: S. 3020–3029, and S. Res. 567–568. **Page S4282**

Measures Reported:

S. 2511, to amend the grant program for law enforcement armor vests to provide for a waiver of or reduction in the matching funds requirement in the case of fiscal hardship, with an amendment.

S. 2913, to provide a limitation on judicial remedies in copyright infringement cases involving orphan works, with an amendment in the nature of a substitute. **Page S4282**

Measures Passed:

FCC Rule Disapproval: Senate passed S.J. Res. 28, disapproving the rule submitted by the Federal Communications Commission with respect to broadcast media ownership. **Pages S4267–70**

National Governors Association Anniversary: Senate agreed to S. Res. 568, commemorating the 100th anniversary of the founding of the National Governors Association. **Pages S4271–72**

Encourage Display of Flag: Committee on the Judiciary was discharged from further consideration of H.R. 2356, to amend title 4, United States Code, to encourage the display of the flag of the United States on Father's Day, and the bill was then passed, clearing the measure for the President. **Page S4288**

Small Business Act Programs Temporary Extension: Senate passed S. 3029, to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958. **Pages S4288–89**

Conference Reports:

Food, Conservation, and Energy Act—Conference Report: By 81 yeas to 15 nays (Vote No. 130), Senate agreed to the conference report to accompany H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012. **Pages S4212–43**

During consideration of this measure today, the Senate also took the following action:

By 74 yeas to 21 nays (Vote No. 128), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive section 203 of S. Con. Res. 21, FY08 Congressional Budget Resolution, with respect to the conference report. **Page S4227**

By 62 yeas to 34 nays (Vote No. 129), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to waive Rule XLIV, paragraph 8, of the Standing Rules of the Senate, with respect to all provisions of the conference report. **Page S4227**

House Messages:

Budget Resolution—Motions TO Instruct Conferees: Senate began consideration of the amendment of the House of Representatives to S. Con. Res. 70, setting forth the congressional budget for the United States Government for fiscal year 2009 and including the appropriate budgetary levels for fiscal years 2008 and 2010 through 2013, disagreed to the amendment of the House, agreed to the request of the House for a conference, agreed to the motion to authorize the Chair to appoint conferees, after taking action on the following motions to instruct conferees on the part of the Senate on the disagreeing votes of the two Houses on the concurrent resolution to be instructed to insist on the inclusion in the final conference report the following motions proposed thereto: **Pages S4247–67**

Adopted:

Gregg Motion to Instruct Conferees to insist on the inclusion in the final conference report the point of order against the consideration of a budget resolution in the Senate that does not contain a section regarding gross federal debt disclosure as contained in section 223 of the concurrent resolution as passed by the Senate, and further, that the conferees be instructed to include a debt disclosure section in the final conference report that itemizes the overall debt increase and the per person debt increase assumed by the final conference report. **Page S4263**

Gregg Motion to Instruct Conferees to insist that the final conference report include the individual points of order that empower the Senate to prevent future budget resolutions from raiding Social Security, enforces transparency during Senate consideration of the congressional budget by requiring disclosure of the gross federal debt held by the nation, strengthens the integrity of the reconciliation process, and provides an additional tool to thwart any net increases in deficits in the long term (four ten year periods after 2018), as contained in sections 226, 223/224, 202, and 201, respectively, of the concurrent resolution passed by the Senate. **Page S4263**

Conrad Motion to Instruct Conferees to insist that the revenue levels in the resolution include the cost of providing relief from the Alternative Minimum Tax in 2008. **Pages S4261–63**

Kyl Motion to Instruct Conferees to reject the House amendment that assumes $110 billion in tax increases as a result of having to offset the extension of tax policies that expired at the end of 2007 and will expire at the end of 2008 (including the AMT patch, the research and experimentation tax credit, the state and local sales tax deduction, the combat pay earned income tax credit, education tax credits, at the alternative energy tax credits) and insist that the final conference report include in the recommended levels and amounts in Title I reductions in revenues commensurate with extending these tax policies without offsetting tax increases. **Pages S4251–53**

Gregg Motion to Instruct Conferees to insist on the inclusion in the final conference report section 311 of the concurrent resolution, the deficit neutral reserve fund to improve energy efficiency and production, as passed by the Senate, and that such section include an additional requirement that the legislation also encourages the removal of existing barriers to building new zero-emission nuclear power plants in the United States. **Page S4258**

By 55 yeas to 40 nays (Vote No. 132), Boxer Motion to Instruct Conferees that no legislation providing for new mandates on greenhouse gas emissions should be enacted until it effectively addresses imports from China, India and other nations that have no similar emissions programs. **Pages S4255–57, S4264–65**

Rejected:

By 44 yeas to 51 nays (Vote No. 131), Gregg Motion to Instruct Conferees to reject the revenue levels in both the Senate-passed and the House-passed budget resolutions, both of which assume the largest tax increase in history, and include revenue levels consistent with extension of the tax rates currently in place. **Pages S4248–51, S4263–64**

By 34 yeas to 61 nays (Vote No. 133), DeMint Motion to Instruct Conferees to insist that if the final conference report includes section 304 of the concurrent resolution, the deficit neutral reserve fund to invest in clean energy, preserve the environment and provide for certain settlements, as passed by the Senate, that such section shall include an additional requirement that legislation providing for new mandates on greenhouse gas emissions that would harm the United States economy or result in a loss of jobs should not be enacted unless similar mandates are enacted by China and India. **Pages S4253–55, S4265–66**

By 44 yeas to 51 nays (Vote No. 134), Vitter Motion to Instruct Conferees to insist that the conference report include a reserve fund that requires the Chairman of the Senate Committee on Budget to adjust budget aggregates and the allocation of the Committee on Energy and Natural Resources, if the Senate considers legislation that allows a governor, with the concurrence of the state legislature to petition for increased energy exploration on the Outer Continental Shelf and that allows for revenue sharing for such producing states on new areas of production and new leases made available, if the average price of regular gasoline in the United States reaches $5 per gallon. **Pages S4258–60, S4266–67**

By 47 yeas to 48 nays (Vote No. 135), Gregg Motion to Instruct Conferees to insist that the final conference report include a level for 2009 budget authority not to exceed $1 trillion for non-emergency discretionary appropriations. **Pages S4257–58, S4267**

The Chair was authorized to appoint the following conferees on the part of the Senate: Senators Conrad, Murray, Wyden, Gregg and Domenici. **Page S4267**

Public Safety Employer-Employee Cooperation Act—Agreement: A unanimous-consent agreement was reached providing that the following motions to invoke cloture relative to H.R. 980, to provide collective bargaining rights for public safety officers employed by States or their political subdivisions, be withdrawn:

A motion to close further debate on the Reid (for Gregg/Kennedy) Amendment No. 4751), in the nature of a substitute.

A motion to close further debate on the bill.

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that the Majority Leader, Senator Reid, be authorized to sign enrolled bills during the adjournment of the Senate. **Page S4289**

Messages from the House: **Page S4281**

Executive Communications: **Pages S4281–82**

Executive Reports of Committees: **Page S4282**

Additional Cosponsors: **Pages S4283–84**

Statements on Introduced Bills/Resolutions: **Pages S4284–86**

Additional Statements: **Pages S4279–81**

Amendments Submitted: **Pages S4286–87**

Authorities for Committees to Meet: **Pages S4287–88**

Privileges of the Floor: **Page S4288**

Record Votes: Eight record votes were taken today. (Total—135)

Pages S4227, S4239, S4264, S4265, S4265–66, S4266, S4267

Adjournment: Senate convened at 9:31 a.m. and adjourned at 8:26 p.m., until 2 p.m. on Monday, May 19, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S4289.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Committee ordered favorably reported a bill providing emergency supplemental appropriations for fiscal year 2008, with amendments.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported the following:

S. 2685, to prohibit cigarette manufacturers from making claims or representations based on data derived from the cigarette testing method established by the Federal Trade Commission;

H.R. 1187, to expand the boundaries of the Gulf of the Farallones National Marine Sanctuary and the Cordell Bank National Marine Sanctuary, with amendments;

S. 2281, to expand the boundaries of the Thunder Bay National Marine Sanctuary and Underwater Preserve;

H.R. 1006, to amend the provisions of law relating to the John H. Prescott Marine Mammal Rescue Assistance Grant Program, with an amendment in the nature of a substitute;

S. 2997, to reauthorize the Maritime Administration, with amendments;

S. 2699, to require new vessels for carrying oil fuel to have double hulls, with amendments; and

The nominations of Lily Fu Claffee, of Illinois, to be General Counsel, and William J. Brennan, of Maine, to be Assistant Secretary for Oceans and Atmosphere, both of the Department of Commerce.

OIL SHALE RESOURCES DEVELOPMENT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine development of oil shale resources, after receiving testimony from Senators Hatch and Allard; C. Stephen Allred, Assistant Secretary of the Interior for Land and Minerals Management; Colorado Governor Bill Ritter, Jr., Terry O'Connor, Shell Exploration and Production Company, and Steve Smith, Wilderness Society, all of Denver, Colorado; and James V. Hansen, Oil Shale Exploration Company, Farmington, Utah.

UNITED STATES–CHINA RELATIONS

Committee on Foreign Relations: Committee held a hearing to examine United States-China relations in the era of globalization, receiving testimony from John D. Negroponte, Deputy Secretary of State; Richard N. Haass, Council on Foreign Relations, New York, New York; and Kurt Campbell, Center for a New American Security, and Harry Harding, George Washington University, both of Washington, D.C.

Hearing recessed subject to the call of the Chair.

MEDICAL CARE IN AFTERMATH OF NUCLEAR TERRORISM

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine nuclear terrorism, focusing on providing medical care and meeting basic needs in the aftermath of an attack, after receiving testimony from Irwin Redlener, Columbia University Mailman School of Public Health National Center for Disaster Preparedness, New York, New York; Ira Helfand, Physicians for Social Responsibility, Leeds, Massachusetts; and Joseph C. Becker, American Red Cross, and John Ullyot, Hill and Knowlton, Inc., both of Washington, D.C.

STATE DEPARTMENT ROLE IN ARMS CONTROL

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine the organizational structures of the Department of

State responsible for arms control, counterproliferation, and nonproliferation, focusing on the processes they have in place for optimizing national efforts, and how responsive those structures and processes are to the Executive Branch's nonproliferation and counterproliferation policies, after receiving testimony from Thomas Graham, Jr., former Acting Director, Bethesda, Maryland, and Norman A. Wulf, former Deputy Assistant Director, Nonproliferation and Arms Control, Fairfax, Virginia, both of the U.S. Arms Control and Disarmament Agency; and Andrew K. Semmel, former Deputy Assistant Secretary of State for Nuclear Nonproliferation Policy and Negotiations, Arlington, Virginia.

NATIVE AMERICAN ISSUES

Committee on Indian Affairs: Committee concluded a hearing to examine S. 1080, to develop a program to acquire interests in land from eligible individuals within the Crow Reservation in the State of Montana, H.R. 2120, to direct the Secretary of the Interior to proclaim as reservation for the benefit of the Sault Ste. Marie Tribe of Chippewa Indians a parcel of land now held in trust by the United States for that Indian tribe, S. 2494, to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, H.R. 2963, to transfer certain land in Riverside County, California, and San Diego County, California, from the Bureau of Land Management to the United States to be held in trust for the Pechanga Band of Luiseno Mission Indians, and S. 531, to repeal section 10(f) of Public Law 93–531, commonly known as the ''Bennett Freeze'', after receiving testimony from Jerry Gidner, Director, Bureau of Indian Affairs, Department of the Interior; Richard Sherwood, Spokane Tribe of Indians, Wellpinit, Washington; Carl Venne, Crow Nation, Crow Agency, Montana; Mark Macarro, Pechanga Band of Luiseno Mission Indians, Temecula, California; Aaron Payment, Sault Ste. Marie Tribe of Chippewa Indians, Sault Ste. Marie, Michigan; Benjamin H. Nuvamsa, Hopi Tribe, Kykotsmovi, Arizona; and Raymond Maxx, Navajo Nation Council, Window Rock, Arizona.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following:

S. 2913, to provide a limitation on judicial remedies in copyright infringement cases involving orphan works, with an amendment in the nature of a substitute;

S. 2511, to amend the grant program for law enforcement armor vests to provide for a waiver of or reduction in the matching funds requirement in the case of fiscal hardship, with an amendment;

S. 2565, to establish an awards mechanism to honor exceptional acts of bravery in the line of duty by Federal law enforcement officers, with an amendment;

H.R. 4056, to establish an awards mechanism to honor Federal law enforcement officers injured in the line of duty, with an amendment;

S. 2774, to provide for the appointment of additional Federal circuit and district judges;

S. 1738, to establish a Special Counsel for Child Exploitation Prevention and Interdiction within the Office of the Deputy Attorney General, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability of law enforcement agencies to investigate and prosecute predators, with an amendment in the nature of a substitute;

S. 1515, to establish a domestic violence volunteer attorney network to represent domestic violence victims, with an amendment in the nature of a substitute;

S. 2942, to authorize funding for the National Advocacy Center; and

The nomination of G. Steven Agee, of Virginia, to be United States Circuit Judge for the Fourth Circuit.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 19 public bills, H.R. 6062–6080; and 8 resolutions, H. Con. Res. 351–352; and H. Res. 1201–1206 were introduced. **Pages H4059–60**

Additional Cosponsors: **Pages H4061–62**

Reports Filed: Reports were filed today as follows:

H.R. 5803, to direct the Election Assistance Commission to establish a program to make grants to participating States and units of local government which will administer the regularly scheduled general election for Federal office held in November 2008 for carrying out a program to make backup paper ballots available in the case of the failure of a voting system or voting equipment in the election or some other emergency situation (H. Rept. 110–637);

H.R. 3819, to amend title 38, United States Code, to require the Secretary of Veterans Affairs to reimburse veterans receiving emergency treatment in non-Department of Veterans Affairs facilities for such treatment until such veterans are transferred to Department facilities (H. Rept. 110–638);

H.R. 5554, to amend title 38, United States Code, to expand and improve health care services available to veterans from the Department of Veterans Affairs for substance use disorders, with an amendment (H. Rept. 110–639);

H.R. 3889, to amend title 38, United States Code, to require the Secretary of Veterans Affairs to conduct a longitudinal study of the vocational rehabilitation programs administered by the Secretary, with an amendment (H. Rept. 110–640);

H.R. 5664, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to update at least once every six years the plans and specifications for specially adapted housing furnished to veterans by the Secretary, with an amendment (H. Rept. 110–641);

H.R. 2790, to amend title 38, United States Code, to establish the position of Director of Physician Assistant Services within the office of the Under Secretary of Veterans Affairs for Health, with an amendment (H. Rept. 110–642);

H.R. 5826, to increase, effective as of December 1, 2008, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans (H. Rept. 110–643);

H.R. 3681, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to advertise in the national media to promote awareness of benefits under laws administered by the Secretary, with an amendment (H. Rept. 110–644);

H.R. 5729, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to provide comprehensive health care to children of Vietnam veterans born with Spina Bifida, with an amendment (H. Rept. 110–645);

H.R. 5571, to extend for 5 years the program relating to waiver of the foreign country residence requirement with respect to international medical graduates (H. Rept. 110–646);

H.R. 3480, to direct the United States Sentencing Commission to assure appropriate enhancements of those involved in receiving stolen property where that property consists of grave markers of veterans, with an amendment (H. Rept. 110–647);

H.R. 5856, to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 2009 (H. Rept. 110–648);

H.R. 4841, to approve, ratify, and confirm the settlement agreement entered into to resolve claims by the Soboba Band of Luiseno Indians relating to alleged interferences with the water resources of the Tribe and to authorize and direct the Secretary of the Interior to execute and perform the Settlement Agreement and related waivers, with an amendment (H. Rept. 110–649);

H.R. 5687, to amend the Federal Advisory Committee Act to increase the transparency and accountability of Federal advisory committees, with an amendment (H. Rept. 110–650); and

H.R. 5787, to amend title 40, United States Code, to enhance authorities with regard to real property that has yet to be reported excess, with an amendment (H. Rept. 110–651). **Page H4059**

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measures which were debated on Tuesday, May 13th:

Saint-Gaudens Double Eagle Ultra-High Relief Bullion Coin Act: H.R. 5614, amended, to authorize the production of Saint-Gaudens Double Eagle ultra-high relief bullion coins in palladium to provide affordable opportunities for investments in precious metals, by a 2/3 yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 325; **Pages H3903–04**

Agreed to amend the title so as to read: "To authorize the production in palladium of Saint-

Gaudens Double Eagle coins as ultra-high relief numismatic coins and bullion investment coins in order to provide affordable opportunities for investments in precious metals, and for other purposes.''.

Page H3904

Alice Paul Congressional Gold Medal Act: H.R. 406, amended, to posthumously award a Congressional Gold Medal to Alice Paul in recognition of her role in the women's suffrage movement and in advancing equal rights for women, by a 2/3 yea-and-nay vote of 412 yeas to 1 nay, Roll No. 326;

Page H3904

Agreed to amend the title so as to read: ''To award a congressional gold medal in recognition of Alice Paul's role in the women's suffrage movement and in advancing equal rights for women.''.

Page H3904

Boy Scouts of America Centennial Commemorative Coin Act: H.R. 5872, amended, to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the Boy Scouts of America, by a 2/3 yea-and-nay vote of 403 yeas to 8 nays, Roll No. 327; **Page H3905**

Star-Spangled Banner and War of 1812 Bicentennial Commemorative Coin Act: H.R. 2894, amended, to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the writing of the ''Star Spangled Banner'' and the War of 1812; **Page H4047**

Security Assistance and Arms Export Control Reform Act of 2008: H.R. 5916, amended, to reform the administration of the Arms Export Control Act; and **Page H4047**

North Korean Human Rights Reauthorization Act of 2008: H.R. 5834, amended, to amend the North Korean Human Rights Act of 2004 to promote respect for the fundamental human rights of the people of North Korea. **Page H4047**

Moment of Silence: The House observed a moment of silence in honor of Peace Officers and their families. **Page H3904**

Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008: The House agreed to the Senate amendment with amendments, made in order by the rule and printed in H. Rept. 110–636, to H.R. 2642, making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008.

Pages H3891–H3903, H3905–44

On a division of the question, the House rejected amendment No. 1 printed in H. Rept. 110–636 by a yea-and-nay vote of 141 yeas to 149 nays with 132 voting ''present'', Roll No. 328. **Pages H4044–45**

On a division of the question, the House agreed to the Senate amendment with amendment No. 2 printed in H. Rept. 110–636 by a yea-and-nay vote of 227 yeas to 196 nays, Roll No. 329.

Pages H4045–46

On a division of the question, the House agreed to the Senate amendment with amendment No. 3 printed in H. Rept. 110–636 by a yea-and-nay vote of 256 yeas to 166 nays, Roll No. 330. **Page H4046**

H. Res. 1197, the rule providing for consideration of the Senate amendment to the bill, was agreed to by a yea-and-nay vote of 221 yeas to 200 nays, Roll No. 324, after agreeing to order the previous question by a yea-and-nay vote of 224 yeas to 195 nays, Roll No. 323. **Pages H3891–H3903**

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 10:00 a.m. tomorrow, and further, that when the House adjourns on that day, it adjourn to meet at 10:30 a.m. on Monday, May 19th for morning hour debate.

Page H4047

Senate Messages: Messages received from the Senate today appear on pages H3889, H4044.

Quorum Calls—Votes: Eight yea-and-nay votes developed during the proceedings of today and appear on pages H3902, H3902–03, H3903, H3904, H3905, H4044–45, H4045–46, H4046. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 5:24 p.m.

Committee Meetings

AGRICULTURE/ENERGY COMMODITY MARKETS MOVEMENT

Committee on Agriculture: Subcommittee on General Farm Commodities and Risk Management held a hearing to review the source of dramatic movements in community markets (agriculture and energy): a change in market fundamentals or influence of institutional investors? Testimony was heard from the following officials of the CFTC: Jeff Harris, Chief Economist; and John Fenton, Deputy Director, Market Surveillance Section; and public witnesses.

PROTECTING CHILDREN'S HEALTH COVERAGE ACT OF 2008

Committee on Energy and Commerce: Subcommittee on Health held a hearing on H.R. 5998, Protecting Children's Health Coverage Act of 2008. Testimony was heard from Dayna K. Shah, Managing Associate General Counsel, GAO; Pete R. Orszag, Director, CBO; Morton Rosenberg, Specialist in American Public Law, American Law Division, CRS, Library of

Congress; Gary D. Alexander, Department of Human Services, State of Rhode Island; and a public witness.

NURSING HOME SAFEGUARDS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''In the Hands of Strangers: Are Nursing Home Safeguards Working?'' Testimony was heard from the following officials of the Department of Health and Human Services: Lewis Morris, Chief Counsel to the Inspector General; and Kerry Weems, Acting Administrator, Centers for Medicare and Medicaid Services; Richard Blumenethal, Attorney General, State of Connecticut; Luis Navas-Migueloa, Long-Term Care Ombudsman, Commission on Aging and Retirement Education, City of Baltimore, Maryland; and public witnesses.

HELPING AGENT ORANGE VICTIMS

Committee on Foreign Affairs: Subcommittee on Asia, the Pacific, and the Global Environment held a hearing on Our Forgotten Responsibility: What Can We Do To Help Victims of Agent Orange? Testimony was heard from Scot Marciel, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs; and public witnesses.

WOMEN'S PEACE/SECURITY ROLE

Committee on Foreign Affairs: Subcommittee on International Organizations, Human Rights, and Oversight held a hearing on UN Security Resolution 1325: Recognizing Women's Vital Roles in Achieving Peace and Security. Testimony was heard from Swanee Hunt, former U.S. Ambassador to Austria; Donald K. Steinberg, former Ambassador to the Republic of Angola; and public witnesses.

HOMELAND'S SECURITY INTELLIGENCE

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment held a hearing on the Resilient Homeland: How DHS Intellligence Should Empower America To Prepare for, Prevent, and Withstand Terrorist Attacks. Testimony was heard from public witnesses.

CREDIT CARD FAIR FEE ACT

Committee on the Judiciary:, Task Force on Competition Policy and Antitrust Laws held a hearing on H.R. 5546, Credit Card Fair Fee Act of 2008. Testimony was heard from public witnesses.

WEST COAST SALMON FISHERIES

Committee on Natural Resources: Subcommittee on Fisheries, Wildlife and Oceans held an oversight hearing on the management of West Coast Salmon Fisheries. Testimony was heard from Rodney McInnis, Southwest Regional Administrator, National Marine Fisheries Service, NOAA, Department of Commerce; Michael Rode, Staff Environmental Scientist (Ret.), Department of Fish and Game, State of California; and public witnesses.

OVERSEAS GOVERNMENT CONTRACTOR INSURANCE

Committee on Oversight and Government Reform: Ordered reported, as amended, the following measures: H. Res. 1144, Expressing support for designation of a ''Frank Sinatra Day'' on May 13, 2008, in honor of the dedication of the Frank Sinatra commemorative stamp; H. Con. Res. 1152, Honoring Arnold Palmer for his distinguished career in the sport of golf and his commitment to excellence and sportsmanship; H. Res. 1153, Celebrating Asian Pacific American Heritage Month; H. Con. Res. 138, Supporting National Men's Health Week; and H. Con. Res. 334, Supporting the goals and objectives of a National Military Appreciation Month,

The Committee also held a hearing on Defense Base Act Insurance: Are Taxpayers Paying Too Much? Testimony was heard from the following officials of the Department of Defense: Joseph P. Mizzoni, Deputy Auditor General, Acquisition and Logistics, U.S. Army Audit Agency; James Ginman, Deputy Director, Defense Procurement and Acquisition Policy; and James Dalton, Chief, Engineering and Construction, U.S. Army Corps of Engineers; John K. Needham, Director, Acquisition and Sourcing Management Issues, GAO; Shelby Hallmark, Director Workers' Compensation Program, Department of Labor; and William H. Moser, Deputy Assistant Secretary, Bureau of Administrations Logistics Management, Department of State.

FOOD PRICES AND SMALL BUSINESSES

Committee on Small Business: Held a hearing entitled ''Food Prices and Small Businesses.'' Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Transportation and Infrastructure: Ordered reported the following measure H.R. 5052, Saving Energy Through Public Transportation Act of 2008; H.R. 2452, Raw Sewage Overflow Community Right-to-Know Act; H.R. 1333, amended, Civil Air Patrol Homeland Security Support Act of 2007; H.R. 135, Twenty-First Century Water Commission Act of 2007; H.R. 5770, To provide for a study by the National Academy of Sciences of potential impacts of climate change on water resources and water quality; H.R. 5599, To designate the Federal building located at 4600 Silver Hill Road in Suitland, Maryland, as the ''Thomas Jefferson Census Bureau Headquarters Building''; H. Res. 1137, Supporting

the goals and ideals of National Public Works Week; H. Con. Res. 305, Recognizing the importance of bicycling in transportation and recreation; H. Con. Res. 309, Authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; H. Con. Res. 311, Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby; H. Con. Res. 335, Authorizing the use of the Capitol Grounds for a celebration of the 100th anniversary of Alpha Kappa Alpha Sorority, Incorporated; H. Res. 339, amended, Supporting the goals of Motorcycle Safety Awareness Month; and U.S. Army Corps of Engineers Survey Resolutions.

ENERGY AND TAX EXTENDERS ACT OF 2008

Committee on Ways and Means: Ordered reported, as amended, H.R. 6049, Energy and Tax Extenders Act of 2008.

COMMITTEE MEETINGS FOR FRIDAY, MAY 16, 2008

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House
Committee Meetings

No committee meetings are scheduled.

CONGRESSIONAL PROGRAM AHEAD

Week of May 19 through May 24, 2008

Senate Chamber

On *Monday*, Senate will be in a period of morning business.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Agriculture, Nutrition, and Forestry: May 21, to hold hearings to examine efforts to create jobs with climate solutions, focusing on the ways agriculture and forestry can help lower costs in a low-carbon economy, 2:30 p.m., SR–328A.

Committee on Appropriations: May 20, Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2009 for the Department of Defense, 11 a.m., SD–192.

Committee on Armed Services: May 22, to hold hearings to examine the nominations of General David H. Petraeus, USA, for reappointment to the grade of general and to be Commander, United States Central Command, and Lieutenant General Raymond T. Odierno, USA, for appointment to the grade of general and to be Commander, Multi-National Force-Iraq, 9:30 a.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: May 20, to hold hearings to examine the nomination of Steven C. Preston, of Illinois, to be Secretary of Housing and Urban Development, 10 a.m., SD–538.

Committee on Energy and Natural Resources: May 20, to hold hearings to examine energy and related economic effects of global climate change legislation, 10 a.m., SD–366.

Committee on Finance: May 22, to hold hearings to examine S. 1919, to establish trade enforcement priorities for the United States, to strengthen the provisions relating to trade remedies, 10 a.m., SD–215.

Committee on Foreign Relations: May 20, to hold hearings to examine agreement on Extradition between the United States of America and the European Union (EU), signed on June 25, 2003 at Washington, together with twenty-two bilateral instruments which subsequently were signed between the United States and each European Union Member State in order to implement the Agreement with the EU. The Agreement includes an explanatory note which is an integral part of the Agreement (Treaty Doc. 109–14), extradition Treaty between the United States of America and the Government of the Republic of Latvia, signed on December 7, 2005, at Riga (Treaty Doc. 109–15), extradition Treaty between the United States of America and the Government of the Republic of Estonia, signed on February 8, 2006, at Tallinn (Treaty Doc. 109–16), extradition Treaty between the United States of America and the Government of Malta, signed on May 18, 2006, at Valletta, that includes an exchange of letters that is an integral part of the treaty (Treaty Doc. 109–17), extradition Treaty between the United States of America and Romania (the ''Extradition Treaty'' or the ''Treaty'') and the Protocol to the Treaty between the United States of America and Romania on Mutual Legal Assistance in Criminal Matters (the ''Protocol''), both signed at Bucharest on September 10, 2007 (Treaty Doc. 110–11), extradition Treaty between the Government of the United States of America and the Government of the Republic of Bulgaria (the ''Extradition Treaty'' or the ''Treaty'') and the Agreement on Certain Aspects of Mutual Legal Assistance in Criminal Matters between the Government of the United States of America and the Government of the Republic of Bulgaria (the ''MLA Agreement''), both signed at Sofia on September 19, 2007 (Treaty Doc. 110–12), treaty Between the Government of the United States of America and the Government of the Kingdom of Sweden on Mutual Legal Assistance in Criminal Matters, signed at Stockholm on December 17, 2001 (Treaty Doc. 107–12), mutual Legal Assistance between the United States of America and the European Union (EU), signed on June 25, 2003, at Washington, together with 25 bilateral instruments that subsequently were signed between the United States and each European Union Member State in order to implement the Agreement with the EU, and an explanatory note that is an integral part of the Agreement (Treaty

Doc. 109–13), and treaty between the United States of America and Malaysia on Mutual Legal Assistance in Criminal Matters, signed on July 28, 2006, at Kuala Lumpur (Treaty Doc. 109–22), 10:30 a.m., SD–419.

May 20, Full Committee, business meeting to consider pending calendar business, 2:15 p.m., S–116, Capitol.

May 20, Subcommittee on Near Eastern and South and Central Asian Affairs, to hold hearings to examine Pakistan's Federally Administered Tribal Areas (FATA) challenge, focusing on securing one of the worlds most dangerous areas, 2:45 p.m., SD–419.

May 21, Full Committee, to hold hearings to examine treaty Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland Concerning Defense Trade Cooperation, done at Washington and London on June 21 and 26, 2007 (Treaty Doc. 110–07), and treaty Between the Government of the United States of America and the Government of Australia Concerning Defense Trade Cooperation, done at Sydney, September 5, 2007 (Treaty Doc. 110–10), 9:15 a.m., SD–419.

May 22, Full Committee, to hold hearings to examine the International Convention Against Doping in Sport, adopted by the United Nations Educational, Scientific, and Cultural Organization on October 19, 2005 (Treaty Doc. 110–14), 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: May 20, to hold hearings to examine plant closings, focusing on workers rights and the Worker Adjustment and Retraining Notification (WARN)(Public Law 100–379) Act's 20th anniversary, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: May 20, to hold hearings to examine financial speculation in commodity markets, focusing on institutional investors and hedge funds contributing to food and energy price inflation, 10:30 a.m., SD–342.

May 21, Full Committee, business meeting to consider the nomination of Paul A. Schneider, of Maryland, to be Deputy Secretary of Homeland Security, Time to be announced, S–216, Capitol.

May 22, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to continue hearings to examine improving the security clearance process, focusing on reform efforts to streamline, standardize, and update the process, 2:30 p.m., SD–342.

Committee on Indian Affairs: May 22, to hold oversight hearings to examine the status of backlogs at the Department of the Interior, 9:30 a.m., SD–562.

Committee on the Judiciary: May 20, to hold hearings to examine global internet freedom, focusing on corporate responsibility and the rule of law, 10 a.m., SD–226.

May 20, Full Committee, to hold hearings to examine protecting the constitutional right to vote for all Americans, 2:30 p.m., SD–226.

May 21, Full Committee, to hold hearings to examine the skyrocketing price of oil, 10 a.m., SD–226.

May 22, Full Committee, business meeting to consider S. 2756, to amend the National Child Protection Act of 1993 to establish a permanent background check system, S. 2982, to amend the Runaway and Homeless Youth Act to authorize appropriations, S. 1210, to extend the grant program for drug-endangered children, S. Res. 563, designating September 13, 2008, as ''National Childhood Cancer Awareness Day'', and the nominations of Elisebeth C. Cook, of Virginia, to be an Assistant Attorney General for the Office of Legal Policy, Department of Justice, William T. Lawrence, of Indiana, to be United States District Judge for the Southern District of Indiana, and G. Murray Snow, of Arizona, to be United States District Judge for the District of Arizona, 10 a.m., SD–226.

May 22, Full Committee, to hold hearings to examine closing the justice gap, focusing on providing civil legal assistance to low-income Americans, 2 p.m., SD–226.

Committee on Rules and Administration: May 21, to hold hearings to examine the nominations of Cynthia L. Bauerly, of Minnesota, Caroline C. Hunter, of Florida, and Donald F. McGahn, of the District of Columbia, each to be a Member of the Federal Election Commission, 2 p.m., SR–301.

Committee on Veterans' Affairs: May 21, to hold hearings to examine pending health care legislation, 9:30 a.m., SR–418.

Select Committee on Intelligence: May 20, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

Special Committee on Aging: May 22, to hold hearings to examine improving Medicare for the most vulnerable, focusing on senior citizens at risk, 10:30 a.m., SH–216.

House Committees

Committee on Appropriations, May 22, Subcommittee on Legislative Branch, on Capitol Visitor Center, 10 a.m., 2359 Rayburn.

Committee on Education and Labor, May 20, Subcommittee Workforce Protections, hearing on ICE Workplace Raids: Their Impact of U.S. Children, Families, and Communities, 10 a.m., 2175 Rayburn.

May 21, full Committee, hearing on the National Mathematics Advisory Panel Report: Foundations for Success, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, May 20, Subcommittee on Energy and Air Quality, hearing on H.R. 5632, To prohibit the importation of certain lo-level radioactive waste into the United States, 10 a.m., 2123 Rayburn.

May 21, Subcommittee on Health, hearing on the following bills: H.R. 1157, Breast Cancer and Environmental Research Act of 2007; and H.R. 758, Breast Cancer Patient Protection Act of 2007, 10 a.m., 2123 Rayburn.

May 22, Subcommittee on Oversight and Investigations, hearing entitled ''Germs, Viruses, and Secrets: Government Plans to Move Exotic Disease Research to the Mainland United States,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, May 20, hearing on examining the need for H.R. 2885, Credit Monitoring Clarification Act, 10 a.m., 2128 Rayburn.

May 21, Subcommittee on Oversight and Investigations, hearing entitled '' The Impact of Credit—Based Insurance Scoring on the Availability and Affordability of Insurance,'' 10 a.m., 2128 Rayburn.

May 22, full Committee, hearing entitled ''Impact on Homebuyers and Housing Market of Conformng Loan Limit Increase,'' 10 a.m., 2128 Rayburn.

May 22, Subcommittee on Housing and Community Opportunity and the Subcommittee On Domestic Policy of the Committee on Oversight and Government Reform, joint hearing entitled ''Targeting Federal Aid to Neighborhoods Distressed by the Subprime Mortgage Crisis, 2 p.m., 2154 Rayburn.

Committee on Foreign Affairs, May 20, Subcommittee on Asia, the Pacific, and the Global Environment, hearing on Burma in the Aftermath of Cyclone Nargis: Death, Displacement, and Humanitarian Aid, 10 a.m., 2172 Rayburn.

May 20, Subcommittee on International Organizations, Human Rights, and Oversight, hearing on City on the Hill or Prison on the Bay? The Mistakes of Guantanamo and the Decline of America's Image, Part II, 2 p.m., 2172 Rayburn.

May 20, Subcommittee on Terrorism, Nonproliferation and Trade, hearing on Export Compliance: Ensuring Safety, Increasing Efficiency, 10 a.m., 2200 Rayburn.

May 21, full Committee, hearing on the Rise of Sovereign Wealth Funds: Impacts on U.S. Foreign Policy and Economic Interests, 9:30 a.m., 2172 Rayburn.

May 21, Subcommittee on the Middle East and South Asia, hearing on the U.S.-Israel-Egypt Trilateral Relationship: Shoring Up the Foundation of Regional Peace, 1 p.m., 2172 Rayburn.

May 22, full Committee, hearing on Rising Oil Prices: Declining National Security? 10 a.m., 2172 Rayburn.

May 22, Subcommittee on International Organizations, Human Rights, and Oversight, hearing on City on the Hill or Just Another Country? The United States and the Promotion of Human Rights and Democracy, 2 p.m., 2172 Rayburn.

Committee on Homeland Security, May 21, hearing entitled ''Diversity at DHS: Keeping Pace or Missing the Mark?'' 10 a.m., 311 Cannon.

May 21, Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, hearing entitled ''Implications of Cyber Vulnerabilities on the Resiliency and Security of the Electric Grid,'' 2 p.m., 311 Cannon.

May 22, Subcommittee on Border, Maritime, and Global Counterterrorism, hearing on The Border Security Challenge: Recent Developments and Legislative Proposals, focusing on the following bills: H.R. 5662, Putting Our Resources Towards Security (PORTS) Act; H.R. 5552, Border Accountability Act of 2008; and H.R. 4008, SAVE Act of 2007, 10 a.m., 311 Cannon.

Committee on the Judiciary, May 20, Subcommittee on Commercial and Administrative Law, hearing on the Executive Office for United States Attorneys, 10 a.m., 2237 Rayburn.

May 20, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on H.R. 3546, To authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012, 11 a.m., 2141 Rayburn.

May 20, Subcommittee on Immigration, Citizenship, Refugees, Border Security, and International Law, hearing on Immigration Needs of America's Fighting Men and Women, 2:30 a.m., 2141 Rayburn.

May 21, Subcommittee on Crime, Terrorism, and Homeland Security, oversight hearing of FBI Whistleblowers: Exposing Corruption and Retaliation Inside the Bureau-FBI Counterterrorism Agent, 1:30 p.m., 2141 Rayburn.

May 22, Task Force on Competition Policy and Antitrust Laws, hearing on Retail Gas Prices, Part 2, Competition in the Oil Industry, 11 a.m., 2141 Rayburn.

Committee on Natural Resources, May 20, Subcommittee on National Parks, Forests and Public Lands, oversight hearing on The Future of the National Mall, 10 a.m., 1334 Longworth.

May 21, full Committee, oversight hearing entitled ''The Danger of Deception: Do Endangered Species Have a Chance?'' 10 a.m., 1324 Longworth.

May 21, Subcommittee on Fisheries, Wildlife and Oceans, to markup the following bills: H.R. 2964, Captive Primate Safety Act; H.R. 5350, To authorize the Secretary of Commerce to sell or exchange certain National Oceanic and Atmospheric Administration property located in Norfolk, Virginia; H.R. 5451, Coastal Zone Reauthorization Act of 2008; and H.R. 5741, Shark Conservation Act of 2008, 2 p.m., 1334 Longworth.

May 22, Subcommittee on Energy and Mineral Resources, oversight hearing on The United States Geological Survey's Earthquake Hazards Program-Science, Preparation, and Response, 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, May 20, hearing on EPA's New Ozone Standards, 1 p.m., 2154 Rayburn.

May 20, Subcommittee on Federal Workforce, Postal Service and the District of Columbia, hearing on Part-Time Reemployment of Federal Annuitants, 2 p.m., 2154 Rayburn.

May 21, Subcommittee on Domestic Policy, hearing on Neighborhoods: the blameless victims of the subprime mortgage crisis, 2 p.m., 2154 Rayburn.

May 21, Subcommittee on Information Policy, Census, and National Archives and the Subcommittee on Insular Affairs of the Committee on Natural Resources, joint hearing on Census Data: Special Issues Related to the U.S. Territories, 10 a.m., 2154 Rayburn.

May 22, full Committee, hearing on Accountability Lapses in Multiple Funds for Iraq, 10 a.m., 2154 Rayburn.

May 22, Subcommittee on Domestic Policy, hearing on Neighborhoods: Targeting Federal aid to neighborhoods distressed by the subprime mortgage crisis, 2 p.m., 2154 Rayburn.

Committee on Science and Technology, May 20, Subcommittee on Space and Aeronautics, to consider H.R. 6063, National Aeronautics and Space Administration Authorization Act of 2008, 10 a.m., 2318 Rayburn.

May 21, Subcommittee on Energy and Environment, hearing on H.R. 5618, National Sea Grant College Program Amendments Act of 2008, 10 a.m., 2325 Rayburn.

May 21, Subcommittee on Investigation and Oversight, hearing on EPA's Restructured IRIS System: Have Polluters and Politics Overwhelmed Science, 11 a.m., 2318 Rayburn.

May 22, Subcommittee on Investigation and Oversight, hearing on American Decline or Renewal?—Globalization Jobs and Technology, 10 a.m., 2318 Rayburn.

Committee on Small Business, May 21, Subcommittee on Urban and Rural Entrepreneurship, hearing entitled ''Competitive Bidding for Durable Medical Equipment,'' 10 a.m., 1539 Rayburn.

May 22, full Committee, hearing entitled ''RESPA and its Impact on Small Business, 10 a.m., 1539 Rayburn.

Committee on Transportation and Infrastructure, May 20, Subcommittee on Coast Guard and Maritime Transportation, hearing on Coast Guard and National Transportation Safety Board Casualty Investigation Program, 10 a.m., 2167 Rayburn.

May 21, Subcommittee on Water and Environment, hearing on Reauthorization of the Greats Lakes Legacy Act, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, May 22, Subcommittee on Disability Assistance and Memorial Affairs, hearing on Examining the Effectiveness of VBA Outreach Efforts, 1 p.m., 334 Cannon.

May 22, Subcommittee on Health, hearing on Human Resources Challenges within the Veterans Health Administration, 10 a.m., 334 Cannon.

Committee on Ways and Means, May 20, Subcommittee on Oversight, hearing on the Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau, 10:30 a.m., 1100 Longworth.

Select Committee on Energy Independence and Global Warming, May 22, hearing entitled '' Oversight of the Bush Administration's Energy Policy,'' 9:30 a.m. room to be announced.

Next Meeting of the SENATE

2 p.m., Monday, May 19

Senate Chamber

Program for Monday: Senate will be in a period of morning business.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Friday May 16

House Chamber

Program for Friday: The House will meet in pro forma session at 10 a.m.

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