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House of Representatives

The House was not in session today. Its next meeting will be held on Monday, September 15, 2008, at 12:30 p.m.

Senate

FRIDAY, SEPTEMBER 12, 2008

The Senate met at 9:30 a.m. and was called to order by the Honorable SHERROD BROWN, a Senator from the State of Ohio.

PRAYER

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

Let us pray.

God of power and might, wisdom and justice, for whom all authority is rightly administered, laws are enacted, and judgment is decreed, thank You for the gift of this day, for the opportunity to be used by You to make a positive difference in our world.

Use our lawmakers for Your honor. Assist them with Your spirit of counsel and fortitude. Give them the wisdom to always seek the paths of righteousness, justice, and mercy. Protect them with Your omnipotence, and infuse them with the passion to lead this Nation with honesty and integrity. Lord, help them to walk blamelessly, so that Your integrity will guide them and Your favor will sustain them. May this historic Chamber become a place of creative exchange of insights that leads to shared convictions about what is best for America.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SHERROD BROWN led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, September 12, 2008.

To the Senate:

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

ROBERT C. BYRD,
President pro tempore.

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

RESERVATION OF LEADER TIME

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 3001, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 3001) to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities for the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

Reid amendment No. 5290, to change the enactment date.

Reid amendment No. 5291 (to amendment No. 5290), of a perfecting nature.

Motion to recommit the bill to the Committee on Armed Services with instructions to report back forthwith, with Reid amendment No. 5292 (to the instructions of the motion to recommit), to change the enactment date.

Reid amendment No. 5293 (to the instructions of the motion to recommit to the bill), of a perfecting nature.

Reid amendment No. 5294 (to amendment No. 5293), of a perfecting nature.

The ACTING PRESIDENT pro tempore. The senior Senator from Michigan is recognized.

Mr. LEVIN. Mr. President, as previously announced, there are no rollcall votes today or Monday. Senators should expect the next vote to occur on Tuesday. However, Senator WARNER and I will be here today, we will be here Monday, and we will, of course, be here Tuesday morning to discuss amendments with Senators to try to get these amendments considered or at least in line to be considered. We are clearing amendments. We have a managers' package already that is ready to go with—I am not sure how many amendments we have already put in there—perhaps 15 or 16 amendments that have already been cleared. We can't get them passed yet because of an objection, but we would expect that objection would be removed by Tuesday. We will continue in the next few days, over the weekend, to try to agree upon many of the 200-plus amendments that have been filed so that we would be hopeful that we would have a large

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

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number of amendments in a managers' package ready to go on Tuesday if we can get the objection removed.

We also hope that we could, today and Monday, debate amendments which will be requiring rollcall votes on Tuesday. Our goal is to try to complete consideration of this bill by Tuesday night. The majority leader has indicated he will be filing cloture today, which means there would be a cloture vote on Tuesday, and hopefully we would get to the point on Tuesday where the amendments which need rollcall votes could be voted on Tuesday and that we would have a large managers' package and that we would not have to go to a cloture vote on Tuesday and instead try to get to final passage without it. That is the lineup. My dear friend from Virginia and I are here to work with Senators to try to see if we can't get amendments lined up for votes and other amendments agreed upon so that they will be part of the managers' package.

The ACTING PRESIDENT pro tempore. The senior Senator from Virginia is recognized.

Mr. WARNER. Mr. President, I thank the Presiding Officer. I join my colleague. We are here.

I wish to also bring to the attention of colleagues that at the close of business last night we were informed there are over 200 amendments at the desk. It is our hope that perhaps Senators who have filed those amendments could work with the managers and/or our staffs such that they could be added to, hopefully, a future package that will receive the support of the Senate by a UC. So therein is a very significant amount of work resting at the desk.

Mr. LEVIN. Mr. President, if I could add one further thought, with the help of our staffs, we have actually been making some progress in terms of some significant discussions that have not been on the Senate floor but nonetheless are taking place, so that we are making some progress on some sticking points, to try to resolve some sticking points to at least get them to a position where they can be voted upon even if they can't be agreed to. So I am optimistic, if everybody cooperates——

Mr. WARNER. Mr. President, in that vein, Senator VITTER and Senator DEMINT worked with us last night, and Senator COBURN.

Mr. LEVIN. And others, yes. The leaders are involved through their staffs and perhaps personally in these discussions. But it is our effort, our intent, our goal, and our hope that we can get this bill ready for passage, either without a cloture vote or with one, by the end of Tuesday night. That is our goal. The leadership has been very helpful in trying to help us reach that goal, and that is our intent.

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

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

AMENDMENT NO. 5296

Mr. ALLARD. Mr. President, I am rising to speak in regard to the Defense authorization bill, which is now being considered on the floor of the Senate. I am delighted that we are moving forward with this piece of legislation. It is something that gets passed every year. It is important that we get this kind of legislation passed because, with the challenges the country is facing, we need to deal with some very vital issues in the defense of this country and also take care of the families and the men and women in the armed services.

I want to mention a few things about a couple of amendments I plan on introducing at some point in time for consideration by the Senate. One of them has to do with Fort Carson, which is located in Colorado Springs, CO. It is an attractive place, if you are in the Army, to be assigned. It is one of the bases where we are looking at some expansion possibilities.

One of the key points with the new personnel we are bringing is that they need more training space. So I have been working with the Colorado Springs community and the commander at Fort Carson, as well as the Army, to facilitate this so it can move forward and everybody would be comfortable with what is being done. Earlier in our discussions, when I visited with the commander, he assured me that in the process of acquiring property he would protect private property rights. That is extremely important to the people of Colorado, particularly in the rural areas. This expanded training area is in a very rural area in southern Colorado. With the assurance that they would protect private property rights, I began to say that now you need to talk to the members of the communities and elected officials and see if you cannot work out some agreement. The Army has put forth considerable efforts up to this particular point in time. I have been asked to begin to propound an amendment that would support the Army's position on protecting property rights.

Last year, as part of the fiscal year 2008 Defense Authorization Act, I included language that would require the Army to submit to Congress an outline of their justification for the expansion of the Pinon Canyon maneuver site. I was pleased with the Army's findings and am convinced there is a critical need for additional training space for the new troops that are set to arrive at Fort Carson in the near future.

Although the Army identified a need of 418,577 acres, they have decided that just over 100,000 acres will be adequate to meet their immediate needs. These 100,000 acres will still provide the necessary space for enhanced training but will have less of an impact on the surrounding community.

In reading the Army's report, I believe they have shown their willingness to work with the community on a variety of issues: land, cultural resources, and historic preservation concerns in the area. For example, Otero County, one of the neighboring counties to Pinon Canyon, has asked that the footprint of the expansion not invade the Comanche National Grassland, and the Army's new plan leaves that area untouched. Additional community leaders suggested that the expansion site not cross Interstate 350, which the Army has also agreed to.

I also want to draw attention to the economic impact data that signals significant increases in revenue for the surrounding area. The expansion would generate more than 100 full-time civilian and contractor positions, equalling as much as $5 million in payroll. These would be civilian jobs and would yield increased property and tax sale revenue for the area.

Now, that is important, because if you have Federal facilities in your county, the Federal Government doesn't pay taxes. They make payments in lieu of taxes. Many times, the complaints we have from local governments in Colorado say it doesn't measure up to the lost revenue if that had been a facility in the private sector. This is an important part of that, so this part of Colorado wants and needs economic development. They need ways to be able to expand their property tax base so they can support their schools and support their community infrastructure in that area and in the country. So this is a very important provision, as far as the elected officials in that area. Most importantly, the Army has again reiterated their commitment to acquire the land from willing sellers only.

In spite of the Army's continued commitment to acquire the land for expansion only from willing sellers, there is still apprehension among the landowners, and I want to help ease that concern. That is why I will be proposing later on this amendment to the Defense authorization bill. It is an amendment which will take the possibility of eminent domain completely off the table.

As I said time and again, we must remember that property rights go both ways. Landowners should have the right to keep or sell their land if they so choose. If there are willing sellers in the area of the proposed expansion, then I see a very win-win solution.

Again, property owners don't want to have the Army come in and begin to condemn their property. Many of the farmers and ranchers have property in their families that date clear back to the Mexican land grant era in Colorado. They are very established in those areas and have no desire to move and want to be a part of the community and do not want to be forced out of the area.

I have said time and again, we must be very sensitive about property rights. The Army now has issued this comprehensive plan which shows the critical need for expansion. The Army has completed everything Congress has asked of them in the previous legislation. They continue to work with community leaders and landowners to find a win-win situation.

Fort Carson is growing fast and will soon have an additional brigade combat team. The United States has a responsibility to ensure our service men and women who have so courageously chosen to serve this great country receive the best training possible. I believe this expansion will help them do so.

I hope this amendment I will be offering will ease the concerns of our ranchers in the area, and we can soon move forward with a decision from the Army and from the locally elected officials and ranchers involved in the area.

AMENDMENT NO. 5298

Mr. President, another amendment I have been working on is an amendment to bring attention to the fact that our military servicemembers are faced with an ineffective process and unnecessary hurdles when attempting to exercise their right to vote.

Military absentee voting gained attention in the 2000 Presidential election. The Government Accountability Office reported that military ballots during the 2000 election were disqualified five times as often as civilian ballots. Despite numerous attempts by the Congress, our military continued to face voting problems in the 2002, 2004, and 2006 elections.

In 2006, Active-Duty military voted at a rate of 42 percent lower than the general population. It reported 47 percent of servicemembers who wanted to vote never got the chance to do so. This amounts to over 110,000 of our Nation's bravest and most patriotic men and women who were denied the right to vote.

Of those who were able to cast a vote, only 20 percent of them were even counted. This is simply unacceptable. These men and women risk their lives for democracy and freedom and voting rights all over the world. As we did over 60 years ago during World War II, the voting process still depends on a single soldier in the field reading a large number of pages in a guide—I am told up to 466—and being informed on how each individual soldier is to vote under specific precinct guidelines. If a soldier is able to complete this step in the process, the mail system must still track down a moving target in order to get the ballot to a soldier who has the intention of voting. Warfighting and technology have come a long way since World War II, and in my view it is unconscionable that our voting capabilities have failed to keep up for our men and women in the military.

In recent years, there have been several voting ballot programs that would allow the soldier to request, receive, download, and print their absentee ballots no matter where they are deployed. We now have the capability to use electronic signatures. These are effective programs and would remove most, if not all, major hurdles facing our men and women in uniform who would like to exercise their right to vote. Despite these attempted advancements, none have been universally put into place. Our military men and women remain disenfranchised at the polling place.

It is time the United States ensures their right to vote. We have deployed these men and women to all corners of the world. We have sent them to Iraq and Afghanistan to fight for our security and freedom. They help to ensure the rights of others to have a voice in their Government. As we approach November and arguably the most monumental election of our time, I call on our colleagues to ensure that our men and women in uniform are given the opportunity to have their votes heard.

I will be offering an amendment at some point to the Defense authorization bill, and the amendment will basically do two things: First, it will eliminate the notary requirement on both the Federal postcard application to request absentee ballots, as well as the notary requirement on voted ballots. This is unnecessary as civilians in most States are not required to even do this.

Second, this amendment will permit electronic submission of the Federal postcard application. The Federal postcard application is an application needed to request an absentee ballot. By allowing electronic submission of this document, it will not just allow greater accessibility in a timely manner but will also allow servicemembers to request their absentee ballots closer to the election date, hopefully granting them additional time to know where they may be stationed in November.

Additionally, this amendment expresses the sense of Congress to encourage the States to permit members of the Armed Forces to apply for, receive, and submit absentee ballots for elections for Federal office by electronic means and to encourage the Department of Defense to implement and maintain programs that permit the secure submittal by members of the Armed Forces of absentee ballots for election for Federal office by electronic means.

It is simply time for Congress to ensure our military men and women the accessibility and right to vote, particularly at a time when we have the technology to provide the reliability and integrity of the system. I call on my colleagues to support me in this amendment.

Mr. President, I ask unanimous consent to have printed in the RECORD letters from the Colorado Secretary of State, the American Legion, Vets for Freedom, and the National Vietnam & Gulf War Veterans Coalition.

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

STATE OF COLORADO,
DEPARTMENT OF STATE,
Denver, CO, May 27, 2008.

Hon. WAYNE ALLARD,
Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR ALLARD: Thank you for your consideration of the amendment expanding voting rights for our overseas military personnel. This proposal is the result of a military voting task force I convened last year in Colorado Springs. Members included active-duty voting assistance officers from Ft. Carson, Peterson AFB and the Air Force Academy, in addition to the El Paso County Clerk and Recorder and other elections officials.

As you know, this task force was obviously close to home for me as Secretary of State and my service in the military. During a tour in Iraq in 2005, I witnessed first-hand some of the impediments to voting for military personnel in field. Continuing to streamline the voting process for overseas military is a priority for my administration and hopefully, this amendment will help raise the bar nationally.

In working with the voting assistance officers, we felt that requiring notarized voter registration and absentee ballot applications are undue burdens on overseas military, especially those on the front lines and forward operating bases. In addition, overseas personnel should also be permitted to submit their postcard applications electronically, either through fax or e-mail.

Last September I attended a working conference hosted by the Election Assistance Commission on facilitating UOCAVA voting. There were a number of stakeholders in attendance including representatives from the Federal Voting Assistance Program and several state and local election officials. During the conference, there was significant support from the attending election officials for federal legislation that would eliminate barriers for military voters.

Like many other States, Colorado is already compliant with this proposed amendment and our military voters have certainly taken advantage of these opportunities. Our State election officials carefully monitor these applications and have built-in safeguards to ensure the integrity of the process.

Again, thank you for pursuing this necessary amendment to ensure that our overseas citizens have every opportunity to participate in their elections back home.

Sincerely,

MIKE COFFMAN,
Secretary of State.

THE AMERICAN LEGION,
Indianapolis, IN, May 7, 2008.

Hon. WAYNE ALLARD,
U.S. Senate, Dirksen Senate Office Building,
Washington, DC.

DEAR SENATOR ALLARD: The American Legion fully supports your proposed amendment to the Defense Authorization Bill that would improve and speed the process of procedures relating to overseas voting by members of our Armed Forces. As I understand it, the amendment would eliminate the notary requirement on voted ballots, and allow electronic submission of the Federal Postcard Application for absentee ballot requests.

The American Legion has been an advocate of the voting rights of members of the U.S. Armed Forces for many years. We believe that the improvements you have proposed will make it possible for increased numbers of our service members deployed around the world to participate in our election process.

Thank you for your continued support of our military forces and their families.

Sincerely,

MARTIN ''MARTY'' CONATSER,
National Commander.

VETS FOR FREEDOM,
Washington, DC, April 29, 2008.

Hon. WAYNE ALLARD,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR ALLARD, On behalf of all the members of Vets for Freedom, the largest Iraq and Afghanistan veterans organization in the United States, I am honored to stand beside you in support of your proposed amendment related to improving the military voting process.

This important piece of legislation ensures that the men and women who wear our nation's uniform are not left out of the election process while serving in harm's way. These brave and patriotic soldiers, sailors, airmen and marines who protect the very right to vote deserve nothing less. As such, Vets for Freedom strongly supports this bi-partisan effort.

As this piece of legislation makes its way through Congress, Vets for Freedom looks forward to working with you to ensure passage. Thank you for your continued support of our nation's veterans.

Warm regards,

PETE HEGSETH,
Executive Director.

NATIONAL VIETNAM
& GULF WAR VETERANS COALITION,
Washington, DC, May 7, 2008.

Re Amendment to the Defense Reauthorization Bill.

Hon. WAYNE ALLARD,
U.S. Senate, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR ALLARD, On behalf of the members of the National Vietnam & Gulf War Veterans Coalition, an organization comprised of more than eighty veterans organizations and veterans advocacy groups, which is committed to advocating for our troops and veterans, we support your efforts to eliminate the hurdles currently faced by deployed members of our armed services who endeavor to vote.

The above-referenced amendment will provide improvements long overdue in enabling members of our armed services to cast their ballots. Currently, there are over 848,000 members of our armed forces serving in overseas assignments. These men and women are willing to risk their lives to ensure democracy throughout the world. It is important that our military personnel be provided with the same opportunity to exercise their right to vote as enjoyed by those Americans citizens who do not serve in the armed forces. Accordingly, the National Vietnam & Gulf War Veterans Coalition fully supports this bipartisan amendment.

The National Vietnam & Gulf War Veterans Coalition as an organization dedicated to the members of our armed services greatly anticipates the passage of this legislation and encourages your efforts to improve the currently ineffective voting process available to our military.

Our brochure, reflecting the names of the Coalition's member organizations, is enclosed for your reference.

Sincerely,

JOHN J. MOLLOY,
Chairman.

Mr. ALLARD. Mr. President, I am glad to see we are able to move forward with the Armed Services bill. I have taken some time and talked about a couple of amendments that I will offer that I think are important. I fully intend to call them up as we proceed with the debate on this important bill, important not only to our men and women in the Armed Forces but to the process, and important to the country as a whole.

Mr. President, I yield the floor.

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

Mr. MCCONNELL. Mr. President, I understand Senator BILL NELSON was here earlier. I ask unanimous consent that he be recognized at the conclusion of my remarks.

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

HONORING OUR ARMED FORCES

SPECIALIST RONNIE D. WILLIAMS

Mr. MCCONNELL. Mr. President, we are honored to live in a country with the bravest men and women in uniform in the world. I rise to pay tribute to one of those warriors, SP Ronnie D. Williams of Morning View, KY, tragically killed on July 17, 2005, after his tank overturned while on patrol in Baghdad.

Specialist Williams was 26 years old. It was his second tour of duty in Iraq. For his bravery in uniform, he received several awards, medals, and decorations, including the National Defense Service Medal and the Army Commendation Medal.

Although his Army files may list him as ''Ronnie,'' just about anyone who knew Specialist Williams called him by his nickname, ''John Boy.'' His mom Sharon Williams explains why.

''When he was born, 'The Waltons' was on TV,'' she says. ''His uncle was named Ronnie [and] we called him John, so when my son was born we nicknamed him John Boy, just like on the show.''

John Boy grew up in a big family and had an active childhood. He loved to hunt and would go hunting for deer and turkey. One frequent hunting companion was his uncle, Lance Anderson.

He loved fishing as well and once went fishing with his father-in-law, William O'Banion, and caught a 42-pound catfish.

''If I had a choice out of a million boys to be my son-in-law, he would have been No. 1,'' Williams said.

John Boy's wife Darlene also knew him when he was young and remembers the fun he used to have as a child. ''John Boy grew up next door to me,'' Darlene says. ''We rode the same bus together. . . . He and my brother were best friends. . . . They would go to the trestle in DeMossville to fish, but they wouldn't tell anybody so that they could keep it a secret. They didn't want anyone to find their fishing hole.''

''Growing up we fought like cats and dogs,'' she said. ''I grew up with a bunch of boys—never any girls. I always played with my brother's friends and he'd get mad.''

John Boy enjoyed spending time with his friends and family. ''When he could come home, he'd say, 'OK, Mom—get the family together. It's time for a card game.'''

John Boy's Uncle Lance was in the Marines, perhaps inspiring John Boy to follow in that tradition. According to Darlene, he was also motivated by a love of his country. ''After 9/11, he said he wanted to make a difference,'' she said.

John Boy graduated from Simon Kenton High School in Independence, KY, in 1998, and joined the Army in 2002. He was eventually assigned to the 3rd Squadron, 3rd Armored Cavalry Regiment based in Fort Carson, CO.

Even while serving his country away from home, however, John Boy didn't forget the girl who had been, literally, next-door. ''Growing up, John Boy always told my dad that he'd marry me,'' Darlene says.

While back home on leave, John Boy and Darlene spent a lot of time together and, in her words, they ''hit it off pretty quick.'' Their devotion to each other continued even across great distances, once he had returned to his squadron.

''I went out to Fort Carson to see him every other week,'' Darlene says. ''It was a 24-hour drive. . . . It's a haul, especially in my '89 Cavalier.''

On his last trip home, John Boy celebrated his birthday with his family,and he and Darlene took a belated honeymoon to Florida.

John Boy also made time to speak to kids when he was home and tell them about his experiences in uniform. Some schoolchildren had written him letters while he was away. He wanted to thank them personally.

''When he came home, he visited River Ridge Elementary School because his nieces attended there,'' Sharon recalls.

Darlene remembers how eager John Boy was to see the kids when he came home. ''He had blisters on his feet and back, but instead of going home and relaxing, he went to his nieces' school to talk about the Army, and he handed out candy to all the kids.''

Mr. President, our thoughts are with John Boy's family after their horrible loss. We are thinking of his wife, Darlene Williams; his son, Houston David Williams; his mother, Sharon Williams; his father, Howard Williams; his sisters, Crystal Herzog and Kathy Williams; his brothers, Geoffrey Williams and Howard Williams; his grandparents, David and Kay Redmond; his uncle, Lance Anderson; his parents-in-law, William Henry O'Banion, Jr. and Corinne O'Banion; and many other beloved friends and family members. Darlene adds about her husband:

> I just want everyone to know what a wonderful man he was; that he would do anything for anyone. He was so wonderful to me.

I trust those who knew and loved SPC Ronnie D. Williams will not soon forget his enormous service and sacrifice for our Nation, and this Senate stands in admiration of devotion like his that continues to keep our Nation safe and free.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The senior Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, as soon as the copy of my amendment arrives, I will send it to the desk to file, not to offer at this point. Although it is applicable to the Defense bill, I will save it, at the request of the chairman of the Senate Armed Services Committee, for next week's consideration of the Energy bill. It is an amendment to protect the interests of the Department of Defense; to protect the largest testing and training range in the world for our Defense Department.

Let me show you where it is. It is in the Gulf of Mexico, off of Florida. It is all of this area outlined in yellow that is east of this longitudinal line. That area in yellow, including this area up here, 125 miles off Pensacola, is what was etched into law in 2006, 2 years ago, as a protected area from drilling for oil and gas. And why is that? Because everything east of that longitude-latitude line, all the way close to the coast of Florida, is the largest testing and training area for the United States military in the world.

Now, you may wonder why in the last round of base closures and realignment—and remember, the acronym is BRAC, Base Realignment and Closure Commission, that is what BRAC stands for—in the realignment all of the pilot training for the new F–22 stealth fighter came to Tyndall Air Force Base at Panama City. You may wonder why. Well, that F–22 does a dogfight at 1½ mach. You can imagine what the training radius, the turning radius, is for an F–22 as it is in a dogfight. It is at 1½ times the speed of sound. So it has all of that area out there in which to train.

Why also, under the realignment, the BRAC process, did all of the newly developed F–35s, called the Joint Strike Fighter, for the Navy, the Air Force, and the Marines—and it is still being developed—why did they determine that all of the pilot training for the new F–35s was going to be at Eglin Air Force Base, which is located right here, right where that military mission line hits the shore? That longitude line—Eglin Air Force Base—why right there? It has all of that training area which is protected airspace.

Why is this area off bounds here? Well, certainly when we passed the law 2 years ago, the interests of a $65 million a year tourist industry, dependent on pristine beaches, was considered. And by the way, Florida has more beaches than any other State. As a matter of fact, Florida has more coastline than any other State save Alaska, and Alaska doesn't have a lot of beaches. But we in Florida have barrier islands on most of Florida, and those barrier islands have extraordinary white sand beaches. So certainly that was an interest to protect there. But there is another reason. Guess what is right there. Pensacola Naval Air Station. That is where most of the Navy pilots and Marine pilots, naval aviators, that is where most of them learn to fly. So they have all this training area and they can go out on a carrier and train as Navy pilots.

Now, speaking of the U.S. Navy, you will remember about 4 or 5 years ago there was a big brouhaha over the U.S. Atlantic Fleet training down off the island which is a part of Puerto Rico—off the shore of Puerto Rico and the island of Vieques. For decades, the U.S. Navy had trained its pilots there. But the people of Puerto Rico took great umbrage at this, and they wanted it changed and they wanted it removed. They were afraid it was a health hazard, and so the United States acceded to that request. As a result, Vieques was shut down for the Atlantic fleet.

Well, where is the Atlantic fleet going to train? They have to train. Well, guess what. They came here—the largest testing and training area for the United States in the world. And in all of this protected space there are designated areas for the Navy, specifically off of Pensacola, up here, and then big areas of this part of the gulf for the Navy. The Air Force has mainly the rest of it, including some Air Force training over here.

Now, here is what happens with the Navy. We have the Key West Naval Air Station right here. It is actually not on Key West. There are headquarters there on Key West, but the actual airfield is on the island to the north of Key West called Boca Chica. So what happens is they bring these Navy squadrons that are assigned to an Atlantic Fleet naval aircraft carrier, they fly them into Boca Chica, they spend 2 or 3 weeks there—these are the F–18s and will be the F–35s in the future—and then for that period of time they come out here and they have all of this area that is restricted space in order to train.

The good news about that is that when they lift off from the runway here at Boca Chica, within 2 minutes they are over restricted space. So they do not have to fly a long way burning up a lot of fuel to get there. In 2 minutes they are ready to start their aerial training and their dogfights.

Now, there is something else that is going on here. Because up here, at Fort Walton Beach, this huge Air Force facility called Eglin Air Force Base, is the test and evaluation center for all of the U.S. military—all of the Department of Defense. And what they do is they take all of these weapons systems—not just airplanes but air-to-surface missiles, air-to-air missiles, surface-to-air missiles, surface-to-surface missiles—and they shoot them and they train and they test. This is the Air Force test and evaluation center, but for all of the Department of Defense, and we have some weapons systems that we are shooting for hundreds of miles. From here to here is approximately 300 miles. So we have some weapons systems that are shooting hundreds of miles, and as a result, we need all of that.

Now, when we passed this law protecting this area from any drilling 2 years ago, I had a statement in writing from the Secretary of Defense of what the policy is of the Department of Defense, which is that they do not want drilling out here in this test, training, and evaluation range. That is the operative policy as confirmed to me by the Deputy Secretary of Defense, Gordon England, in a phone call with him 2 days ago. That is the operative policy.

The Department of Defense, presently the Secretary of the Navy, is considering whether they need all of this, but Secretary England told me that there is no way they are going to have a decision made before we finish our session by the end of this month, and, therefore, we should plan on the operative policy to be that the U.S. Department of Defense does not want any drilling of oil and gas out here because it would mess up their testing, their evaluation, and their training.

So the amendment I am going to offer would apply to this Gulf of Mexico area, east of this military mission line, which is this longitude line, everything east of there to the coast. And I want to read it specifically. It is defined as the ''Joint Gulf Range Complex'' or the ''Gulf of Mexico Range.'' It would also include any military or National Security Agency operations training or testing area that is used by a military or national security agency of the United States.

It says:

> Notwithstanding any other provision of law, the Secretary of the Interior shall not issue any permit for oil and gas leasing or extraction in an area described—as I have just indicated—unless and until the President certifies, based on written opinions provided by each of the Secretary of Defense, the Secretary of the Navy, and the Secretary of the Air Force, and the head of each appropriate national security agency of the United States, that in balancing the national security interests of the United States the advantages of oil or gas extraction in the area outweigh the military and national security missions being conducted in the area.

In other words, it is a fail-safe approach to say that it is going to force us in the future—whenever we are considering changing laws like this that protect this area for the military, that it shall have the force of law that the Secretary of Interior has to get a written certification from the President that the oil and gas extraction outweighs the military and national security missions being conducted in the area.

We are in a time in which our enemies want to do us harm. We are in a time in which we have to be prepared. In order to have that preparation, we not only need the personnel and the intelligence, but we need the equipment. We have to test that equipment under all kinds of conditions to make sure it works when we have to have it work. That is what this testing and evaluation and training range is for.

This Senator is not going to let the U.S. defense preparedness be a sacrificial lamb for the interests of the oil and gas companies in order to satisfy their hollow-ring rhetoric that says ''drill, baby, drill.'' You have heard me before on this floor say that the mantra ought not be ''drill, baby, drill.'' As Tom Friedman says, the mantra ought to be ''invent, baby, invent.'' That is how we are going to break the stranglehold of oil that is around our neck. But until we get to that point—and I hope we are rapidly moving to that point of alternative fuels—this Senator is going to stand up and not let the defense preparedness of this country be sacrificed as a lamb on the altar of the oil and gas companies.

This Senator also wants to clearly say this to the Gang of 10 that proposes to drill up to 50 miles off the Florida coast. That would bring it up to a point about like this on this map. You can see how that would cut out the heart and the lungs of the military mission test and evaluation. The Gang of 10 that wants to vote on their proposal next week says: By the way, we are going to do that drilling all the way up to 50 miles off of the west coast of Florida, but we are not going to do that off of anybody else's coast. We will let there be drilling at the OK of the States of Virginia, the Carolinas, and Georgia, and we are not going to touch anybody else, but we are sure going to touch the west coast of Florida and this military mission line.

This Senator wants to clearly say he is not going to let Florida be the sacrificial lamb. I just hope my colleagues understand that this Senator is not going to let that happen.

We concocted, crafted, and compromised to pass this law 2 years ago to satisfy the Senator from Louisiana, the Senators from Mississippi, and the Senators from Alabama who wanted additional drilling while at the same time this Senator and my colleague, Senator MARTINEZ, brought to the table that we wanted to protect the military and we wanted to protect Florida. We crafted this compromise. Now, 2 years later, they want to blow it out of the water and they want to blow the U.S. military out of the water.

We have a few tools at our disposal called parliamentary rules of the Senate. We are simply not going to let this happen. This Senator is about as bipartisan as anybody on this floor. This Senator is about as reasonable as anybody on this floor. This Senator does believe what the Good Book says, which is ''Come, let us reason together.'' That is how we ought to forge compromise and make law, recognizing that you have to build consensus. That is what we ought to do, and we ought to do it in a bipartisan fashion. But the Gang of 10 wants to run over the interests of this Senator and the interests of the military. Every now and then, we have the opportunity to stand up and say no.

I want everybody to be clear where this Senator is. Let me tell you, the Speaker of the House of Representatives came out yesterday with a proposal that this Senator would certainly consider, and I think favorably. What the Speaker of the House has said is honor the 2006 law, and on the rest of the Outer Continental Shelf, all over the United States beyond 100 miles, drill; between 50 and 100 miles, if the State concurs, drill. Those being Federal lands, those revenues would inure to the benefit of the U.S. Treasury, not to the States. This Senator will certainly consider that, but not when they say the interests of Florida and the interests of the Defense Department are the ones that are going to have to completely give, since we worked this and etched it into law for the first time 2 years ago. I want everybody to understand what the position of this Senator is.

What I would like to do is to send this amendment to the desk to file. I will not offer it because, as I said, the chairman of our Armed Services Committee has enough on his plate—I am one of his subcommittee chairmen—in order to get this Defense authorization bill passed. But this issue will certainly be ripe next week when we take up the energy provisions.

I yield the floor.

The ACTING PRESIDENT pro tempore. The amendment will be printed.

The senior Senator from Oregon is recognized.

Mr. WYDEN. Mr. President, I ask unanimous consent to speak as in morning business for up to 20 minutes.

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

Mr. WYDEN. Mr. President, also, before he leaves the floor, I intend to talk about the ethical quagmire at the Minerals Management Service. I commend Senator NELSON, who really, just as he said, always does try to be bipartisan. We work together as part of a large health care group. Senator NELSON was one of the first to spot these flagrant examples of abuse at the Minerals Management Service. I know he is going to be part of our effort to finally drain the swamp at the Minerals Management Service next week. I thank my friend from Florida for his efforts in that regard.

MINERALS MANAGEMENT SERVICE

Mr. WYDEN. Mr. President, 2 days ago I came to the floor of the Senate to describe specifically the horror story of misconduct and mismanagement at the Minerals Management Service. Today, this morning, in coffee shops across the country, in addition to talking about the pain at getting clobbered by these gasoline prices at the pump, a lot of Americans are wondering how can it possibly be that in these Federal energy development programs, the tax money of the American people is being used to prop up sweetheart contracting, flagrant conflict of interest violations, drug abuse, apparently all kinds of sexual escapades, and lots more.

I have been trying to clean up these royalty programs for more than 5 years. I stood right in this spot 2 years ago and spent almost 5 hours trying to force a vote here in the Senate to clean up these royalty programs.

Some of these royalty problems, of course, began when the price of oil was $19 a barrel. The day that I spoke at length to try to force a vote, the price of oil was $70 a barrel. Of course, for quite some time the price of oil has been $110, $120, $130—of course 8, 10, 12 times what it was when this program began.

The Bush administration has repeatedly indicated that they would take care of these problems. We have had Secretary Kempthorne, for example, in the Energy Committee even 19 months ago essentially saying they would get on top of the program.

I came to the floor today because I would like to describe how it looks as though once again the Department of Interior is especially interested in trying to keep the Congress from stepping in and taking bold action to try to drain the swamp. For example, the statement the Secretary of Interior made—I brought it to the floor—came out yesterday. It states, for example:

> The conduct of a few has cast a shadow on an entire agency.

That is not what the inspector general said about this program. The inspector general didn't talk, as Secretary Kempthorne did, about the conduct of a few. What the inspector general said—I will just read it:

> We discovered that, between 2002 and 2006, nearly one-third of the entire royalty-in-kind staff socialized with and received a wide array of gifts and gratuities from oil and gas companies with whom the royalty-in-kind program was conducting official business.

Let's unpack that for a minute. Secretary Kempthorne has said repeatedly that we are only talking about the conduct of a few people and offered up once again, just in the last 24 hours, an argument clearly designed to keep the Congress from stepping in next week and finally draining the swamp at the Royalty-in-Kind Program. The inspector general found that there were gifts and gratuities on at least 135 occasions from major oil and gas companies. The inspector general called it a textbook example of improperly receiving gifts from prohibited sources. And then the inspector general said:

> When confronted by our investigators, none of the employees involved displayed remorse.

They found a culture at this program of ethical disregard—substance abuse, promiscuity. They go on and on to talk about an entire program. They certainly do not talk about how these problems took place in the past. They talk about how this is an ongoing problem that certainly is not going to be taken care of, in my view, as Secretary Kempthorne has suggested in the past, with one of his kind of ethics training

programs. There are going to have to be substantial changes. I am very hopeful that finally, after the Congress has gotten report after report about the problems at this agency, the Senate will not accept the argument from Secretary Kempthorne that once again the Congress ought to just trust the agency to take care of things on its own.

Let me outline just a few of the areas that I hope the Senate would consider in changing these flagrant abuses at Minerals Management.

It seems to me, first, that this program, the Royalty-in-Kind Program, should be suspended until the Secretary certifies that each of the inspector general's ethical and business recommendations is implemented.

That strikes me as pretty obvious. You have all of these problems. It has been documented in report after report after report. The Secretary has come to the committee, and said he would take care of it. It has not been done. It would seem to me that you suspend this program until the Secretary certifies that the recommendations from the inspector general are implemented.

Second, I am sure people listening to this say, ''hello,'' when you make this particular recommendation. It is time to get rigorous audits back in the Minerals Management Royalty Program. You think to yourself, how can it be that millions of dollars go in and out the door in these programs? There have been problems documented again and again in these inspector general reports and they still do not have rigorous audits. So that is the second thing the Senate ought to require with respect to this program.

I personally would favor a limited continuation of the Royalty-in-Kind Program to a fixed term, choose 1 year, 2 years, and then it would be sunset unless it would be reauthorized. This would be a process that would make sure the program either gets fixed and the Senate comes away convinced that it works or the program goes away. So I would hope the Senate would look at that.

Finally, I think it is worth noting that the Minerals Management Service is the only major bureau within the Interior that does not have a Senate-confirmed director. It is my view that the head of the Minerals Management Service, particularly at a time such as this, when the very programs in its charge, and the programs the Congress is looking to expand next week, that the head of the Minerals Management Service should be a Senate-confirmed position. This way it would be possible for the Senate Energy Committee—and I know Senator NELSON has a great interest in this as well—would have a say in who the next director of that office is, and the Energy Committee would be in a position to hold that individual accountable.

As I have indicated, the Minerals Management Service is the only major bureau within Interior that does not have a Senate-confirmed director. It is obvious you cannot wave your wand and legislatively fix every ethical consideration imaginable. But it would seem to me, given the blockbuster nature of this inspector general's report, and the tenacious work that has been done by Earl Devaney there, that Congress would be negligent, that Congress would be more than remiss, that Congress would be negligent to not step in next week when we are working on these very programs—there is discussion of expanding them dramatically—to not step in and make sure the taxpayers' interests are protected.

This is not a question of whether you are for drilling or against drilling here. Senators will have differences of opinion surely on that. But as Senator NELSON has said over a period of years, and I have said over a period of years, this ought to be something every Member of the Senate would agree on.

I think back to 2 years ago, and I got up in the morning and did not expect to be on this floor for 5 hours trying to force a vote to change these programs. It was clear that if we had gotten the votes, we would have won. That was when the price of oil was $70 a barrel, not $100 a barrel; $100 often seems reasonable these days to people given the shellacking they are taking.

But the Congress will have a vigorous debate next week on a host of issues with respect to energy policy. What I would hope is that 100 Members of the Senate would say, given what the inspector general has said, No. 1, given the fact that Secretary Kempthorne has again in his statement yesterday—and I read this specifically—suggested that we are talking about a few individuals:

> The conduct of a few has cast a shadow on an entire agency.

That is not what the inspector general said. One-third of the employees in this program, one-third, colleagues, were involved in this. Given what the inspector general has said, given the facts that the agency has repeatedly said it would clean up these programs, and it has not done it, that under the leadership of Chairman BINGAMAN of the Energy Committee, he always works closely with the ranking minority member, our colleague from New Mexico, Senator DOMENICI, that finally next week the Congress, on a bipartisan basis, end these disgraceful practices that have been documented repeatedly in these independent reports.

If the Congress does not step in and finally adopt specific measures to hold this agency accountable, I believe when the headlines are no longer the topic of kitchen table conversation, I believe what will happen, certainly regrettably in this administration, we will not see the changes needed to protect the American people.

I do not see how you can make a case for playing down this set of problems that has been so well documented. I hope all Members of the Senate, all 100 Senators, will back our efforts next week to clean up this program.

I yield the floor.

The ACTING PRESIDENT pro tempore. The senior Senator from Florida is recognized.

Mr. NELSON of Florida. Mr. President, I want to say a word of appreciation to the Senator from Oregon for his leadership on this, and his courage. He had the courage of his convictions 2 years ago to stand up and to not relinquish the floor in the midst of all kinds of pressure to get on with the legislation in order to get his point across.

From time to time, each of us, when we feel passionately and very strongly about an issue that we do not think is right, has a right here to do that. I thank him for that. I thank him for his courage. I second what he has said about the skullduggery that is going on.

Is it not interesting that there is no consequence as a result of what the inspector general has found, all of this skullduggery—it is his words, not ours—all kinds of sexual liaisons going on, all kinds of drugs, all kinds of gifts, some of this supplied by the oil companies over which this administrative executive department agency is a watchdog, and it is going to be in an inspector general's report. The Department of Justice, the Attorney General's Office, has said they are not going to prosecute the two main people in the office who carried on all of this scandalous activity; they have resigned. So where is the accountability?

When I served in the military a long time ago, I was taught clearly that the commanding officer was accountable for what happened to that commanding officer's troops or ship.

Where is the accountability? What about the head of the Minerals Management Service? The head of the Minerals Management Service is there. Where is the accountability? Why should not the head of the Minerals Management Service, on something that went on for one-third of the employees of this office for some period of time, say: I am responsible, I am accountable, and face the music, and face the consequences?

But, no, it is always dodge, weave, deflect. It is always somebody else's fault. How much of a pattern have we seen of that over the last 8 years? The American people are getting tired of it. And they are getting tired of it especially when those same kinds of interests, in this case the oil companies influencing an executive branch department to get what they want by using illegal gifts, the offer of sexual favors and drug use.

This is the same group that wants to come in, as I was pointing out on that map, and drill all the way up through and cut out the heart and the lungs of the U.S. military testing and training area.

No, there is too much that is not in sync here. I thank the Senator for his very prescient and courageous and consistent stance he has had.

I yield the floor.

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

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

The bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. I ask unanimous consent that the order for the quorum call be rescinded.

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

JOURNALISTS M. CHARLES BAKST, SCOTT MACKAY, AND MARK ARSENAULT

Mr. WHITEHOUSE. Mr. President, today the largest daily newspaper in my home State of Rhode Island, the Providence Journal, is losing three extraordinary journalists. Columnists M. Charles Bakst, better known as Charlie; reporter Scott MacKay; and Mark Arsenault have covered politics in Rhode Island and around the country for a combined total of about 70 years, and they are retiring from the paper as of today. There is a larger story about what is happening to America's newspapers, but my purpose is not to talk about that but about them.

All of them are gifted writers, and all have brought to the Journal sharp eyes for detail, long memories, and distinctive voices. They will be sorely missed.

Scott is a particular friend, and I am sorry I will no longer have the pleasure of reading Scott's colorful political takes on the State we both love. I hope he will return to the Providence Newspaper Guild ''Follies'' to continue his traditional role emceeing that evening of alleged music, wit, and humor.

I wish well to Mark Arsenault, whose talent supports a bright future in whatever new endeavors he chooses to pursue.

But the remainder of my remarks will be about Charlie Bakst. If you are from Rhode Island and involved in politics, you know Charlie Bakst. You see him in the statehouse, at city hall. You see him at fundraisers and roasts and meatball dinners and clambakes, and you see him at lunch at Angelo's on Federal hill.

Everywhere there is politics—and in Rhode Island, that is everywhere—Charlie is there, soaking in the scene, talking to people, and commenting on the food.

Everything is grist for what Charlie is pleased to call his ''excellent columns.'' Charlie's memory for history and for detail is legendary, as is his miraculous success at landing interviews that are either totally forbidden or extraordinarily difficult to get. He has jumped into limousines and lain in wait by backdoors. He has talked with United States Presidents, past and future. He has questioned Senators, Governors, party leaders, political operatives, even world leaders. If you have ever been involved in politics in Rhode Island, chances are you have been confronted by Charlie Bakst's red suspenders, unkempt hair, and ever-present tape recorder, and chances are that afterwards, you found something in what he wrote to be annoyed about. But in the end, that is the way we in politics are supposed to feel.

As the saying goes: If a politician doesn't feel a little twinge of anxiety when he hears that newspaper thump on the front porch in the morning, the paper is not doing its job.

Charlie always did his job. Journalism is in Charlie's blood. At summer camp in Hampstead, NH, in the 1950s, he announced baseball scores at the camp's daily flags ceremonies. ''In retrospect,'' he wrote, ''an early dangerous sign of: Journalist Ahead.''

At Brown, he became editor in chief of the Brown Daily Herald. He went on to earn his masters from the Columbia Graduate School of Journalism and later returned to Rhode Island to join the Providence Journal, eventually becoming statehouse bureau chief and political columnist. Politics, too, was a lifelong passion.

In another formative summer camp experience, he listened to radio broadcasts of the 1956 Democratic Convention. I will confess that I was probably not 1 year old then and not listening very closely. At the time, then-Senator John F. Kennedy narrowly missed winning his party's Vice Presidential nomination.

''Believe it or not, that helped hook me on politics,'' Charlie wrote decades later.

Well, it is not that difficult to believe. Charlie's writing betrays a sense of wonder at the pageantry of politics and a fierce belief in government's obligation to the people that it serves. Charlie told it like he saw it, and when he saw a public servant abusing the public trust, he said so.

''I must say I've never lacked for copy,'' Charlie told the New York Times in 2001. His columns have ripped into public figures for corruption, dishonesty, and for incompetence.

In a column written as New Orleans staggered in the violent wake of Hurricane Katrina, his outrage is visceral:

> America has become a laughingstock. To think that people could suffer here for days on rooftops or terraces or in a sports arena or convention center without rudimentary help like food or water, amid lawlessness and stench, surrounded by death.

He ended with an invocation of Jimmy Carter:

> Wouldn't it be nice to have a government as good and decent as the American people?

This is Charlie Bakst's dream for America and his dream for our Ocean State, and his columns have always prodded us toward that dream.

He is particularly outspoken when he sees injustice and oppression. He sought out leaders in the civil rights movement, interviewing Representative JOHN LEWIS and Cesar Chavez, among others.

He found unsung Rhode Island heroes, who worked on behalf of the homeless or the poor or the disadvantaged, and told their stories. He showed special courage in his unwavering advocacy for the rights of gays and lesbians, particularly the long struggle for equal marriage, even when some readers took vocal offense.

Charlie is also obsessed with baseball and with his beloved Red Sox in particular. The team was a family affair in the Bakst household. Charlie writes of many trips to Fenway Park with his late father Lester and his brother Arthur.

His first game at Fenway—at age 8—happened to be on April 30, 1952, the last game Ted Williams played before he shipped out to Korea.

Ted Williams was a particular hero, and years after that first game, Charlie's colleagues at the Journal gave him, as a 50th birthday gift, a lifetime membership to the Ted Williams Museum in St. Petersburg, FL. Charlie visited the museum and immediately collared his tour guide to suggest corrections to the exhibit.

Charlie followed baseball all over the country, and maintained a love affair with food, from buffet table fare at local fundraisers to historic restaurants such as Angelo's, where his personal bottle of olive oil, stashed in the kitchen, has ''BAKST'' written across the top in black ink.

These interests—baseball and food—came together in columns disclosing that at Safeco Field, home of the Seattle Mariners, you can eat everything from sushi and pad thai to chowder and deep-fried mushrooms, not to mention a half-pound Home Run Dog just outside the ballpark.

At Petco Park, home of the San Diego Padres, Charlie reported on shrimp avocado salad, barbequed ribs, fish tacos, garlic fries, veggie dogs, Oreo cookie cheesecake, and cappuccino.

I was glad when Charlie was able to stop by one of my regular community dinners in East Providence last year. Our M&M cookies made it into his Sunday column.

Finally, we have seen Charlie's deep and abiding love for his family: his wife Elizabeth, and his daughters Maggie, Diane, and their families. I hope in his retirement he will get to see more of them, and to spend more time with Diane and her family in Italy, as he once wrote he would like to do.

But no matter what he chooses to do next, I hope Rhode Island will find a way not to lose Charlie's unique voice, his rich memory, after, I believe, 36 years of journalism in Rhode Island, and the impassioned commitment that he brought to his profession.

Of his friend, WJAR investigative reporter Jim Taricani, Charlie once wrote this:

> [B]eing a journalist is more than a job. It is a burden, a pleasure, and an honor.

Well, Charlie, working with you for the past 20 years has been a burden, a pleasure, and an honor. I look forward to talking with you for many years to come, and I wish you and Mark and Scott well in your retirement.

Mr. President, I yield the floor.

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. BROWN. Mr. President, I ask unanimous consent that following my remarks, the Senator from North Dakota, Mr. DORGAN, be given time to speak.

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

Mr. BROWN. Thank you, Mr. President.

FIGHTING FOR MIDDLE-CLASS FAMILIES

Mr. President, last week, our Nation celebrated Labor Day for the 114th year. We have come a long way since 1894.

On my lapel, I wear a pendent that is a depiction of a canary in a bird cage. Some 100 years ago, around the time Labor Day began, mine workers used to take a canary down into the mines. If the canary died from toxic gas or a lack of oxygen, the mine worker knew he had to immediately get out of the mine. He had no union in those days strong enough to protect him and no government in those days that cared enough to protect him.

In those days, a child born around that time in our country—100 or so years ago—had a life expectancy of 46, 47, 48 years. A child born today in our great country has a life expectancy about three decades longer than that. Much of that is not just high-tech medicine and chemotherapy and heart transplants, that kind of thing; most of the increased life expectancy in this country is about Medicare and Medicaid and Social Security and workers' compensation, protections for workers, a prohibition on child labor, safe drinking laws, clean air and pure food and drug laws—that kind of progress that has been made in this country that helps people live longer, happier, healthier lives.

Thanks to the workers' rights movement, employees today, especially, enjoy better wages, better working conditions, better protections against discrimination.

But as I travel around my State—I have held almost 120 community roundtables, inviting a cross section of 15, 20, 25 people, to listen to their concerns and to tell me of their dreams, and what we can do in my office, and to help them locally in their communities—it is clear our Nation's recent economic policies have not adequately benefited workers.

The American dream—the promise that if you work hard and play by the rules, your economic future will be bright—should be the rule, but too often it is the exception.

As I travel the State, I hear about widespread economic anxiety and a betrayed middle class. I hear from Ohioans worried about record high gas prices and food prices. I hear from people from Galion to Gallipolis worried about good-paying jobs continuing to move overseas. I hear people from Ashtabula to Lima worried about health insurance that costs more and covers less.

I hear from food bank administrators from Hocking County and from Lucas County struggling to keep up with demand, like Mike from the Warren County United Way, who estimates that some 90 percent of local food bank patrons are working people, many holding more than one job.

I hear from Ohioans who have, without complaint, dedicated their lives to hard work, only to see their financial security pulled out from under them, like Richard Wyers of Lorain in northern Ohio, a steelworker whose pension was slashed because his now-bankrupt employer had simply not set enough money aside for payouts to that pension.

The Government agency administering the defunct firm's assets has told Richard he cannot even keep the money he has already received. In all, he owes more than $50,000. It is not a mistake he made but a mistake they made. Unfortunately, Richard is not alone. Nearly 2,500 former employees of the same bankrupt steel company have been notified by the Pension Benefit Guaranty Corporation that they have received overpayments this year.

In other parts of the State, workers are facing more bad news. Bruce of Wilmington has worked for ABX—the air cargo provider for DHL—for 24 years. He is married with five children, two of whom are in college. So you can imagine Bruce's anger when, earlier this year, DHL announced it will pull its business from ABX and that more than 8,000 workers at Bruce's Wilmington Air Park will lose their jobs. Bruce is not looking for a Government handout. He wants to work so he can support his family and send his kids to college.

In Norwalk last week, 20 miles from where I grew up, in Mansfield, 500 employees were sent home from their jobs at Norwalk Furniture when executives had to halt operations. That is 500 more people who want to work but can't.

In Tiffin, more than 100 workers are looking for jobs after the American Standard plant there—a local institution for almost 125 years—closed its doors in December.

In Van Wert, auto workers such as Sarah Sargent have seen their lives turned upside down since management locked them out of their plant earlier this year. The reason for the lockout: Sarah and her 330 coworkers simply would not accept a substantial wage cut and a benefits freeze, so the company is contemplating a move to Mexico.

General Motors is closing its plant in Moraine, a decision that will cost 1,200 Ohioans their livelihoods.

This string of bad news in Ohio can be blamed in part on our current recession. But that misses the larger point. For the last 7 years, the labor force has worked harder than ever, leading to huge gains in productivity. Yet CEO salaries and bonuses, as we know, went through the roof, middle-class Americans' wages stagnated, and more families slipped below the poverty line.

While China manipulated its currency and ignored labor and environmental standards, corporations took the bait and abandoned American communities. And while hedge fund managers irresponsibly leveraged real estate holdings, millions of Americans lost their homes to foreclosure. In other words, while Wall Street enjoyed an inflated stock market and a so-called economic expansion, most Americans actually became worse off.

Despite these struggles wrought by 7 years of wrongheaded economic policies, American workers are standing strong and fighting for a better future. At my roundtables in Ohio, I still hear the hope and the determination that defines my State and defines this great Nation. I hear from community leaders and entrepreneurs with exciting plans for the future, such as George Ward of Kirtland, in northeast Ohio, the president of his local firefighters' union and a small business owner. George's grandfather was a coal miner and his father was a United Auto worker. It is this working class background that has motivated him to fight for expanded health care access—not just for his fellow firefighters but for his employees and their families.

He is, in his own words, ''trying to live the American Dream,'' ''trying to make a difference'' in his community.

I hear from loyal workers who take pride in their work and are valued by their employers, such as Richard Ade, a security guard in Cleveland, who, after more than 5 years of stagnant wages, worked with his employer and outside groups to ensure that he and his coworkers got the raises they deserved—which, ultimately, they did. Or there is the story I heard about four long-serving employees of Miba Bearings in McConnelsville. These four employees have been with the company for 55 years. They have worked everywhere in the plant: from the production line, to final inspection, to shipping. When I asked if they were still productive, the company's human capital manager answered with obvious pride: ''All of our employees are productive.''

We need a government that similarly values loyalty and work ethic. For too long, those in power have ignored hard-working Americans, have ignored the needs and dreams of the middle class, and have instead catered to the wealthiest Americans, and this is in a country where always in the past we rewarded work.

But it does not have to be that way. In Ohio, Governor Ted Strickland—elected 2 short years ago—already is doing great work to attract new business, to improve educational opportunities, and to revitalize the economy.

Here in Washington we can adopt measures right now—in honor of Labor Day—that would make a difference in working people's lives, like extending unemployment insurance. If Congress does not act before early October, 800,000 unemployed Americans will stop getting their much-needed checks, including 330,000 from high unemployment States such as Ohio. We must expand insurance for those vulnerable citizens.

We should make sick leave a right of employment, not a privilege. Employees should not have to choose between attending to their health and losing their job. We should pass the Employee Free Choice Act, which would allow more workers to bargain collectively. We know that means higher wages, better benefits, a stronger middle class, a more prosperous America.

We should provide tax credits for alternative energy investment, which would help wean us off foreign oil and create new green collar jobs. In my State, the Governor and I talk about making Ohio the ''Silicon Valley'' of alternative energy. We can do that with some help from the Federal Government. We can do what we need to do in our State.

Simply put, we need to celebrate Labor Day by turning our attention to revamping our economic policies and changing the direction of this country. The best way we can honor our Nation's workers is to set our Nation on that new path—a path that fights for middle-class families everywhere and strengthens our country.

Mr. President, I yield back.

Mr. DORGAN. Mr. President, we are on the Defense authorization bill, so I wanted to make a couple of comments, not about an amendment, but about two issues that I hope those at the Pentagon will take note of. Sometimes things don't change very quickly and sometimes they don't change at all with respect to the way things are done at the Pentagon.

When I came to Congress, I joined a military reform caucus to try to reform the way things are done at the Pentagon, but some folks there still believe there is an inexhaustible amount of money in pursuit of their desires. An example of that is the unmanned aerial vehicles, or UAVs—airplanes without pilots. It is a growing part of a number of services. But what is happening in both the Army and the Air Force is that both services are building and buying unmanned aerial vehicles in what I think are duplicative programs. One calls their airplane the Predator. The other calls it the Warrior. The folks over at the Pentagon can't determine who should be the executive agency that oversees the unmanned aerial vehicles. So you have two services doing essentially the same thing.

Who wants to fly at 12,000 or 20,000 feet above the battlefield with an unmanned aerial vehicle? Well, the Air Force does, but the Army would like to as well. So one builds a plane called the Predator and one builds a plane called the Warrior. They both have missions that appear to me to be duplicative. You have duplicate spending on research and development, duplicate spending on the airplanes themselves, duplicate spending on the missions inside the Pentagon. Who pays the cost? The American taxpayer. This is not new, but the competition inside the Pentagon shouldn't cause the American taxpayer to have to pay for inefficiency and duplication.

We have had discussions about this at hearings. It appears nothing is happening to describe what ought to happen. In this case it ought to be the Air Force who has the executive agency for UAVs. Former chief of the Air Force, Buzz Moseley, who I think was an extraordinary Air Force chief of staff, tried to resolve this and could not because he ran into the competition inside the Pentagon on this issue. My hope is the American taxpayer will not have to continue to pay for duplication of effort inside the Pentagon.

We all support this mission because it greatly helps our soldiers, but I don't support the kind of spending that unnecessarily duplicates efforts between the services. That certainly has been the case with respect to unmanned aerial vehicles.

I understand the Army wants to have—and should have—unmanned aerial vehicles above the battlefield at 1,000 feet to 2,000 feet. But if they are flying unmanned aerial vehicles at 12,000 and 20,000 feet with sensors, it seems to me that this is an Air Force mission. Yet we now have two branches of the service duplicating the effort and the American taxpayer pays the bill. I hope they will get this straight at the Pentagon so that we begin to avoid some of these duplicative costs.

One other issue I might mention is the issue of privatizing housing on our military bases. This started in the Clinton administration and continues through the Bush administration. The proposition is to take housing inside a military base that already exists and turn it over to a private contractor and say to the private contractor: We will give you this free of charge. You can own all of this housing. You sign a contract with us saying that you will maintain these houses for 50 years. Then we will pay soldiers a monthly housing allowance, they in turn will pay that to the private contractor, and everybody is happy.

The question is: What does this cost the American taxpayer? The military says: Well, it gets housing built more quickly because they will not only turn over existing housing stock free of charge to a contractor, but they will have the contractor build new housing and then fund it through the monthly housing allowances that soldiers hand over to the independent contractor.

It is interesting to me that we now have some foreign companies that own military housing on American military bases, and they get it by signing a contract saying we promise to maintain this housing for 50 years. Two of North Dakota's bases are now in a contract that presumably may get done next year.

I have raised a lot of questions about it because the way the Pentagon has calculated this, they say it is better for the Pentagon. What about the taxpayer? Is it better for the American taxpayer? How is it that we decide to turn over housing stock—much of which is almost brand-new—free of charge with a contract to a private company in exchange for a signature that they will maintain it for the next 50 years? It seems to me as though there are a lot of questions that have been unanswered, going back to the Clinton administration and through the Bush administration, that the American taxpayers ought to have answered. There ought to be a fundamental review of what is the total cost here, including depreciation taken by the private contractor and others. What is the total cost of this privatization of housing on our military bases? What is the total cost to the taxpayer?

I wanted to mention that in the context of the Defense authorization bill, because I think these are a couple of things that ought to be considered.

THE ECONOMY

Mr. President, the presentation the Presiding Officer just gave on the floor of the Senate reminded me that—I believe it was yesterday, or perhaps the day before—when it was announced that our trade deficit for the month was, I think, $62 billion, and nearly $25 billion of that was with the country of China. My colleague who just spoke is from Ohio. I was thinking about the continued growth of exports from China into our country, building up a very large trade deficit that we have with the rest of the world and especially with China. The State of Ohio has been especially hard hit. That is where they used to make Huffy bicycles and don't anymore because all of those Huffy bicycles are now made in China. All the Ohio workers were fired because they made $11 an hour plus benefits and that is way too much money, the company thought, to pay people working in a factory to make bicycles. So they all got fired. These bicycles are now made in China by people who work 12 hours a day, 7 days a week, for 30 cents, 40 cents an hour. By the way, I have described many times for my colleagues the last day of work with those Ohio workers after they were fired. On their last day of work they put a pair of shoes in the parking space where their car used to sit. So as they drove away, all that was left was a pair of shoes, and it was their plaintive way to say to that company: You can move our jobs to China, but you are not going to fill our shoes.

Many workers across this country are discovering the same fate. I have described—I won't today—but Fig Newton cookies. Apparently it costs too much to have people shovel fig paste in

New Jersey, so now when you buy them, you are buying Mexican food because it is made in Monterey, Mexico. Why? You can hire people for a whole lot less money in Mexico than you have to pay for workers in New Jersey. The list goes on and on and on. The unbelievable part of this is we actually, as a country—and this Congress, yes, provided a tax break to a company that says: I am going to fire my American workers and move the jobs overseas.

I have tried, I believe, four times on the floor of the Senate to offer amendments and get votes on amendments that would shut down the tax break for shipping jobs overseas. On each occasion, we have lost that vote. It is unbelievable to me. I mean, it is not as if I have colleagues who will stand up and say: Count me in for wanting to ship American jobs overseas, but that is exactly their position when they vote to continue tax incentives for companies who fire their American workers and go in search of 10-cent-an-hour labor. And yes, that exists. Yes, it exists, that workers in Ohio and elsewhere are told: If you can't compete with 12-year-olds who work 12 hours a day and get 12 cents an hour, tough luck, you are out of a job.

This country has not yet come to grips with the question of whether that is what we spent 100 years creating a competitive, international environment to compete with. Does that make sense, that we should ask American workers to compete with that standard? I don't think so. But I was reminded of it by my colleague from Ohio discussing what is happening.

Just this week, again, we see the unbelievable trade deficit for one single month, over $60 billion again, and that is money that has to be repaid. That is money that has to be repaid from our country and our taxpayers to a foreign government. It is one part of a whole series of things that reflect a very urgent situation for this economy.

You wake up this morning and you see another major investment bank is going to be sold. The prices for its stock have collapsed. You wake up last weekend and you hear the Treasury Secretary is preparing to take over, effectively, Freddie Mac and Fannie Mae. A couple of weeks ago, Bear Stearns goes belly up. The largest mortgage banks go belly up. We see the largest trade deficits in history, the largest budget deficits in history, and a fiscal policy that is completely off the rail. We have a Presidential campaign, and we wake up every single day and we see these unbelievable attacks: Lipstick on a pig. Who are you offending? It is unbelievable to me.

Ours is a country that I think is being threatened to lose its dominance in the world on critical issues, including trade, fiscal policy, energy, and a whole series of issues. Yet, somehow, if you want to speak seriously about policy, you get interrupted by a bunch of shysters who have decided that they want to hijack the political system to talk about irrelevancies. It is unbelievable to me.

I came from a forum that we are holding on energy. Energy is a very important issue, and it appears to me the tipping point was finally $4 a gallon for a gallon of gasoline. It ran up double in a year, from July to July. The price of oil and gas doubled in a year. There is no visible way for anyone to take a look at the numbers on supply and demand and say: Oh, that was justified. We understand why the price doubled in a year. That evidence doesn't exist, by the way. There is no one who can come to the floor of the Senate and say: Well, I know why the price of oil doubled in a year and the price of gasoline doubled in a year; because nothing happened in that year with respect to supply and demand that justified it.

What I think happened is what has happened in so many years of our Government. Regulators who are brain dead, flat out asleep like Rip Van Winkle, while everything is happening around them, decided we are not going to watch, so speculators took over the oil market and drove it straight up. Recently it has come back down because some of that same speculative money, just like a hurricane, came right back out of it.

It is not only in this area. It is in the subprime mortgage area. Regulators—again, completely brain dead—and I am sure they watched television in the morning, perhaps while they ate some Grape Nuts at the kitchen table, and they saw some advertisements by the mortgage bankers and others that said: Hey, have you been bankrupt? Do you have bad credit? You can't pay your bills? Come to us, we have a mortgage for you. We have all seen those ads over and over and over again. Guess what. Those ads were a reflection of what was going on in an industry, right under the noses of regulators who didn't seem to care, in which they built an unbelievable system of bad mortgages and paired them with some decent mortgages, slicing them up into securities. It is like when they used to pack sawdust into sausage and then sliced and diced them, and then, by the way, because they had this carnival going on, they securitize all of these mortgages, move them up the line into hedge funds all over the world, and then somebody decided one day: You know what? These are bad mortgages. We don't even know who has them. We don't know where they are in these securities.

Why were they bad mortgages? Well, because regulators didn't seem to care and there were advertised mortgages that said: If you have bad credit, come to us. By the way, here is the mortgage we will give you. We will give you a mortgage where you don't have to pay any principal for a long time; just pay interest only. You may not want that. We will give you a better mortgage than that. We will give you a mortgage where you don't have to pay any principal and you don't have to pay all of the interest. You can put the principal and some of the interest on the back side of your loan. In fact, if that doesn't satisfy you, to get a mortgage from us at a teaser rate where you don't have to pay any principal and you don't have to pay all of the interest, we have even a better deal for you. You can get what we call a no documentation loan. We won't require that you document income. Or, you can get a partial doc—no doc, partial doc—no interest, no principal. In fact, one company said: You know what? You don't have to pay any principal or any interest. We will make the first 12 payments for you.

Now, is it surprising that an industry that was built on a foundation of greed, by brokers making big fees, putting mortgages in the hands of people with teaser rates who could not possibly afford to make the payments 3 years later when the interest rates were reset—is it surprising that the tent collapsed when mortgages began to reset and people couldn't possibly afford to make the payments? We have people walking around here scratching their head in this town wondering what on Earth happened. Where were the smartest guys in the room on Wall Street? Where were the smartest guys in the room who were securitizing these securities and sending them up the road so everybody could make money on the way, understanding that even as they locked in these mortgages with no documentation, no principal payments, perhaps no interest payments, or at least only partial interest payments, the little key on the bottom of the contract was: Prepayment penalties. Sign this line and you can't get out of it. Then, when the interest rates reset to triple or quadruple what they were and you can't make the payment, we are sorry, you can't get out of it.

That is what allowed the big shots to price these mortgages with respect to their expectation of future income in the way they did. But is it a surprise that this whole thing collapsed? That is just one more example, and it has happened in energy with speculation and in virtually every area with regulators who decided they have no interest in regulating. Now we bear the cost of an economy that almost seems, to some, in free fall.

We have massive problems with a trade policy that doesn't work. It continues to ship jobs overseas and to load the American people with massive quantities of debt that must be repaid. We have a fiscal policy that the President says is only about $400 billion, $450 billion offtrack. But, of course, that is not true. He knows that.

The question is, How much do you have to borrow in the coming fiscal year? That is closer to $700 billion. So you have a total of over 10 percent of the country's GDP that represents red ink for this year alone, trade and fiscal policy debt. We can add to that the massive problem in energy. I will talk about that for a moment.

I have talked about speculation and the role of the speculators and of the regulators who didn't want to watch. Now we are having summit meetings and substantial angst about what we do to put this back on track. My interest is in doing a lot of everything. In my judgment, we should drill, and drill more. I have had a bill introduced for a year and a half that opens the eastern gulf to drilling. In fact, all the gangs and the folks who are talking about these things on the Senate floor don't want to open that. As you can see on this chart, this is water off of Cuba that will be leased. There are 500,000 barrels of oil a day in this water off Cuba that is being leased. The Canadians are leasing, Spain is leasing, and we cannot lease because our oil companies cannot do anything in this area because of the embargo against Cuba.

That is absolutely absurd. We ought to drill. We ought to conserve. We ought to take everything we use every day—appliances and lights—and we ought to make them all efficient. We are moving quickly in that area.

Finally, we have to move dramatically in the area of renewable energy. Every 15 years, it ought not be a surprise that we huff and puff and thumb our suspenders and bloviate about what we are going to do next, about where we are going to drill next. How about something that is game changing? How about we change it so in 15 years from now we are not saying the same things and that we are moving toward hydrogen fuel cell vehicles? Seventy percent of the oil we use is in our vehicles. It is a huge part of our consumption of oil.

To back up just a moment, we suck 85 million barrels a day out of this planet, and one-fourth of it is used in the United States. We have an appetite for one-fourth of the oil produced every day. Sixty-five percent of the oil comes from off of our shores, from Saudi Arabia, Kuwait, Venezuela, Iraq, and elsewhere. The fact is, we have to find a way to be less dependent upon foreign oil. We are always going to use oil and coal. We have to use it differently, in my judgment.

But the question for us is, what do we do that is truly game changing? How about hydrogen fuel cell vehicles, and before that perhaps electric drive vehicles. Hydrogen is everywhere. You can take energy from the wind and produce electricity and use electricity in the process of electrolysis and generate hydrogen from water and use hydrogen for vehicle fuel. You will get twice the effective power to wheel and put water vapor out of the tailpipe. Wouldn't that be wonderful?

We are not going to have game-changing strategies if every 15 years the next effort on energy is to figure out where we drill next. Let's drill next, but let's do something that makes us less dependent on the need for this oil, particularly oil coming from outside of our country.

It is, I expect, pretty depressing for the American people who have the miracle in our Constitution of every second year, every even-numbered year, being able to grab the American steering wheel and decide which way to nudge America.

All the power in this country is in the power of one—one person casting one vote on one day. It must be pretty disappointing to them to take a look at the quality of the debate in our political system at a time when the economy of this country is at risk, when there is so much to do and an urgent need to make strong, good decisions, and see the irrelevancy come out every single morning, particularly from one campaign. This country deserves much better.

I hope between now and this election we will begin to see the attack dogs that we saw at work in 2000 and 2004, which defined a new low in American politics. In 2004, one of our colleagues who earned three Purple Hearts in Vietnam, went to Vietnam and served his country, was defined by the attack dogs as someone who was less than patriotic. That was unbelievable. But that same effort is at work in this campaign. This country deserves a political system and campaigns that give them answers. Where would you take America? Where would you want to lead this country?

I must say we only have less than 2 months remaining, and the long-term future of this country depends on us making good, right decisions about energy, fiscal policy, health care, and education, and about so many different issues, including trade policy, which is the discussion I started with.

Mr. President, I started by speaking of Ohio and trade policy because my colleague, Senator BROWN from Ohio, has written a book about trade, and we talked a great bit about it. It is but one of a series of very serious challenges that he, I, and others should expect will be discussed in some detail in this campaign. So I hope in the next 60 days we will begin to see some of that.

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

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

Mr. WEBB. Mr. President, I ask the Chair what is the business of the Senate?

The ACTING PRESIDENT pro tempore. The Senate is considering S. 3001.

Mr. WEBB. Mr. President, I introduced an amendment earlier today to S. 3001. I would like to take some time to explain this amendment to the Senate. I ask unanimous consent to speak for 10 minutes.

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

Mr. WEBB. Mr. President, we are in an odd situation in the business of Government at the moment in that the international authority for the United States to be operating in Iraq will expire at the end of this year. The U.N. mandate, through the U.N. Security Council, expires at that time.

Since last November, the administration has been negotiating what they call the Strategic Framework Agreement that is intended to replace the international authority of the U.N. mandate. There have been two questions that have come up with respect to what the administration is doing. The first is the timeline.

There are indications from Iraq that the Iraqi Government negotiators have serious questions that weren't anticipated before. But the larger question is, what entity of the Federal Government has the authority to enter the United States into a long-term relationship with another government?

These are serious issues. I submit the conditions under which we will continue to operate in Iraq militarily, diplomatically, economically, and even culturally are not the sole business of any administration. We have questions about the legal justification under domestic and international law for the United States to operate militarily—and quasi-militarily, by the way—given the hundreds of thousands of independent contractors that are now essentially performing military functions in that country. There are questions about the process by which the U.S. Government decides upon and enters into long-term relations with another nation—any nation. In that regard, we have serious questions here about the very workings of our constitutional system of Government.

This administration has claimed repeatedly, since last November, that it has the right to negotiate and enter into an agreement that will set the future course of our relations with Iraq without the agreement or even the ratification of the U.S. Congress. The administration claims that the justification for this authority is the 2002 congressional authorization for the use of force in Iraq and, as a fallback position, the President's inherent authority, from the perspective of this administration, as Commander in Chief.

Both of these justifications are patently wrong. The 2002 congressional authorization to use force in Iraq has nothing to do with negotiation with a government, which replaced the Saddam Hussein government, as to the future relations culturally, economically, diplomatically, and militarily between our two countries. On the other hand, we are now faced with the reality that the U.N. mandate will expire at the end of this year, and that expiration will terminate the authority under international law for the United States to be operating in Iraq at a time when we have hundreds of thousands of Americans on the ground in that country.

I and other colleagues have been warning of this serious disconnect for

10 months. Many of us were trying to say last November that the intention of this administration was to proceed purely with an executive agreement to drag this out until the Congress was going to go out of session, as we are about to do, and then to present essentially a fait accompli in the sense that with the expiration of the international mandate from the United Nations at the end of the year, something would have to be done, and that something would be an executive agreement that, to this point, Congress has not even been allowed to examine.

We have not been able to see one word of this agreement. We tried to energize the Congress. We have met with all of the appropriate administration officials. There have been hearings. There have been assurances from the administration that they will consult at the appropriate time. We have not seen anything. So we are faced with this situation that is something of a constitutional coup d'etat by this administration. At risk is a further expansion of the powers of the Presidency, the result of which will be to affirm, in many minds, that the President—any President—no longer needs the approval of Congress to enter into long-term relations with another country, in effect, committing us to obligations that involve our national security, our economic well-being, our diplomatic posture around the world, without the direct involvement of the U.S. Congress.

That is not what the Constitution intended. It is not in the best interest of our country. This amendment, which I filed today, is designed to prevent this sort of imbalance from occurring and, at the same time, it recognizes the realities of the timelines that are now involved with respect to the loss of international authority for our presence in Iraq at the end of this year.

This amendment is a sense of the Congress. On the one hand, it is a sense of the Congress that we work with the United Nations to extend the U.N. mandate up to an additional year, giving us some additional international authority for being in Iraq, taking away the pressure of this timeline that could be used to justify an agreement that the Congress hasn't had the ability to examine, but also saying that an extension of the U.N. mandate would end at such time as a Strategic Framework Agreement and a Status of Forces Agreement between the United States and Iraq are mutually agreed upon.

The amendment also makes the point that the Strategic Framework Agreement now being negotiated between the United States and Iraq poses significant, long-term national security implications for this country. That would be the sense of the Congress. We need to be saying that; the Iraqis need to hear it.

The amendment also puts Congress and the administration on record to the reality that the Bush administration has fully agreed to consult with the Congress regarding all the details of the Strategic Framework Agreement and the Status of Forces Agreement and that there would be copies of the full text of these agreements provided to the chairman and ranking minority members of the appropriate committees in the House and the Senate prior to the entry into either of those agreements.

Importantly, it also says any Strategic Framework Agreement that has been mutually agreed upon by the negotiators from our executive branch and Iraqi Government officials will cease to have effect unless it is approved by the Congress within 180 days of the entry into force of that agreement.

On the one hand, this agreement recognizes the realities of where we are in terms of timelines, but on the other, it protects the constitutional processes by which we are entering into long-term relationships with other countries, whether it is Iraq or Cameroon or Burundi or pick a country. We need to preserve this process. It does it in a way which will not disrupt our operations in Iraq.

I urge my colleagues to join me on this amendment and protect the prerogatives of the Congress under the Constitution of the United States.

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

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

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, it is good that we are debating the Defense authorization bill. It is appropriate we are debating this bill at a time when certainly America's security is at risk.

As I indicated, we are debating the Defense authorization bill, which ensures America's military capabilities are strong and focused on the major threats to our great country.

We live in a dangerous and unpredictable world. It is a world where North Korea's leader has fallen ill. This illness could put a nuclear-armed regime at risk of implosion because there is no successor named or thought of, to our knowledge, in North Korea.

We live in a world where Latin American regimes throw out U.S. Ambassadors without notice, where an unchecked Russia can undermine young democracies from West to East.

I was recently in Bolivia. I had not too long ago been in Georgia. I met with part of their Government today a few feet from this Chamber. So we have to be concerned about an unchecked Russia.

Our dangerous world calls for leaders with sound judgment, not those with temperament prone to recklessness.

As we debate the Defense bill this week, we must consider the most important national security question facing the Nation today: Will we stick with the same failed, out-of-touch foreign policy of George Bush, DICK CHENEY, and JOHN MCCAIN, which military experts and historians call the worst foreign policy in our Nation's history or will we change course to a more tough, responsible foreign policy that will make us more secure?

The choice could not be more important, but the answer could not be clearer. Senator OBAMA and Senate Democrats stand for responsible change. We believe we must end the war in Iraq and bring the war on terror to where the terrorists actually live and where they plot. We know our focus must return to Osama bin Laden and his al-Qaida network in Afghanistan and Pakistan and wherever they might be.

This approach stands on the right side of the American people and the right side of history. According to recent press reports, even the Bush administration has begun to align its actions with this policy.

Take Pakistan, for example. For years, Senator OBAMA and Senate Democrats have been calling on the Bush administration to hunt down Osama bin Laden and the al-Qaida network, wherever they may be located. As it became clear that al-Qaida had made Pakistan the central focus of its operation, Democrats called on the President to make Pakistan a central focus of our war to defeat al-Qaida.

Here is what Senator OBAMA said last year:

> . . . Let me be clear. There are terrorists holed up in those mountains who murdered 3,000 Americans. They are plotting to strike again. . . .If we have actionable intelligence about high-value terrorist targets and [the Pakistani leadership] won't act, we will. I will not hesitate to use military force to take out terrorists who pose a direct threat to America.

While Senator OBAMA sounded the alarm about the al-Qaida threat in Pakistan and called for a forceful and comprehensive strategy to fight this threat, George Bush and JOHN MCCAIN chose, stunningly, to ignore it. The President kept the bulk of our ground troops and our special operations forces and our intelligence assets tied down in Iraq in a war that had nothing to do with Osama bin Laden and the terrorists who attacked.

Republicans, led by JOHN MCCAIN, attacked OBAMA's approach to forcefully go after al-Qaida in Pakistan. Senator MCCAIN even had the bad judgment on the campaign trail this past February to call the Obama approach naive.

Here we stand a year later. The al-Qaida threat in Pakistan has grown far more dangerous. The need for tough action, as Senator OBAMA called for last year, is even more urgent. BARACK OBAMA was right; George Bush, DICK CHENEY, and JOHN MCCAIN were wrong.

Then, yesterday, the newspapers reported that senior Bush administration officials had begun doing what OBAMA

called for a long time ago: go after al-Qaida safe havens in Pakistan, reportedly including military operations against terrorist camps. That is precisely the Obama approach MCCAIN called naive. But news reports indicate we are already starting to see results.

Given the known history of Bush-McCain foreign policy mistakes that we have all suffered through for the past 8 years, I have concerns and questions about the Bush administration's actions. It is one thing to take OBAMA's playbook, but it is another thing to call the right plays.

I think we should all ask tough questions and demand the White House explain their Pakistan strategy in greater detail to give us confidence that they will get the job done right.

The Bush administration's adoption of the Obama plan came months too late but, nevertheless, better late than never. The shift is not just limited to Pakistan. Across the globe, the Bush administration is quietly acknowledging that Senator OBAMA's vision has been right all along.

On Afghanistan, where for years Senator OBAMA and Senate Democrats have been demanding more resources and a new strategy, things are changing. Senator MCCAIN, on the other hand, said: ''Afghanistan is not in trouble because of our diversion to Iraq.''

Listen to that again. MCCAIN said: ''Afghanistan is not in trouble because of our diversions to Iraq.''

That is a direct quote.

After years of resisting, Republicans in recent weeks have been inching toward the Obama plan for reinforcing Afghanistan. On Iran, where Bush and MCCAIN criticized OBAMA's vision for tough and effective face-to-face diplomacy, even as they quietly agreed to face-to-face diplomacy and started sending State Department officials to negotiations with the Iranians. And on Iraq, where Bush has finally begun to slowly inch toward the Obama plan for holding the Iraqis more accountable by putting in place a timeline for change in the military mission and the redeployment of our troops. But, of course, not JOHN MCCAIN.

Our country deserves more than token shifts and lipservice to change. It will take decisive leadership to reverse 8 long years of tragic foreign policy mistakes. That is exactly what Senator OBAMA and Senate Democrats offer: real responsible change.

Senator MCCAIN and his supporters are dead set against changing the Bush administration's failed policies. They have no plan for ending conflict, no plan for securing our country, no plan for bringing our troops home.

Republicans talk a lot about experience. But when you are the author, architect, and enabler of 8 years of devastating foreign policy mistakes, that is not experience; it is very bad judgment.

In the coming days, as we wrap up debate on the Defense authorization bill, Senators on both sides of the aisle will have ample opportunity to make their positions known on these critical national security issues that will chart our course in the world for years to come.

It will also give the American people the opportunity to see who stands with failed policies of the past and who is ready to lead us to the change we need.

Senator LEVIN and Senator WARNER announced yesterday that today they would be happy to listen to what anyone had to say about amendments they wish to offer on this bill. The same applies to Monday. We need to move beyond where we are. There are some who want us to get virtually nothing done on this Defense authorization bill.

There are so many reasons why it is important we get this bill done. It would be the first time in five decades that this body has not passed a Defense authorization bill. This bill is loaded with provisions that are good for the security of our Nation, good for the maintenance of a military that is strong and vibrant, and make our troops happier—a 3.9-percent pay raise, among other items, they deserve and they need.

I have informed the two managers of the bill I think it is appropriate at this time that we file a cloture motion in an effort to bring this matter to a conclusion. We are going to have a vote on cloture on this most important bill sometime on Tuesday. I am going to work with the managers of the bill and Senator MCCONNELL to find out what their wishes are. But we must move on. It would be a shame if we do not pass this legislation.

Having said all that—and I could a say a lot more—one of the reasons we should pass this bill is because of Senator WARNER. I am sure the State of Virginia has had great legislators over the years. I don't know them all. I have served with a number of them. But I have to say that in my experience in Government, you don't run very often into somebody of the caliber of JOHN WARNER. The Commonwealth of Virginia has been so well served by this great American patriot, and he has devoted so much time—I was trying to come up in my mind on a percentage basis how much of his time has been spent on the defense duties he has.

Mr. WARNER. Thirty years.

Mr. REID. But the vast majority of his 30 years in the Senate, Mr. President, has been spent legislatively on securing the security of our Nation.

There will be other opportunities, I am confident, to express my admiration and respect and affection for JOHN WARNER, but I hope people on his side of the aisle appreciate him as much as we do. He is truly a wonderful legislator and human being. We need to get this bill done for him. Every Democrat will vote for cloture on this piece of legislation—there are 51 of us—and we need 9 Republicans to join with us so that we can finish this piece of legislation. I hope we can do that. It is the right thing to do, and I think it would be a real slap in the face to one of America's great legislators not to complete this legislation.

The PRESIDING OFFICER. The senior Senator from Virginia.

Mr. WARNER. Mr. President, I am deeply humbled by the comments of the distinguished leader and many other colleagues, but I am optimistic. Senator LEVIN and I—who have spent a good deal of time with Leader MCCONNELL this morning—believe there is a momentum on both sides to move to a conclusion. Senator LEVIN and I are going to talk to some particulars pretty soon, but I am pleased to say that I think our staffs are going to finish an agreement over this weekend on 60 amendments, just to give some idea of the magnitude of progress we have made thus far.

But I thank the distinguished leader for his personal remarks. We have had a long working relationship. We started together on a subcommittee in the Environment Committee years and years ago—20-some-odd years ago. That was the beginning of our long, marvelous friendship.

I thank the leader.

CLOTURE MOTION

Mr. REID. Mr. President, I send to the desk a cloture motion.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on S. 3001, the National Defense Authorization Act for Fiscal Year 2009.

Carl Levin, Patrick J. Leahy, Bernard Sanders, Robert P. Casey, Jr., Claire McCaskill, Sheldon Whitehouse, Benjamin L. Cardin, Robert Menendez, Bill Nelson, Charles E. Schumer, Richard Durbin, Thomas R. Carper, Patty Murray, Amy Klobuchar, Jon Tester, Jeff Bingaman, Harry Reid.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, first, let me thank the leader for his great support of this bill. I think the leadership on both sides really wants this bill to be adopted. We are going to have to move early next week to get it adopted if we are going to make it. We not only have other business to do in the Senate which is critical, but we have to get it to conference and get it back from conference and get a conference report voted on before we recess or adjourn. So we have a lot of work ahead of us.

But we are here. Senator WARNER and I and our staffs are here. We have met with a lot of Senators relative to their amendments. Our goal is the following: that on Monday, we enter into a unanimous consent agreement setting out what votes on what amendments would be held on Tuesday, both morning and afternoon. That is our goal.

We have spoken with many Senators about their amendments. As Senator WARNER just indicated, we hope to be able to clear perhaps 50 or 60 amendments, 15 or 20 of which are already cleared. That is our goal, to get our cleared amendments passed and to set up, in a unanimous consent proposal for Monday, the way in which we would vote on various amendments, with time agreements and whether there are 50 votes or 60 votes, and so forth, on Tuesday. That is our goal.

I would hope, for the reasons the majority leader just gave, that because this bill is so critically important to the men and women in the Army and to the security of this Nation—not just the Army but the men and women of our Armed Forces and to the security of this Nation—that we will get this bill passed. The only way we can get it passed is if sometime early next week we are able to pass it; otherwise, we cannot get the work done in conference and back here to the Senate and to the White House.

So I thank my good friend from Virginia. I think the comments of the majority leader are comments which should be shared by every single Member of this body relative to the capability and the leadership and the patriotism of Senator WARNER. It is always a pleasure to work with him. This may be one of our greatest challenges, but we have a long history of being able to work together on a bipartisan basis to address these kinds of challenges. He has led this committee. We have had many great members of the committee.

Staff is working very hard, and I am optimistic going into the weekend that we will be able to get that unanimous consent agreement worked out on Monday.

Mr. WARNER. Mr. President, I thank my colleague.

We are working on a draft UC for Monday, and I wish to point out that those amendments which have been brought to our attention requiring votes, we are going to try to achieve that prior to the invoking of cloture; am I not correct?

Mr. LEVIN. The Senator is correct.

Mr. WARNER. And we are trying to protect, on both sides, an equal number of Senators who have come to us and sought that protection.

Mr. LEVIN. The Senator is correct.

Mr. WARNER. I thank Senators DEMINT and COBURN for working with us last night on an important issue not only to the underlying question of how this body is going to handle certain desires of individual Senators to get funds to their States, but it is the preservation of the jurisdiction of the authorizing committee, of our authorizing committee as well as other authorizing committees in the Senate. So that is fundamental to the resolution of that problem, and I think we have made progress there.

Mr. LEVIN. We have. There is no more fundamental question to this institution than the role of our committees and this institution vis-a-vis the executive branch and whether we are going to have a robust power of the purse or whether that is going to be diminished in any way. I think we are making great progress in showing to our colleagues the implications of some of the proposals, and we are going to continue to make progress in that regard.

Mr. WARNER. Now, Mr. President, I would suggest the Senator should now move to morning business and get off this bill. We are cleared on this side.

MORNING BUSINESS

Mr. LEVIN. Mr. President, I ask unanimous consent that we move to morning business and that the first person recognized be Senator SANDERS, who is always very patient.

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

The Senator from Vermont.

Mr. SANDERS. Mr. President, I would just concur, if I might, with the fine words of Senator REID. I have not known Senator WARNER all that long, but clearly he is what a Senator should be. He is thoughtful, intelligent, and respectful of other points of view. While he and I may not agree on every issue, I have appreciated working with him, and I applaud him for his service to this country.

Mr. WARNER. I thank my colleague for his remarks.

Mr. SANDERS. Mr. President, I did want to say a word or two on the Defense authorization bill and to indicate that my staff has been working with the staff of Senators LEVIN and WARNER. I hope we can work out an agreement on an important amendment I have authored along with Senators FEINGOLD and WHITEHOUSE.

DEFENSE SPENDING

Mr. SANDERS. Mr. President, this country has a $9.7 trillion national debt. In addition, we obviously have enormous unmet infrastructure needs and social needs. Every American who drives on the road or goes over a bridge understands that we need to spend billions of dollars rebuilding our infrastructure. Forty-six million Americans have no health insurance. We have the highest rate of childhood poverty in the industrialized world. In other words, we as a nation have enormous needs, and it is incumbent upon the Congress to do everything we can to take a hard look at fraud, waste, and abuse in every agency of the U.S. Government, including the Defense Department.

I know many of my colleagues come down here and take a hard look at this issue. They take a hard look at that issue, but for some reason or another, looking at the Defense Department seems to be off their radar screen, and I think that is wrong. I think that is especially wrong given the fact that the budget we are looking at right now for the Defense Department is over $500 billion, excluding the money we spent in Iraq and Afghanistan, which is more than half of the discretionary budget of our country. So it seems to me that with regard to any of the agencies out there, we should be very active in taking a hard look at the waste, fraud, and abuse that takes place within the Defense authorization bill.

The amendment I am offering with Senators FEINGOLD and WHITEHOUSE is pretty simple and straightforward. Today, more than half of the spare parts in the Air Force warehouses—over $18 billion—are not needed. That is $18 billion in spare parts which are not needed. In fact, if you can believe it, the Air Force has on order $235 million in inventory already identified as ready for disposal. They are spending $235 million to bring inventory in which is going to go out because they do not need it. That may make sense to somebody, but it certainly does not make sense to me.

The truth is that this type of wasteful practice has gone on year after year, resulting in an enormous waste of taxpayer money, and it must be ended. Our amendment does three things: No. 1, it requires the Secretary of Defense to develop a comprehensive plan for improving the inventory system. No. 2, it requires the certification to Congress that the Army, Navy, Air Force, and Defense Logistics Agency have reduced their secondary inventory. No. 3, it fences off $100 million in inventory purchases until the Secretary of Defense makes required certifications.

Mr. President, I would remind the Members of the Senate of one of the most significant speeches ever given by a President of the United States, and that President was Dwight David Eisenhower, who, as all Americans should know, was a five-star general and the military commander of Europe during World War II. He was, in fact, one of the great heroes in the defeat of nazism. Eisenhower, who became President in 1952—though it is not widely known—was extremely vocal in taking on not only Democrats—he was a Republican—but Republicans as well in saying that every nickel we spent on excess and wasteful military spending—something which he knew something about as a former five-star general—was simply taking money away from the needs of the American people.

A few days before he left office in 1961, President Eisenhower gave one of the most prophetic speeches ever made from the White House, and here is what Eisenhower said:

> In the councils of Government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.

This is what Eisenhower said before he left office in 1961. He was talking then about the military industrial

complex. Well, let me tell you something. If he was worried about the military industrial complex and the influence they have in distorting national priorities in this country in 1961, I can only imagine what he would think about the power of the military industrial complex today.

So, Mr. President, clearly we want to have a very strong defense, clearly we want to make sure our soldiers have all of the equipment they need, but we have to take a hard look at the Defense Department, as we do at every other agency of Government, and I would hope very much that the amendment Senators FEINGOLD, WHITEHOUSE, and I have offered will, in fact, be accepted.

TRIBUTE TO HONOR FLIGHT

Mr. MCCONNELL. Mr. President, I would like to take a moment to recognize the fourth Honor Flight from Kentucky that took place this week. Honor Flight is a nonprofit organization which transports surviving World War II veterans from around the country to see their memorial free of charge. I have been privileged to have participated in previous flights from Kentucky, and I very much regret that my schedule prevented me from attending this one. I hope to have the opportunity to meet again soon with the inspiring veterans from my home state on future Honor Flight trips.

On Wednesday, Honor Flight's Bluegrass Chapter arrived in Washington with 38 World War II veterans from the Commonwealth to see the memorial which they inspired. These brave Americans also paid tribute to one of their fellow Kentuckians who gave his last full measure of devotion in March 1945. 2LT Howard Clifton Enoch, Jr., of Marion, Kentucky, paid the ultimate sacrifice while engaging with enemy aircraft over Germany.

Earlier this year, the Department of Defense honored its promise to account for every one of its men and women, and, more than 60 years later, the remains of Second Lieutenant Enoch were repatriated. He will find his final resting place among other American heroes at Arlington National Cemetery later this month. The son of Lieutenant Enoch, Mr. Howard Enoch III, traveled with the veterans from Kentucky to honor his father, who he never knew. I would like to convey my deepest appreciation to Mr. Enoch for his father's service and to his family for their sacrifice.

I also wish to express my tremendous gratitude to the 38 Kentucky veterans who were here on Wednesday for having served to protect our great Nation's principles from the enemies of freedom. The inscription on the western corner of their monument—a quote by President Harry S Truman—perhaps best puts into words those sentiments:

Our debt to the heroic men and valiant women in the service of our country can never be repaid. They have earned our undying gratitude. America will never forget their sacrifice.

Indeed, our Nation will never forget their bravery or their sacrifice as it lives on today in the men and women of our armed services who display the same honor and continue to defend the same principles.

I ask unanimous consent that the names of the 38 World War II veterans from the Commonwealth be printed in the RECORD.

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

IN MEMORY OF

Howard Clifton Enoch, Jr.

WORLD WAR II VETERANS

George Arflack; William Atkinson; Harold Ausmus; Ruben Avila; Fredrick Balke; John Beyer; Hubert Wessel; Lorell Roberts; James Smith; Harlan Barton; Raymond Bloemer, Sr.; John Blossom; Fred Bryan; Phillip Chapelle; Eugene Thurman; John Bruggensmith; Leslie Cohen; Clarence Crawford; James ''Art'' Cutliff.

Wayne Tabor; Herman Sasse; Charles Devers; Henry ''Don'' Donaldson; Matthew Flanagan; Robert Carrico; Robert Hall; Edward Jackey; Clyde Logsdon; Leonard O'Dell; Edward Oechsli; Bernard O'Hare; John O'Keefe; Blond Puckett; Leslie ''Dan'' Stickler; Charles Tribble; Ernest Spencer; Harold Phillips; Joseph Riney.

BUDGET SCOREKEEPING REPORTS

Mr. CONRAD. Mr. President, I rise to submit to the Senate the second set of budget scorekeeping reports for the 2009 budget resolution. The reports, which cover fiscal years 2008 and 2009, were prepared by the Congressional Budget Office pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act of 1974, as amended.

The reports show the effects of congressional action through September 8, 2008, and include legislation that was enacted since I filed my last reports in July. The new legislation includes: Public Law 110–275, the Medicare Improvements for Patients and Providers Act of 2008; Public Law 110–287, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003; Public Law 110–289, the Housing and Economic Recovery Act of 2008; and Public Law 110–315, the Higher Education Opportunity Act. The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 70, the 2009 budget resolution.

For 2008, the estimates show that current level spending is below the budget resolution by $5.2 billion for budget authority and $2.4 billion for outlays while current level revenues are above the budget resolution by $3 billion. For 2009, the estimates show that current level spending is below the budget resolution by $958 billion for budget authority and $591.1 billion for outlays while current level revenues are above the budget resolution level by $56.7 billion.

I ask unanimous consent that the letters and accompanying tables from CBO be printed in the RECORD.

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

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 11, 2008.

Hon. KENT CONRAD,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2008 budget and is current through September 8, 2008. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009, as approved by the Senate and the House of Representatives.

Pursuant to section 204(a) of S. Con. Res. 21, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes these amounts (see footnote 2 of Table 2 of the report).

Since my last letter, dated July 9, 2008, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2008:

Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275);

Housing and Economic Recovery Act of 2008 (Public Law 110–289); and

Higher Education Opportunity Act (Public Law 110–315).

Sincerely,

ROBERT A. SUNSHINE
(For Peter R. Orszag, Director).

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2008, AS OF SEPTEMBER 8, 2008

[In billions of dollars]

	Budget resolution [1]	Current level [2]	Current level over/under (−) resolution
ON-BUDGET			
Budget Authority	2,456.2	2,451.0	−5.2
Outlays	2,437.8	2,435.3	−2.4
Revenues	1,875.4	1,878.4	3.0
OFF-BUDGET			
Social Security Outlays [3]	463.7	463.7	0.0
Social Security Revenues	666.7	666.7	0.0

[1] S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009, assumed $108.1 billion in budget authority and $28.9 billion in outlays for overseas deployment and related activities. The Supplemental Appropriations Act, 2008 (P.L. 110–352) designated funding for these activities as an emergency requirement, pursuant to section 204(a) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008. Such emergency amounts are exempt from the enforcement of S. Con. Res. 70. Since current level totals exclude the emergency requirements enacted in P.L. 110–252 (see footnote 2 of table 2), budget authority and outlay totals specified in S. Con. Res. 70 have also been reduced for purposes of comparison.

[2] Current level is the estimated effect on revenue and spending of all legislation, excluding amounts designated as emergency requirements (see footnote 2 of table 2), that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations, even if the appropriations have not been made.

[3] Excludes administrative expenses of the Social Security Administration, which are off-budget, but are appropriated annually.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2008, AS OF SEPTEMBER 8, 2008

[In millions of dollars]

	Budget authority	Outlays	Revenues
Previously Enacted: [1]			
Revenues	n.a.	n.a.	1,879,400
Permanents and other spending legislation	1,441,010	1,394,887	n.a.
Appropriation legislation	1,604,649	1,635,118	n.a.
Offsetting receipts	−596,805	−596,805	n.a.
Total, Previously enacted	2,448,854	2,433,200	1,879,400
Enacted this session:			
Supplemental Appropriations Act, 2008 (P.L. 110–252) [2]	0	7	0
Medicare Improvements for Patients and Providers Act of 2008 (P.L. 110–275)	1,942	1,924	1
Housing and Economic Recovery Act of 2008 (P.L. 110–289) [2]	203	203	−968
Higher Education Opportunity Act (P.L. 110–315)	−10	0	0
	2,135	2,134	−967
Total Current Level [1,2]	2,450,989	2,435,334	1,878,433
Total Budget Resolution [4]	2,564,237	2,466,678	1,875,401
Adjustment to the budget resolution for emergency requirements [5]	−108,056	−28,901	n.a.
Adjusted Budget Resolution	2,456,181	2,437,777	1,875,401
Current Level Over Budget Resolution	n.a.	n.a.	3,032
Current Level Under Budget Resolution	5,192	2,443	n.a.

[1] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009: National Defense Authorization Act for Fiscal Year 2008 (P.L. 110–181), Economic Stimulus Act of 2008 (P.L. 110–185), Andean Trade Preference Extension Act of 2008 (P.L. 110–191), Ensuring Continued Access to Student Loans Act of 2008 (P.L. 110–227), Consolidated Natural Resources Act of 2008 (P.L. 110–229), Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act of 2008 (P.L. 110–232), Food, Conservation, and Energy Act of 2008 (P.L. 110–234), SAFETEA–LU Technical Corrections Act of 2008 (P.L. 116–244), and Heroes Earnings Assistance and Relief Act of 2008 (P.L. 110–245).

[2] Pursuant to section 204(a) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. The amounts so designated for Fiscal Year 2008, which are not included in the current level total, are as follows:

	Budget authority	Outlays	Revenues
Supplemental Appropriations Act, 2008 (P.L. 110–252)	115,808	35,350	n.a.
Housing and Economic Recovery Act of 2008 (P.L. 110–289)	4,106	187	n.a.
	119,914	35,537	n.a.

[3] For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level excludes these items.

[4] Periodically, the Senate Committee on the Budget revises the totals in S. Con. Res. 70, pursuant to various provisions of the resolution:

	Budget authority	Outlays	Revenues
Original Budget Resolution	2,563,262	2,465,711	1,875,392
Revisions:			
For the Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act of 2008 (SPR Act) (section 323(d))	−950	−950	0
For the Heroes Earnings Assistance and Relief Tax Act of 2008 (Heroes Act) (section 323(d))	0	0	8
For adjustment to debt service for the SPR and Heroes acts (section 323 (d))	−7	−7	0
For the Medicare Improvements for Patients and Providers Act of 2008 (sections 221(f) and 227)	1,942	1,924	1
For the Higher Education Opportunity Act (section 222)	−10	0	0
Revised Budget Resolution	2,564,237	2,466,678	1,875,401

[5] S. Con. Res. 70 assumed $108,056 million in budget authority and $28,901 million in outlays for overseas deployment and related activities. The Supplemental Appropriations Act, 2008 (P.L. 110–252) designated funding for these activities as an emergency requirement, pursuant to section 204(a) of S. Con. Res. 21. Such emergency amounts are exempt from the enforcement of S. Con. Res. 70. Since current level totals exclude the emergency requirements enacted in P.L. 110–252 (see footnote 2), budget authority and outlay totals specified in S. Con. Res. 70 have been reduced for purposes of comparison.

Source: Congressional Budget Office.

Note: n.a. = not applicable; P.L. = Public Law

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 11, 2008.

Hon. KENT CONRAD,
Chairman, Committee on the Budget, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2009 budget and is current through September 8, 2008. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009, as approved by the Senate and the House of Representatives.

Pursuant to section 204(a) of S. Con. Res. 21, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. As a result, the enclosed current level report excludes these amounts (see footnote 2 of Table 2 of the report).

Since my last letter, dated July 9, 2008, the Congress has cleared and the President has signed the following acts that affect budget authority, outlays, or revenues for fiscal year 2009:

Medicare Improvements for Patients and Providers Act of 2008 (Public Law 110–275);

A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003 (Public Law 110–287):

Housing and Economic Recovery Act of 2008 (Public Law 110–289); and

Higher Education Opportunity Act (Public Law 110–315).

Sincerely,

ROBERT A. SUNSHINE
(For Peter R. Orszag, Director).

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2009, AS OF SEPTEMBER 8, 2008

[In billions of dollars]

	Budget resolution[1]	Current level[2]	Current level over/under (−) resolution
ON-BUDGET			
Budget Authority	2,462.5	1,504.5	−958.0
Outlays	2,497.3	1,906.2	−591.1
Revenues	2,029.7	2,086.4	56.7

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2009, AS OF SEPTEMBER 8, 2008—Continued

[In billions of dollars]

	Budget resolution[1]	Current level[2]	Current level over/under (−) resolution
OFF-BUDGET			
Social Security Outlays [3]	493.6	493.6	0.0
Social Security Revenues	695.9	695.9	0.0

[1] S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009, assumed $70.0 billion in budget authority and $74.8 billion in outlays for overseas deployment and related activities. Additionally, S. Con. Res. 70 assumed $5.8 billion in budget authority and $1.2 billion in outlays for the Corps of Engineers. The Supplemental Appropriations Act, 2008 (P.L. 110–252) designated funding for these activities as an emergency requirement, pursuant to section 204(a) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008. Such emergency amounts are exempt from the enforcement of S. Con. Res. 70. Since current level totals exclude the emergency requirements enacted in P.L. 110–252 (see footnote 2 of table 2), budget authority and outlay totals specified in S. Con. Res. 70 have also been reduced for purposes of comparison.

[2] Current level is the estimated effect on revenue and spending of all legislation, excluding amounts designated as emergency requirements (see footnote 2 of table 2), that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations, even if the appropriations have not been made.

[3] Excludes administrative expenses of the Social Security Administration, which are off-budget, but are appropriated annually.

Source: Congressional Budget Office.

TABLE 2.—SUPPORTING DETAIL FOR THE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2009, AS OF SEPTEMBER 8, 2008

[In millions of dollars]

	Budget authority	Outlays	Revenues
Previously Enacted [1]:			
Revenues	n.a.	n.a.	2,097,399
Permanents and other spending legislation	1,440,235	1,392,509	n.a.
Appropriation legislation	0	471,616	n.a.
Offsetting receipts	−587,749	−587,749	n.a.
Total, Previously enacted	852,486	1,276,376	2,097,399

TABLE 2.—SUPPORTING DETAIL FOR THE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2009, AS OF SEPTEMBER 8, 2008—Continued

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted this session:			
Supplemental Appropriations Act, 2008 (P.L. 110–252) [2]	0	23	0
Medicare Improvements for Patients and Providers Act of 2008 (P.L. 110–275)	6,633	6,516	9
A joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003 (P.L. 110–287)	0	0	−2
Housing and Economic Recovery Act of 2008 (P.L. 110–289) [2]	24,966	24,715	−11,037
Higher Education Opportunity Act (P.L. 110–315)	−9	−114	0
Total, Enacted this session	31,590	31,140	−11,030
Entitlements and mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	620,449	598,715	0
Total Current Level [2,3]	1,504,525	1,906,231	2,086,369
Total Budget Resolution [4]	2,538,292	2,573,270	2,029,653
Adjustment to the budget resolution for emergency requirements [5]	−70,000	−74,809	n.a.
Adjustment to the budget resolution for emergency requirements [5]	−5,761	−1,152	n.a.
Adjusted Budget Resolution	2,462,531	2,497,309	2,029,653
Current Level Over Budget Resolution	n.a.	n.a.	56,716
Current Level Under Budget Resolution	958,006	591,078	n.a.

[1] Includes the following acts that affect budget authority, outlays, or revenues, and were cleared by the Congress during this session, but before the adoption of S. Con. Res. 70, the Concurrent Resolution on the Budget for Fiscal Year 2009: National Defense Authorization Act for Fiscal Year 2008 (P.L. 110–181), Economic Stimulus Act of 2008 (P.L. 110–185), Andean Trade Preference Extension Act of 2008 (P.L. 110–191), Ensuring Continued Access to Student Loans Act of 2008 (P.L. 110–227), Consolidated Natural Resources Act of 2008 (P.L. 110–229), Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act of 2008 (P.L. 110–232), Genetic Information Nondiscrimination Act of 2008 (P.L. 110–233), Food, Conservation, and Energy Act of 2008 (P.L. 110–234), SAFETEA–LU Technical Corrections Act of 2008 (P.L. 110–244), and Heroes Earning Assistance and Relief Act of 2008 (P.L. 110–245).

[2] Pursuant to section 204(a) of S. Con. Res. 21, the Concurrent Resolution on the Budget for Fiscal Year 2008, provisions designated as emergency requirements are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2009, which are not included in the current level total, are as follows:

	Budget authority	Outlays	Revenues
Supplemental Appropriations Act, 2008 (P.L. 110–252)	85,155	87,211	27
Housing and Economic Recovery Act of 2008 (P.L. 110–289)	7	928	n.a.
Total, Amounts designated as emergency	85,162	88,139	27

[3] For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level excludes these items.

[4] Periodically, the Senate Committee on the Budget revises the totals in S. Con. Res. 70, pursuant to various provisions of the resolution:

	Budget authority	Outlays	Revenues
Original Budget Resolution	2,530,703	2,565,903	2,029,612
Revisions:			
For the Strategic Petroleum Reserve Fill Suspension and Consumer Protection Act of 2008 (SPR Act) (section 323(d))	950	950	0
For the Heroes Earnings Assistance and Relief Tax Act of 2008 (Heroes Act) (section 323(d))	28	28	32
For adjustment to debt service for the SPR and Heroes acts (section 323(d))	−13	−13	0
For the Patients and Providers Act of 2008 (sections 221(f) and 227)	6,633	6,516	9
For the Higher Education Opportunity Act (section 222)	−9	−114	0
Revised Budget Resolution	2,538,292	2,573,270	2,029,653

[5] S. Con. Res. 70 assumed $70,000 million in budget authority and $74,809 million in outlays for overseas deployment and related activities. Additionally, S. Con. Res. 70 assumed $5,761 million in budget authority and $1,152 million in outlays for the Corps of Engineers. The Supplemental Appropriations Act, 2008 (P.L. 110–252) designated funding for these activities as an emergency requirement, pursuant to section 204(a) of S. Con. Res. 21. Such emergency amounts are exempt from the enforcement of S. Con. Res. 70. Since current level totals exclude the emergency requirements enacted in P.L. 110–252 (see footnote 2), budget authority and outlay totals specified in S. Con. Res. 70 have also been reduced for purposes of comparison.

Source: Congressional Budget Office.

Note: n.a. = not applicable; P.L. = Public Law.

HONORING OUR ARMED FORCES

STAFF SERGEANT KENNETH W. MAYNE

Mr. SALAZAR. Mr. President, it is with a heavy heart that I rise today to honor the life and heroic service of SSG Kenneth W. Mayne. Staff Sergeant Mayne, a member of the 4th Infantry Division, was killed in a neighborhood outside of Baghdad on September 4, 2008, when a roadside bomb struck his vehicle. He was 29 years old.

A graduate of Arvada West High School in Colorado, Staff Sergeant Mayne enlisted in the Army in 1997 at the age of 18. According to his mother, Michelle, he immediately took to the discipline and dedication to duty that defines the life of an American soldier. He chose to make service to country his career.

He was first deployed to Iraq in 2003 with the 101st Airborne, and spent a year there in support of Operation Iraqi Freedom.

Later, Staff Sergeant Mayne transferred to the 4th Infantry Division in Fort Hood, TX, because the division was scheduled to be moved to Fort Carson, CO, following its deployment to Iraq in March 2008. He loved Colorado and wanted to go home to be close to his family. Following his discharge, he intended to become a history teacher.

Those who knew Kenneth described him as brave, as dedicated to his men, and as possessing a great empathy for the children of Iraq. During his patrols in Sadr City, one of the poorest and most volatile neighborhoods in the country, Kenneth distributed toys, soccer balls, and coloring books to Iraqi children that his mother had sent from home. Concerned about their health, he worked with his men to get fresh water into local schools and to clean up sewage so that children had a clean place to play. He believed in the work he was doing because he could see the difference he was making in people's lives.

Ralph Waldo Emerson wrote that, ''to share often and much . . . to know even one life has breathed easier because you have lived. This is to have succeeded.''

For all the Iraqi children who are better off, for all the neighborhoods that are safer, for all those whose image of America has been transformed, Staff Sergeant Mayne has succeeded. Staff Sergeant Mayne embodied an America that reaches out to those in need, an America brimming with kindness and compassion, an America that ''shares often and much.''

For all this, and for his tireless service to his country, Sergeant Mayne has the eternal gratitude of his nation.

To Kenneth's mother Michelle, his father, his stepfather Dan, his sisters Christina and Jennifer, his brother Danny, and all his friends and family, I cannot imagine the sorrow you must be feeling. I hope that, in time, the pain of your loss is assuaged by your pride in Kenneth's service to his country and by your knowledge that his country will never forget him. We are humbled by his service and his sacrifice.

TAX POLICY

Mr. GRASSLEY. Mr. President, after I spoke about small business tax issues yesterday, Senators SANDERS and DURBIN responded. I would like to thank my friends from Vermont and Illinois for engaging in the important debate of the future of tax policy for our country last night. The upcoming congressional and Presidential elections will have a big impact on tax issues, so these issues should be debated here in the world's most deliberative body. In response to the comments of my friends from Vermont and Illinois, I would like to raise a few brief points.

First, the 2001 and 2003 tax relief bills were not and are not the ''Bush tax cuts.'' These bills were crafted in a bipartisan manner. In fact, one-fourth of the Democratic Caucus voted for the 2001 tax relief.

I will be discussing middle income tax relief in a separate speech shortly. However, there's no question the legislation criticized by my two friends improved the progressivity of the Tax Code and cut taxes for middle income

families. For a single mom with two children and $30,000 of income, the 2001 and 2003 tax relief has prevented a tax increase of $1,100 per year. Similarly, for a family of four with $50,000 of income, this tax relief has prevented them from facing a $2,300 yearly tax increase.

Indeed, both Senator OBAMA and Senator MCCAIN agree on keeping most of the structure of the legislation criticized by my friends from Vermont and Illinois.

Where Senators OBAMA and MCCAIN disagree is on whether we should keep the tax rates where they are. I would note that Senator OBAMA recently agreed that, because of concerns about the economy, we should leave the top rates where they are, at least for now.

I would encourage my friends to review the data I presented yesterday. That data clearly illustrates that there are negative effects on small business from raising marginal rates by 17 percent to 33 percent. The data show that the tax increases of Senator OBAMA's plan will take direct aim at small business owners. Senator OBAMA does now agree that we should defer his tax increases until 2011. Senator MCCAIN thinks the current levels of taxation are appropriate for both now and the future.

The bipartisan tax relief of 2001 and 2003, largely supported by Senators OBAMA and MCCAIN, kept revenues at or above historical averages for most of the period they were in effect. These policies were put in place during economic shocks, and the economy responded.

I would ask my friends why they disagree. Why should we raise taxes on small business now? I look forward to their response.

AMERICANS WITH DISABILITIES AMENDMENTS ACT OF 2008

Mr. ENZI. Mr. President, I rise today to voice my support for S. 3406, The Americans with Disabilities Amendments Act of 2008. Like the original ADA, this legislation is the result of extensive bipartisan effort; and I would take this opportunity to commend Senators Hatch and Harkin for their leadership on this issue. I would also note that this legislation was supported by a wide range of stakeholder groups in the employer and disability communities. These groups participated extensively in the development and negotiation of this legislation and it can safely be said that without their participation this bill would not be a reality today.

S. 3406 was principally crafted as a response to a number of Court cases that many observers felt had interpreted the ADA too narrowly, and, therefore, denied coverage to individuals that the statute was originally intended to cover. The legislation clarifies the legislative intent. It retains the inherently functional definition of disability from the original ADA; and continues to require that in order for a physical or mental impairment to rise to the level of a covered disability it must substantially limit one or more of an individual's major life activities.

Ensuring that individuals with disabilities are free from discrimination, and fostering their full inclusion in the workplace and in all other aspects of life are singularly important goals and responsibilities. It is also equally important to continually monitor our laws, and, as we do today, amend them, to make certain these goals and responsibilities are met.

Whenever changes are made in existing law, however, we must be mindful of the likelihood of increased litigation in the aftermath of such changes. The drafters of S. 3406 have attempted to be as clear as possible in an effort to avoid the type of confusion that could spawn such excessive litigation. That said, we are not unmindful of the concerns expressed by some smaller businesses in this regard. Those businesses should recognize that this legislation was intended to ensure restored coverage for individuals that all of us recognize are entitled to the law's protection; and that the legislation was not intended to promote litigation or prop up questionable or frivolous claims of coverage. Just as Congress has monitored the original ADA and acts today to correct problems with its interpretation, it will continue to monitor the amended ADA and take action in the event it is abused.

I would also note that there have been some concerns expressed by both institutions of higher education and boards of professional certification that this bill would somehow change the fundamental nature of the service which a covered entity provides or lower the standards for professional certification. As to the latter, it should be expressly noted that nothing in the legislation affects the standards for professional certifications; and, as to the former, the legislation itself does not require that accommodations be extended where to do so would alter the fundamental nature of the services being provided. These would seem to be fair safeguards against the legitimate concerns expressed by some stakeholders.

The legislation that we pass today will hopefully help to aid in the full integration of those with disabilities into all aspects of society. It is an important piece in the strategy for achieving this end, but we must remember it is only a piece and cannot be the only strategy. Despite the existence of the ADA the workforce participation levels for individuals with disabilities have remained unacceptably low. We therefore need to think of approaches beyond the traditional enforcement of rights statutes in an effort to achieve the goal of the full participation of all our citizens in the benefits of our society and economy.

FEDERAL AND STATE VETERANS HOMES PARTNERSHIP

Mr. GREGG. Mr. President, I rise today to express my thanks for the 250 hard-working men and women of the New Hampshire Veterans Home in Tilton, NH, and to join them, and the other State Veterans Homes across our Nation, in celebrating the 120 year partnership between the Federal Government and State Veterans Homes. Our Nation has a proud history of looking after its warriors even after the loud sounds of battle have been pacified.

Since 1890, the New Hampshire Veterans Home has served in this fine tradition by providing care and comfort for thousands of men and women who have sacrificed so much to preserve our freedom and protect our country and State. The commitment and outstanding contributions of past Commandants, members of the board of managers, staff, and many volunteers to the welfare of New Hampshire veterans is truly extraordinary. Today, the New Hampshire Veterans Home continues to improve and uphold its value by assuring access to affordable, professional, and quality nursing care in a community setting that cultivates learning, growth, and optimal quality of life.

I look forward to building upon the good relationship between our Nation's State Veterans Homes and the Federal Government and again join in celebrating this milestone of service to our Nation's heroes.

ADDITIONAL STATEMENTS

TRIBUTE TO MARGARET ''PEGGY'' SIMS

• Mrs. FEINSTEIN. Mr. President, I wish to take this opportunity to pay tribute to a longtime public servant who spent her career working hard to improve the quality of elections. Ms. Margaret Sims spent her entire career working for both of the agencies under the jurisdiction of the Rules Committee—the Federal Election Commission and the Election Assistance Commission. She passed away earlier this month after a long battle with cancer.

A resident of Burke, VA, Ms. Sims, known to her friends as ''Peggy'', was born in Schenectady, NY, and was a graduate of Wells College. She was an intern in the community services department at the AFL–CIO before starting her career at the FEC as an investigator. She also served as Director of Compliance and Election Administrative Research Specialist at that agency.

Long before the 2000 election and hanging chads, Ms. Sims was working hard with our Nation's election administration professionals to provide them with the best information available to help them do their job. While at the FEC, she assisted in developing voting systems standards and in the creation

of a guide and training tools to accompany the 1993 National Voter Registration Act. She was also part of the first U.S. delegation to the Trilateral Conference between Canada, Mexico and the United States held in Mexico City in 1994. This conference engaged the three countries in dialogue regarding their respective election processes so that each country might learn from the others.

She moved to the newly created U.S. Election Assistance Commission in 2004, where she assisted in guiding States in appropriate voting procedures and in training them how to report back to that agency. She provided guidance to the new EAC Commissioners and assisted them in developing a working knowledge of the election administration process. During the challenging implementation of the Help America Vote Act, hundreds of election officials relied on her assistance in getting the law right.

Because she worked in the field of elections, Ms. Sims was always nonpartisan. She proudly said that she would not even let her husband put a political bumper sticker on his car. Her emphasis on providing assistance in an impartial, unbiased way is a testament to her dedication. She did not care about who won or lost, she cared that the process was always fair.

She is survived by her husband and son, Dug and Jay Greevy, as well as her mother, two brothers, and a sister.

It is important to remember not only the life of Peggy Sims but also the impact of her work. She worked hard every day for civic leadership and better government. She rose above partisan labels. We honor her memory by recognizing her commitments to public service and to shaping better elections for our country.●

CENTRAL DECATUR COMMUNITY EDUCATION

● Mr. HARKIN. Mr. President, in Iowa and across the United States, a new school year has begun. As you know, Iowa public schools have an excellent reputation nationwide, and Iowa students' test scores are among the highest in the Nation.

I would like to take just a few minutes, today, to salute the dedicated teachers, administrators, and school board members in the Central Decatur Community School District, and to report on their participation in a unique federal partnership to repair and modernize school facilities.

This fall marks the 10th year of the Iowa Demonstration Construction Grant Program. That is its formal name, but it is better known among educators in Iowa as the program of Harkin grants for Iowa public schools. Since 1998, I have been fortunate to secure a total of $121 million for the State government in Iowa, which selects worthy school districts to receive these grants for a range of renovation and repair efforts—everything from updating fire-safety systems to building new schools or renovating existing facilities. In many cases, this Federal funding is used to leverage public and/or private local funding, so it often has a tremendous multiplier effect in a local school district.

The Central Decatur Community School District received two Harkin grants totaling $947,775 which it used to help build additions to two schools in Leon. The district built an addition to South Elementary which serves students in prekindergarten through third grade and also built the North Elementary addition to the high school. The school board is to be commended for thinking to the future by incorporating an energy efficient geothermal system at the North Elementary building. These schools are the modern, state-of-the-art facilities that befit the educational ambitions and excellence of this school district. Indeed, they are the kind of school facilities that every child deserves.

Excellent schools do not just pop up like mushrooms after a rain. They are the product of vision, leadership, persistence, and a tremendous amount of collaboration among local officials and concerned citizens. I salute the entire staff, administration, and governance in the Central Decatur Community School District. In particular, I would like to recognize the leadership of the board of education president Mike Frost, vice president Jack Parsons, Rose Saxton, Mike Stuck and Igor Takacs and former board members Nick Morrell, Gary Hayworth, Dave Smith, Brent Buckingham and Jim Lafleur. I would also like to recognize superintendent Tucker Lillis, former superintendent Steve Williams and key supporters of the bond referendum, Jerry Parsons, Gene Binning and Peg Erke.

As we mark the 10th anniversary of the Harkin school grant program in Iowa, I am obliged to point out that many thousands of school buildings and facilities across the United States are in dire need of renovation or replacement. In my State of Iowa alone, according to a recent study, some 79 percent of public schools need to be upgraded or repaired. The harsh reality is that the average age of school buildings in the United States is nearly 50 years.

Too often, our children visit ultramodern shopping malls and gleaming sports arenas on weekends, but during the week go to school in rundown or antiquated facilities. This sends exactly the wrong message to our young people about our priorities. We have got to do better.

That is why I am deeply grateful to the professionals and parents in the Central Decatur Community School District. There is no question that a quality public education for every child is a top priority in that community. I salute them, and wish them a very successful new school year.●

CLEAR LAKE COMMUNITY SCHOOL EDUCATION

● Mr. HARKIN. Mr. President, in Iowa and across the United States, a new school year has begun. As you know, Iowa public schools have an excellent reputation nationwide, and Iowa students' test scores are among the highest in the Nation.

I would like to take just a few minutes, today, to salute the dedicated teachers, administrators, and school board members in the Clear Lake Community School District, and to report on their participation in a unique Federal partnership to repair and modernize school facilities.

This fall marks the 10th year of the Iowa Demonstration Construction Grant Program. That is its formal name, but it is better known among educators in Iowa as the program of Harkin grants for Iowa public schools. Since 1998, I have been fortunate to secure a total of $121 million for the State government in Iowa, which selects worthy school districts to receive these grants for a range of renovation and repair efforts—everything from updating fire-safety systems to building new schools or renovating existing facilities. In many cases, this Federal funding is used to leverage public and/or private local funding, so it often has a tremendous multiplier effect in a local school district.

The Clear Lake Community School District received a 2002 Harkin grant totaling $1 million which it used to help build an addition to the high school to provide new classrooms for science, family and consumer science and art. This school is a modern, state-of-the-art facility that befits the educational ambitions and excellence of this school district. Indeed, it is the kind of school facility that every child in America deserves. The district also received fire safety grants totaling $127,481 to install new fire alarms and detectors in several schools in the district.

Excellent schools do not just pop up like mushrooms after a rain. They are the product of vision, leadership, persistence, and a tremendous amount of collaboration among local officials and concerned citizens. I salute the entire staff, administration, and governance in the Clear Lake Community School District. In particular, I would like to recognize the leadership of the board of education—Ron Andrews, Tom Lovell, Paul Stevenson, Sandy Christ and Deborah Betz and former board members Joel Secory, Michael Baker, Lynn Scribbins and Tammy Schwichtenberg. I would also like to recognize superintendent Dwight Pierson, former superintendent Dr. Michael Tegland, former high school principal John Chalstrom, facilities director Kelly McLaughlin, high school principal Jay Mathis, business manager Lorna Leerar and facilities coordinator for AEA 267 Bill Schutz.

As we mark the 10th anniversary of the Harkin school grant program in

Iowa, I am obliged to point out that many thousands of school buildings and facilities across the United States are in dire need of renovation or replacement. In my State of Iowa alone, according to a recent study, some 79 percent of public schools need to be upgraded or repaired. The harsh reality is that the average age of school buildings in the United States is nearly 50 years.

Too often, our children visit ultramodern shopping malls and gleaming sports arenas on weekends, but during the week go to school in rundown or antiquated facilities. This sends exactly the wrong message to our young people about our priorities. We have got to do better.

That is why I am deeply grateful to the professionals and parents in the Clear Lake Community School District. There is no question that a quality public education for every child is a top priority in that community. I salute them, and wish them a very successful new school year.●

COON RAPIDS-BAYARD COMMUNITY EDUCATION

● Mr. HARKIN. Mr. President, in Iowa and across the United States, a new school year has begun. As you know, Iowa public schools have an excellent reputation nationwide, and Iowa students' test scores are among the highest in the Nation.

I would like to take just a few minutes, today, to salute the dedicated teachers, administrators, and school board members in the Coon Rapids-Bayard Community School District, and to report on their participation in a unique Federal partnership to repair and modernize school facilities.

This fall marks the 10th year of the Iowa Demonstration Construction Grant Program. That is its formal name, but it is better known among educators in Iowa as the program of Harkin grants for Iowa public schools. Since 1998, I have been fortunate to secure a total of $121 million for the State government in Iowa, which selects worthy school districts to receive these grants for a range of renovation and repair efforts—everything from updating fire-safety systems to building new schools or renovating existing facilities. In many cases, this Federal funding is used to leverage public and/or private local funding, so it often has a tremendous multiplier effect in a local school district.

The Coon Rapids-Bayard Community School District received a 2002 Harkin Grant totaling $142,000 which it used to help build an addition to the middle/high school building and make improvements to Deal Elementary. The district also received two fire safety grants totaling $75,000 to install fire detection systems, upgrade electrical wiring and make other repairs throughout the district. The Federal grants have made it possible for the district to provide quality and safe schools for their students.

Excellent schools do not just pop up like mushrooms after a rain. They are the product of vision, leadership, persistence, and a tremendous amount of collaboration among local officials and concerned citizens. I salute the entire staff, administration, and governance in the Coon Rapids-Bayard Community School District. In particular, I would like to recognize the leadership of the board of education—Alan Schroeder, Mike Oswald, Jim Schwaller, Roger Tapps, Larry Nees, Pat McAlister, and Nancy Hagan and former board members Mark Thomas, Brian Kinnick and Dr. John Clayburg. I would also like to recognize superintendent Rich Stoffers, former superintendent Dennis Wentz, business manager Gail Hopkins and high school principal Shawn Zanders.

As we mark the 10th anniversary of the Harkin school grant program in Iowa, I am obliged to point out that many thousands of school buildings and facilities across the United States are in dire need of renovation or replacement. In my State of Iowa alone, according to a recent study, some 79 percent of public schools need to be upgraded or repaired. The harsh reality is that the average age of school buildings in the United States is nearly 50 years.

Too often, our children visit ultramodern shopping malls and gleaming sports arenas on weekends, but during the week go to school in rundown or antiquated facilities. This sends exactly the wrong message to our young people about our priorities. We have got to do better.

That is why I am deeply grateful to the professionals and parents in the Coon Rapids-Bayard Community School District. There is no question that a quality public education for every child is a top priority in that community. I salute them, and wish them a very successful new school year.●

DURANT COMMUNITY EDUCATION

● Mr. HARKIN. Mr. President, in Iowa and across the United States, a new school year has begun. As you know, Iowa public schools have an excellent reputation nationwide, and Iowa students' test scores are among the highest in the Nation.

I would like to take just a few minutes, today, to salute the dedicated teachers, administrators, and school board members in the Durant Community School District, and to report on their participation in a unique Federal partnership to repair and modernize school facilities.

This fall marks the tenth year of the Iowa Demonstration Construction Grant Program. That is its formal name, but it is better known among educators in Iowa as the program of Harkin grants for Iowa public schools. Since 1998, I have been fortunate to secure a total of $121 million for the State government in Iowa, which selects worthy school districts to receive these grants for a range of renovation and repair efforts—everything from updating fire-safety systems to building new schools or renovating existing facilities. In many cases, this federal funding is used to leverage public and/or private local funding, so it often has a tremendous multiplier effect in a local school district.

The Durant Community School District received a 1998 Harkin grant totaling $250,000 which it used to help build an addition to the elementary school for prekindergarten programs including Head Start and for the Cracker Box Center to provide before and after school programs for students in the district. The district also received two fire safety grants totaling $50,000. The Federal grants have made it possible for the district to provide quality and safe schools for their students.

Excellent schools do not just pop up like mushrooms after a rain. They are the product of vision, leadership, persistence, and a tremendous amount of collaboration among local officials and concerned citizens. I salute the entire staff, administration, and governance in the Durant Community School District. In particular, I would like to recognize the leadership of the board of education, president Richard Stoltenberg, vice president Sheila Compton, Brian Fargo, Steve Ralfs and Cheryl Telsrow and former board members Jane Lichtenstein, Pam Sissel, Gary Workman and Kenneth Huesman. I would also like to recognize superintendent Duane Bark, former superintendent James Wagner and elementary principal Rebecca Stineman.

As we mark the 10th anniversary of the Harkin school grant program in Iowa, I am obliged to point out that many thousands of school buildings and facilities across the United States are in dire need of renovation or replacement. In my State of Iowa alone, according to a recent study, some 79 percent of public schools need to be upgraded or repaired. The harsh reality is that the average age of school buildings in the United States is nearly 50 years.

Too often, our children visit ultramodern shopping malls and gleaming sports arenas on weekends, but during the week go to school in rundown or antiquated facilities. This sends exactly the wrong message to our young people about our priorities. We have got to do better.

That is why I am deeply grateful to the professionals and parents in the Durant Community School District. There is no question that a quality public education for every child is a top priority in that community. I salute them, and wish them a very successful new school year.●

VALLEY COMMUNITY EDUCATION

● Mr. HARKIN. Mr. President, in Iowa and across the United States, a new school year has begun. As you know,

Iowa public schools have an excellent reputation nationwide, and Iowa students' test scores are among the highest in the Nation.

I would like to take just a few minutes, today, to salute the dedicated teachers, administrators, and school board members in the Valley Community School District, and to report on their participation in a unique Federal partnership to repair and modernize school facilities.

This fall marks the 10th year of the Iowa Demonstration Construction Grant Program. That is its formal name, but it is better known among educators in Iowa as the program of Harkin grants for Iowa public schools. Since 1998, I have been fortunate to secure a total of $121 million for the State government in Iowa, which selects worthy school districts to receive these grants for a range of renovation and repair efforts—everything from updating fire-safety systems to building new schools or renovating existing facilities. In many cases, this Federal funding is used to leverage public and/or private local funding, so it often has a tremendous multiplier effect in a local school district.

The Valley Community School District received a 2002 Harkin grant totaling $812,000 which it used to help build an addition and make renovations to provide science labs and a computer lab. This school is a modern, state-of-the-art facility that befits the educational ambitions and excellence of this school district. Indeed, it is the kind of school facility that every child in America deserves. The district also received two fire safety grants totaling $75,000 to make safety improvements throughout the district.

Excellent schools do not just pop up like mushrooms after a rain. They are the product of vision, leadership, persistence, and a tremendous amount of collaboration among local officials and concerned citizens. I salute the entire staff, administration, and governance in the Valley Community School District. In particular, I'd like to recognize the leadership of the board of education—president Rick Klann, Dawn Daughton, Dr. DeWayne Frazier, Mark Howard, Mick Olson and former board members Gregg Kleppe, Allen Knox, Celeste Strong, and Lois Dummermuth. I would also like to recognize superintendent Cathleen Molumby, and the many volunteers and members of the School Improvement Advisory Committee.

As we mark the 10th anniversary of the Harkin school grant program in Iowa, I am obliged to point out that many thousands of school buildings and facilities across the United States are in dire need of renovation or replacement. In my State of Iowa alone, according to a recent study, some 79 percent of public schools need to be upgraded or repaired. The harsh reality is that the average age of school buildings in the United States is nearly 50 years.

Too often, our children visit ultramodern shopping malls and gleaming sports arenas on weekends, but during the week go to school in rundown or antiquated facilities. This sends exactly the wrong message to our young people about our priorities. We have got to do better.

That is why I am deeply grateful to the professionals and parents in the Valley Community School District. There is no question that a quality public education for every child is a top priority in that community. I salute them, and wish them a very successful new school year.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:57 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 6169. An act to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the ''Specialist Peter J. Navarro Post Office Building''.

H.R. 6513. An act to amend the Federal securities laws to enhance the effectiveness of the Securities and Exchange Commission's enforcement, corporation finance, trading and markets, investment management, and examination programs, and for other purposes.

H.R. 6608. An act to provide for the replacement of lost income for employees of the House of Representatives who are members of a Reserve component of the Armed Forces who are on active duty for a period of more than 30 days, and for other purposes.

H.R. 6832. An act to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 2009, to extend certain authorities of the Secretary of Veterans Affairs, and for other purposes.

ENROLLED BILL SIGNED

The President pro tempore (Mr. BYRD) announced that on September 11, 2008, he had signed the following enrolled bill, previously signed by the Speaker of the House:

H.R. 6532. An act to amend the Internal Revenue Code of 1986 to restore the Highway Trust Fund balance.

At 11:55 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 6475. An act to establish the Daniel Webster Congressional Clerkship Program.

MEASURES REFERRED

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

H.R. 6169. An act to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the ''Specialist Peter J. Navarro Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 6475. An act to establish the Daniel Webster Congressional Clerkship Program; to the Committee on Rules and Administration.

H.R. 6513. An act to amend the Federal securities laws to enhance the effectiveness of the Securities and Exchange Commission's enforcement, corporation finance, trading and markets, investment management, and examination programs, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 6832. An act to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 2009, to extend certain authorities of the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

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–7564. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; NOx, and SO2 Emissions Limitations for Fifteen Coal-Fired Electric Generating Units'' (FRL No. 8709–7) received on August 29, 2008; to the Committee on Environment and Public Works.

EC–7565. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Revised Transportation Conformity Consultation Process, and Approval of Related Revisions'' (FRL No. 8700–7) received on August 29, 2008; to the Committee on Environment and Public Works.

EC–7566. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bacillus subtilis GB03; Exemption from the Requirement of a Tolerance'' (FRL No. 8378–5) received on August 29, 2008; to the Committee on Environment and Public Works.

EC–7567. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Dichlobenil; Pesticide Tolerances'' (FRL No. 8377–7) received on August 29, 2008; to the Committee on Environment and Public Works.

EC–7568. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Fenbuconazole; Pesticide Tolerances'' (FRL No. 8376–4) received on August 29, 2008; to the Committee on Environment and Public Works.

EC–7569. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Antelope Valley Air Quality Management District'' (FRL No. 8701–4) received on August 29, 2008; to the Committee on Environment and Public Works.

EC–7570. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Acetic acid ethenyl ester, polymer with sodium 2-methyl-2-[(1-oxo-2-propen-1-yl) amino]-1-propanesulfonate (1:1), hydrolyzed; Tolerance Exemption'' (FRL No. 8380–1) received on September 9, 2008; to the Committee on Environment and Public Works.

EC–7571. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri'' (FRL No. 8713–8) received on September 9, 2008; to the Committee on Environment and Public Works.

EC–7572. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans Alabama: Volatile Organic Compounds and Open Burning'' (FRL No. 8714–7) received on September 9, 2008; to the Committee on Environment and Public Works.

EC–7573. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Florida; Removal of Gasoline Vapor Recovery from Southeast Florida Areas'' (FRL No. 8714–8) received on September 9, 2008; to the Committee on Environment and Public Works.

EC–7574. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Louisiana; Approval of Section 110(a)(1) Maintenance Plan for the 1997 8-Hour Ozone Standard for the New Orleans Ozone Maintenance Area'' (FRL No. 8713–6) received on September 9, 2008; to the Committee on Environment and Public Works.

EC–7575. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Amendments to the Control of Incinerators'' (FRL No. 8714–5) received on September 9, 2008; to the Committee on Environment and Public Works.

EC–7576. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Michigan; PSD Regulations'' (FRL No. 8714–1) received on September 9, 2008; to the Committee on Environment and Public Works.

EC–7577. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Bacillus thuringiensis Cry2Ae in Cotton; Temporary Exemption from the Requirement of a Tolerance'' (FRL No. 8380–1) received on September 9, 2008; to the Committee on Environment and Public Works.

EC–7578. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Benfluralin, Carbaryl, Diazinon, Dicrotophos, Fluometuron, Formetanate Hydrochloride, Glyphosate, Metolachlor, Napropamide, Norflurazon, Pyrazon, and Tau-Fluvalinate; Tolerance Actions'' (FRL No. 8379–3) received on September 9, 2008; to the Committee on Environment and Public Works.

EC–7579. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''NPDES Voluntary Permit Fee Incentive for Clean Water Act Section 106 Grants; Allotment Formula'' (FRL No. 8712–7) received on September 9, 2008; to the Committee on Environment and Public Works.

EC–7580. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Spiromesifen; Pesticide Tolerances'' (FRL No. 8379–8) received on September 9, 2008; to the Committee on Environment and Public Works.

EC–7581. A communication from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Control of Emissions from Nonroad Spark-Ignition Engines and Equipment'' (FRL No. 8712–8) received on September 9, 2008; to the Committee on Environment and Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BIDEN, from the Committee on Foreign Relations, without amendment:

S. 3097. A bill to amend the Vietnam Education Foundation Act of 2000 (Rept. No. 110–458).

By Mr. BIDEN, from the Committee on Foreign Relations, with amendments:

H.R. 2553. A bill to amend the State Department Basic Authorities Act of 1956 to provide for the establishment and maintenance of existing libraries and resource centers at United States diplomatic and consular missions to provide information about American culture, society, and history, and for other purposes (Rept. No. 110–459).

By Mr. LEAHY, from the Committee on the Judiciary, without amendment:

S. 2052. A bill to allow for certiorari review of certain cases denied relief or review by the United States Court of Appeals for the Armed Forces.

S. 3166. A bill to amend the Immigration and Nationality Act to impose criminal penalties on individuals who assist aliens who have engaged in genocide, torture, or extrajudicial killings to enter the United States.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. ENSIGN:

S. 3483. A bill to improve consumer access to passenger vehicle loss data held by insurers; to the Committee on Commerce, Science, and Transportation.

By Mr. SPECTER (for himself, Mr. HARKIN, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. WYDEN, and Mr. SMITH):

S. 3484. A bill to provide for a delay in the phase out of the hospice budget neutrality adjustment factor under title XVIII of the Social Security Act; to the Committee on Finance.

By Mr. HARKIN (for himself and Mr. LUGAR):

S. 3485. A bill to require manufacturers to increase the percentage of automobiles manufactured for sale within the United States that are capable of operating on higher-level blends of renewable fuels, such as ethanol and biodiesel, in combination with gasoline or diesel fuel; to the Committee on Commerce, Science, and Transportation.

By Mr. FEINGOLD:

S. 3486. A bill to establish the Commission on Measures of Household Economic Security to conduct a study and submit a report containing recommendations to establish and report economic statistics that reflect the economic status and well-being of American households; to the Committee on Homeland Security and Governmental Affairs.

By Mr. REID (for Mr. KENNEDY (for himself, Mr. HATCH, Mr. OBAMA, Mr. MCCAIN, Mr. DODD, Mr. COCHRAN, and Mrs. CLINTON)):

S. 3487. A bill to amend the National and Community Service Act of 1990 to expand and improve opportunities for service, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. NELSON of Nebraska (for himself and Mr. INHOFE):

S. Res. 657. A resolution designating September 13, 2008, as ''National Celiac Disease Awareness Day''; to the Committee on the Judiciary.

By Mr. NELSON of Nebraska:

S. Res. 658. A resolution expressing the sense of the Senate that the former chief executive officers of Fannie Mae should not receive lavish severance packages at taxpayer expense; to the Committee on Banking, Housing, and Urban Affairs.

ADDITIONAL COSPONSORS

S. 860

At the request of Mr. SMITH, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 860, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 935

At the request of Mr. SPECTER, his name was added as a cosponsor of S. 935, a bill to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1010

At the request of Mr. SMITH, the name of the Senator from Michigan

(Ms. STABENOW) was added as a cosponsor of S. 1010, a bill to amend the Internal Revenue Code of 1986 to encourage guaranteed lifetime income payments from annuities and similar payments of life insurance proceeds at dates later than death by excluding from income a portion of such payments.

S. 1556

At the request of Mr. SMITH, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 1556, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion from gross income for employer-provided health coverage to designated plan beneficiaries of employees, and for other purposes.

S. 1738

At the request of Mr. BIDEN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1738, a bill to establish a Special Counsel for Child Exploitation Prevention and Interdiction within the Office of the Deputy Attorney General, to improve the Internet Crimes Against Children Task Force, to increase resources for regional computer forensic labs, and to make other improvements to increase the ability of law enforcement agencies to investigate and prosecute predators.

S. 2618

At the request of Ms. KLOBUCHAR, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 2618, a bill to amend the Public Health Service Act to provide for research with respect to various forms of muscular dystrophy, including Becker, congenital, distal, Duchenne, Emery-Dreifuss Facioscapulohumeral, limb-girdle, myotonic, and oculopharyngeal muscular dystrophies.

S. 2919

At the request of Mr. STEVENS, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 2919, a bill to promote the accurate transmission of network traffic identification information.

S. 3197

At the request of Mr. DURBIN, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 3197, a bill to amend title 11, United States Code, to exempt for a limited period, from the application of the means-test presumption of abuse under chapter 7, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days.

S. 3353

At the request of Mr. CASEY, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 3353, a bill to provide temporary financial relief for rural school districts adversely impacted by the current energy crisis, and for other purposes.

S. 3380

At the request of Mrs. CLINTON, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 3380, a bill to promote increased public transportation use, to promote increased use of alternative fuels in providing public transportation, and for other purposes.

AMENDMENT NO. 5278

At the request of Mr. WYDEN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of amendment No. 5278 intended to be proposed to S. 3001, an original bill to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 5302

At the request of Mr. NELSON of Florida, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of amendment No. 5302 intended to be proposed to S. 3001, an original bill to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 5308

At the request of Mr. BAUCUS, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of amendment No. 5308 intended to be proposed to S. 3001, an original bill to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 5338

At the request of Mr. NELSON of Nebraska, his name was added as a cosponsor of amendment No. 5338 intended to be proposed to S. 3001, an original bill to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 5399

At the request of Mrs. CLINTON, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 5399 intended to be proposed to S. 3001, an original bill to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 5444

At the request of Mr. WARNER, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from Nebraska (Mr. HAGEL), the Senator from Vermont (Mr. SANDERS), the Senator from Maryland (Ms. MIKULSKI), the Senator from Illinois (Mr. DURBIN), the Senator from Illinois (Mr. OBAMA) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of amendment No. 5444 intended to be proposed to S. 3001, an original bill to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SPECTER (for himself, Mr. HARKIN, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. WYDEN, and Mr. SMITH):

S. 3484. A bill to provide for a delay in the phaseout of the hospice budget neutrality adjustment factor under title XVIII of the Social Security Act; to the Committee on Finance.

Mr. SPECTER. Mr. President, I have sought recognition today to introduce the Medicare Hospice Protection Act, which will place a one-year moratorium on a final rule issued by the Centers for Medicare and Medicaid Services, CMS, reducing payments to hospice providers and ensure Medicare beneficiaries' access to hospice care.

More than 1.3 million Americans depend on hospice for high quality and compassionate end-of-life care each year. Unfortunately, on August 1, 2008, CMS issued a final rule to reduce hospice reimbursement rates in Medicare. This reduction of the hospice wage index will take $2.3 billion out of hospice care over the next 5 years if this Congress allows it to be implemented as scheduled on October 1, 2008.

The Medicare Payment Advisory Commission, MedPAC, is currently examining the payment system for hospice care. We must allow the MedPAC to complete this important review of the hospice Medicare benefit and make payment recommendations, which is expected in 2009. The Hospice Protection Act, introduced by myself and Senators HARKIN, WYDEN, ROBERTS, ROCKEFELLER and SMITH, will provide that time with a one-year moratorium on implementation.

Hospice is an efficient and cost-effective health care model. Hospice provides individuals at the end of their lives, as well as their families, with comfort and compassion when they are needed most. Hospice care enables a person to retain his or her dignity and maintain quality of life during the end of life. An independent Duke University study in 2007 showed that patients receiving hospice care cost the Medicare program about $2,300 less than

those who did not, resulting in an annual savings of more than $2 billion.

In April 28, 2008, just before the Notice of Proposed Rule Making was released, a bipartisan group of more than 40 Senators wrote to Secretary Leavitt and asked him to stop further action and wait for MedPAC recommendations on hospice payment issues. On July 28, 2008, before the final rule was released, Senators HARKIN, WYDEN, ROBERTS and I wrote to the White House, to urge them to stop the regulation from being finalized and to consider the burden that this regulation will put on the hospice community.

Our repeated requests have been ignored, so we are introducing this legislation to keep CMS from implementing a short-sighted and irresponsible cut to end-of-life care. I ask my fellow Senators to join me in support of the Hospice Protection Act and to work toward its swift passage.

By Mr. HARKIN (for himself and Mr. LUGAR):

S. 3485. A bill to require manufacturers to increase the percentage of automobiles manufactured for sale within the United States that are capable of operating on higher-level blends of renewable fuels, such as ethanol and biodiesel, in combination with gasoline or diesel fuel; to the Committee on Commerce, Science, and Transportation.

Mr. HARKIN. Mr. President, our national energy situation is continuing to deteriorate. Petroleum and gasoline prices have set all time records, and our oil imports are responsible for an incredibly large wealth transfer from America to global oil producers. Our most immediate and visible energy challenges are adequate supplies and record prices for fuels in our transportation sector, but natural gas and coal prices also have risen to new plateaus, and these are impacting both electricity prices and manufacturing and delivery costs across our economy and society. We have yet to tackle the problem of reducing greenhouse gas emissions, the large majority of which result from the combustion of fossil fuels. The environmental impacts of energy use, especially from autos and power plants, are still a major health concern. In short, we need to initiate a major transition of our energy sector, to one that is far more efficient, is much less reliant on fossil fuels and imported oil, and is utilizing vastly more domestically produced renewable fuels and energy.

Americans recognize the magnitude and the urgency of our energy challenges. They rightfully expect us to adopt policies to move this energy transition forward. In particular, we need to reduce dependence on oil in transportation, and we have broad agreement on two fundamental approaches—increasing efficiency of vehicles and increasing use of alternative fuels. However, in expanding the use of alternative fuels, we face the challenge of needing both alternative fueling stations and vehicles that can use these fuels. The Energy Independence and Security Act of 2007 calls for a brisk expansion of the production and use of biofuels, and it promotes the expansion of the ethanol distribution and sales infrastructure. In parallel, we need to rapidly expand the number of dual fuel automobiles, including in particular autos that can be fueled with any blend of gasoline and ethanol ranging from zero to 85 percent ethanol.

Today I am joined by my esteemed colleague, Senator LUGAR of Indiana, in introducing the Dual fuel Automobile Act of 2008. This bill will expand the number of dual fuel automobiles at a rapid pace while not imposing undue production cost challenges or our auto manufacturers. It calls for 50 percent of all light-duty vehicles manufactured for sale in the United States to be dual fuel automobiles by 2011. It increases that to 90 percent of all light-duty vehicles manufactured for U.S. sales by 2013. These requirements are reasonable because it is known that gasoline vehicles require relatively minor changes in fuel system designs to be able to use blends of gasoline and ethanol which qualify them for dual fuel designation.

This mandate will ensure that the number of dual fuel automobiles in our transportation fleet is expanding apace with the expansion of ethanol production and use in our national fuel supply over the next 15 years and beyond. Taken together, our increasing production of biofuels, our incentives for installation of alternative fuel infrastructure, light-duty vehicle requirement will provide Americans the option of choosing clean, domestically-produced fuels for their personal transportation needs in the future. This represents a critical component in the transition of our energy systems away from fossil and imported fuels toward reliance on sustainable domestic fuel sources.

Today I urge my Senate colleagues to join us in taking action to boost the transition to a cleaner, more resilient, and more secure energy economy. I request support for this bill and its rapid enactment.

Mr. President, I ask unanimous consent that 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. 3485

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

SECTION 1. ENSURING THE AVAILABILITY OF DUAL FUELED AUTOMOBILES.

(a) IN GENERAL.—Chapter 329 of title 49, United States Code, is amended by inserting after section 32902 the following:

"§ 32902A. Requirement to manufacture dual fueled automobiles

''(a) IN GENERAL.—For each model year listed in the following table, each manufacturer shall ensure that the percentage of automobiles manufactured by the manufacturer for sale in the United States that are dual fueled automobiles is not less than the percentage set forth for that model year in the following table:

''Model Year	Percentage
model years 2011 and 2012	50 percent
model year 2013 and each subsequent model year.	90 percent

''(b) EXCEPTION.—Subsection (a) shall not apply to automobiles that operate only on electricity.''.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 329 of title 49, United States Code, is amended by inserting after the item relating to section 32902 the following:

''32902A. Requirement to manufacture dual fueled automobiles.''.

(c) RULEMAKING.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Transportation shall prescribe regulations to carry out the amendments made by this Act.

Mr. LUGAR. Mr. President, A few days ago I returned from a two week engagement abroad which included stops at Azerbaijan's oil and natural gas rich Caspian Sea coast, through Georgia, Turkey, Romania, Ukraine, Germany, and finally to Brussels, Belgium.

While my visit was planned well in advance of the conflict between Georgia and Russia, recent events have amplified the importance of energy as a strategic priority in capitals across this region. States dependent on Russian gas to fuel their economies and ways of life understand that turning off the tap may be as effective a weapon as the tanks and armies that rolled across Georgia. For example, the Russian suspension of gas supplies to Ukraine 2 years ago spurred significant discussion of energy security amongst European friends. Yet only modest changes in planning and preparation have occurred. Meanwhile, Russia has aggressively sought to increase its dominance over energy supplies.

In the U.S. we are largely dependent on foreign governments for our transportation energy needs, which leaves our own security and prosperity in jeopardy. Accordingly, we must attain genuine energy security with supplies sufficient enough to grow our economy and insulate us from foreign manipulation. We are fortunate to have the means to bolster both renewable and conventional energy sources.

Realizing this potential will take leadership and vision. Renewable energy offers the greatest hope to wed our energy security needs with economic growth and environmental stewardship. However, one of the major impediments to expanding renewable energy, such as biofuels, is a lack of appropriate infrastructure. Currently our automobile fleet is largely built to run on petroleum based gasoline and up to 10 percent ethanol blends. This means that even though ethanol makes up a relatively small portion of our fuel source, greater production from the next generation biofuels, such as cellulosic ethanol, will be severely hampered, if not prevented.

This is why I join Senator HARKIN of Iowa in introducing the Dual Fuel Automobile Act of 2008. This bill calls for 50 percent of all automobiles manufactured for sale in the U.S. to be dual fuel automobiles by 2011, meaning that the purchaser of the vehicle would have a choice in which fuel they choose to power their vehicle. It would increase to 90 percent of all automobiles manufactured for U.S. sales by 2013. Relatively minor and inexpensive changes in fuel system designs allow blends of gasoline and ethanol to be used dependent on the consumer's choice each time they fill up.

By Mr. FEINGOLD:

S. 3486. A bill to establish the Commission on Measures of Household Economic Security to conduct a study and submit a report containing recommendations to establish and report economic statistics that reflect the economic status and well-being of American households; to the Committee on Homeland Security and Governmental Affairs.

Mr. FEINGOLD. Mr. President, our Government agencies collect and report a range of economic information but much of what we see or hear is most suited to describing the general state of the country's economy. This information does not reflect what is happening in and what matters most to our families and the quality of our lives. For example, our national unemployment figures don't tell us that those who are employed may not have benefits, or that they are working two or three jobs to earn the income that they report, or that their mortgage debt and college loans are jeopardizing their ability to repay their credit card debt or their medical bills. By knowing and reporting this kind of information we can not only more accurately reflect what our families are experiencing economically, we can better inform policymakers about what matters most to people and the steps that need to be taken to address household economic needs and concerns.

To address this need I am introducing the Commission on Measures of Household Economic Security Act of 2008. The bill would establish a bipartisan congressional commission of 8 economic experts to look at existing government economic data and identify the possible need for new information, more accurate methodologies and better ways to report these economic measures to give a more accurate and reliable picture of the economic well being of American households. As part of their effort, the Commission will be asked to meet with representative groups of the public so that their views are taken into account in the Commission's recommendations.

In doing this, the Commission will look at such things as the current debt situation of American individuals and households, including categories of debt such as credit card debt, education related loans and mortgage payments; the movement Americans between salaried jobs with benefits to single or multiple wage jobs with limited or no benefits with a comparison of income to include the value of benefits programs such as health insurance and retirement plans; the percentage of Americans who are covered by both employer-provided and individual health care plans and the extent of coverage per dollar paid by both employers and employees; the savings rate, including both standard savings plans and pension plans; the disparity in income distribution over time and between different demographic and geographic groups; and the breakdown of household expenditures between such categories as food, shelter, medical expenses, debt servicing, and energy.

In addition, the Commission will consider the relevance of certain non-market activities, like household production, education, and volunteer services that affect the economic well being of households but are not measured or valued in currently reported economic statistics. As Robert F. Kennedy has famously said, some of our economic indicators measure ''everything in short, except that which makes life worthwhile.'' We need to make an effort to value more than just our gross domestic product and sales receipts. We need to better measure and understand what matters to American households.

This effort to improve how we measure what matters in our economy is very much in the Wisconsin tradition of accountable good Government. It was Senator Robert LaFollette, Jr. who, in 1932, introduced a resolution requiring the U.S. Government to establish a more scientific, specific and accurate set of measures of the health of the U.S. economy. From his request, Simon Kuznets, a University of Pennsylvania economics professor, developed the first set of national accounts which form the basis for today's measure of GDP and other economic indicators. Kuznets won the 1971 Nobel Prize in Economics ''for his empirically founded interpretation of economic growth which has led to new and deepened insight into the economic and social structure and process of development.'' His work was the basis for much of the New Deal reform policies. Yet Kuznets specifically acknowledged that his measures were incomplete and did not go far enough to measure what may really matter. In his 1934 report to the Senate on his compilation of statistics associated with Gross National Product he concluded: ''The welfare of a nation can . . . scarcely be inferred from a measurement of national income as [so] defined . . . .'' This bill is intended to advance these earlier efforts to make our economic statistical measures more reflective of the welfare of our families and our nation.

The cost of this commission will be fully covered by amounts already authorized and appropriated to the Bureau of Labor Statistics. I urge my colleagues to support my legislation

By Mr. REID (for Mr. KENNEDY (for himself, Mr. HATCH, Mr. OBAMA, Mr. MCCAIN, Mr. DODD, Mr. COCHRAN, and Mrs. CLINTON)):

S. 3487. A bill to amend the National and Community Service Act of 1990 to expand and improve opportunities for service, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. 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 placed in the RECORD, as follows:

S. 3487

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Serve America Act''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
TITLE I—NATIONAL SERVICE
Subtitle A—Service-Learning
Sec. 111. Youth engagement zones to strengthen communities.
Sec. 112. Campus of Service.
Sec. 113. Service-learning impact study.
Subtitle B—Supporting Social Innovation and Entrepreneurship
Sec. 121. Innovation and entrepreneurship.
Subtitle C—ServeAmerica Corps
Sec. 131. Corps.
Subtitle D—Civic Health Index
Sec. 141. Index.
Subtitle E—ServeAmerica and Encore Fellowships
Sec. 151. ServeAmerica and Encore Fellowships.
Subtitle F—Volunteer Generation Fund; National Service Reserve Corps; Call to Service Campaign
Sec. 161. Statement of purposes.
Sec. 162. Establishment of Volunteer Generation Fund.
Sec. 163. National Service Reserve Corps.
Sec. 164. Call To Service campaign.
Subtitle G—Conforming Amendments
Sec. 171. Conforming amendments.
TITLE II—VOLUNTEERS FOR PROSPERITY PROGRAM
Sec. 201. Findings.
Sec. 202. Definitions.
Sec. 203. Office of Volunteers for Prosperity.
Sec. 204. Authorization of appropriations.

TITLE I—NATIONAL SERVICE

Subtitle A—Service-Learning

SEC. 111. YOUTH ENGAGEMENT ZONES TO STRENGTHEN COMMUNITIES.

(a) FINDINGS.—Congress finds the following:

(1) Engaging in service-learning and community service activities at a young age makes individuals more likely to continue to volunteer and engage in service throughout their lives.

(2) High-quality service-learning programs keep students engaged in school and increase the likelihood that they will graduate.

(3) Since its creation, the Learn and Serve America program has allowed over 15,000,000 students to take part in service-learning activities to improve their communities and schools.

(4) Most schools do not offer service-learning activities, but many students, particularly students at risk of dropping out, express an interest in service-learning.

(b) PURPOSES.—The purposes of this section are—

(1) to provide increased high-quality service-learning opportunities for in-school and out-of-school youth in high-need, low-income communities as a strategy to retain and re-engage youth likely to drop out and youth who have dropped out;

(2) to encourage more individuals to engage in lifetimes of service by teaching young people the value of service early in their lives; and

(3) to establish youth engagement zones with the goal of involving all secondary school students served by a local educational agency in service-learning to solve a specific community challenge, through a program that can serve as a model for other communities.

(c) GENERAL AUTHORITY.—Part I of subtitle B of title I of the National and Community Service Act of 1990 (42 U.S.C. 12521 et seq.) is amended—

(1) by redesignating subparts B and C as subparts C and D, respectively;

(2) by redesignating sections 115, 115A, 116, 116A, and 116B as sections 114A through 114E, respectively; and

(3) by inserting after subpart A the following:

"Subpart B—Youth Engagement Zones to Strengthen Communities

"SEC. 115. GRANT PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) COLLEGE-GOING RATE.—The term 'college-going rate' means the percentage of high school graduates who enroll in an institution of higher education in the school year immediately following graduation from high school.

''(2) GRADUATION RATE.—The term 'graduation rate' means the graduation rate for public secondary school students, as defined in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)).

''(3) LOW-INCOME STUDENT.—The term 'low-income student' means a student who is eligible to be counted under one of the measures of poverty described in section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(5)).

''(4) OUT-OF-SCHOOL YOUTH.—The term 'out-of-school youth' means youth of an appropriate age to attend secondary school who are not currently enrolled in secondary schools.

''(5) YOUTH ENGAGEMENT ZONE.—The term 'youth engagement zone' means the area in which a youth engagement zone program is carried out.

''(6) YOUTH ENGAGEMENT ZONE PROGRAM.—The term 'youth engagement zone program' means a service-learning program in which members of a partnership described in subsection (c) collaborate to provide coordinated school-based or community-based service-learning opportunities, to address a specific community challenge, for secondary school students served by the local educational agency involved as described in subsection (d)(2)(B), and for an increasing percentage of out-of-school youth, over 5 years.

''(b) GENERAL AUTHORITY AND AVAILABILITY OF FUNDS.—

''(1) GENERAL AUTHORITY.—Subject to paragraph (3), the Corporation may make grants, on a competitive basis, to eligible partnerships to enable the partnerships to establish and carry out, in youth engagement zones, youth engagement zone programs with secondary school students and with out-of-school youth, in order to carry out projects to improve communities involving—

''(A) improving student engagement, including student attendance and student behavior, and student academic achievement, graduation rates, and college-going rates, at secondary schools with high concentrations of low-income students;

''(B) maintaining and improving local parks, trails, and rivers, assisting in the development of local recycling programs, or implementing initiatives to improve local energy effectively;

''(C) improving civic engagement and participation among individuals of all ages; or

''(D) carrying out another activity that focuses on solving a community challenge faced by the community that the eligible partnership involved will serve.

''(2) GRANT PERIODS.—The Corporation shall make the grants for periods of 5 years.

''(3) GRANT AMOUNTS.—The Corporation shall make such a grant to a partnership in an amount of not less than $250,000 and not more than $1,000,000, based on the number of students served by the local educational agency in the partnership.

''(c) ELIGIBLE PARTNERSHIPS.—To be eligible to receive a grant under this section, a partnership—

''(1) shall include—

''(A) a community-based agency that has a demonstrated record of success in carrying out service-learning programs with low-income students, and that meets such criteria as the Chief Executive Officer may establish; and

''(B)(i) a local educational agency for which—

''(I) a high number or percentage of the students served by the agency, as determined by the Corporation, are low-income students; and

''(II) the graduation rate for the secondary school students served by the agency is less than 70 percent; or

''(ii)(I) a State Commission or State educational agency; and

''(II) more than 1 local educational agency described in clause (i); and

''(2) may include—

''(A) a local government agency that is not described in paragraph (1);

''(B) the office of the chief executive officer of a unit of general local government; or

''(C) an institution of higher education.

''(d) APPLICATION.—To be eligible to receive a grant under this section, a partnership shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, which shall include—

''(1) a description of the project to improve the community that the partnership is proposing to carry out, including—

''(A) the community challenge the partnership seeks to address, and relevant data about the challenge in such community; or

''(B) a description of the process the partnership will use, as part of the youth engagement zone program, to identify the community challenge the partnership will seek to address, including how the partnership will use relevant data to identify such challenge;

''(2) a description of how the partnership will work with secondary schools served by the local educational agency that is included in such partnership in carrying out the project to assure that—

''(A) by the end of the third year of the grant period, a majority of the students in the secondary schools served by the local educational agency will have participated in service-learning activities as part of the project; and

''(B) by the end of the fifth year of the grant period—

''(i) not less than 90 percent of the students in those schools will have participated in service-learning activities as part of the project; or

''(ii) service-learning will be a mandatory part of the curriculum in all of the secondary schools served by the local educational agency;

''(3) a description of the amount of time for which the partnership will seek to have participating individuals participate in service-learning activities as part of the project, and how that time will be structured;

''(4) a description of the partnership's plan to provide high-quality, ongoing service-learning professional development and assistance to educators conducting service-learning activities through the youth engagement zone program;

''(5) a description of how the partnership will work to—

''(A) ensure that out-of-school youth in the community are included as participants in service-learning activities carried out through the project; and

''(B) re-engage out-of-school youth;

''(6) a description of how the partnership will work, through the project, to improve student engagement, including student attendance and student behavior, and student achievement, graduation rates, and college-going rates, at schools served by the local educational agency that is included in the eligible partnership;

''(7) a description of how the partnership will encourage participants to continue to engage in service after graduation from secondary school; and

''(8) a description of how youth in the community were involved in the development of the proposal for the project.

''(e) PRIORITY AND GEOGRAPHIC DIVERSITY.—

''(1) PRIORITY.—In making grants under this section, the Corporation shall give priority to eligible partnerships that serve high percentages or numbers of low-income students.

''(2) CONSIDERATION.—In making grants under this section, the Corporation shall take into consideration the relevant data about the challenges in communities that eligible partnerships include in their applications, if the relevant partnerships submit such relevant data under subsection (d)(1)(A).

''(3) GEOGRAPHIC DIVERSITY.—The Corporation shall make the grants to a geographically diverse set of eligible partnerships, including partnerships that serve urban, and partnerships that serve rural, communities.

''(f) USE OF FUNDS.—

''(1) MANDATORY ACTIVITIES.—A partnership that receives a grant under this section shall use the funds made available through the grant to establish and carry out a high-quality youth engagement zone program designed to—

''(A) solve specific community challenges;

''(B) improve student engagement, including student attendance and student behavior, and student achievement, graduation rates, and college-going rates in secondary schools;

''(C) involve an increasing percentage of secondary school students and out-of-school youth in the community in school-based or community-based service-learning activities each year, with the goal of involving all students in secondary schools served by the local educational agency and involving an increasing percentage of the out-of-school youth in service-learning activities over the course of 5 years; and

''(D) encourage participants to continue to engage in service throughout their lives.

''(2) PERMISSIBLE ACTIVITIES.—A partnership that receives a grant under this section may use the funds made available through the grant for activities described in section 111.

''(g) RULE OF CONSTRUCTION.—Any requirement of this subpart that applies to a local educational agency in a partnership shall be

considered to apply to each local educational agency in the partnership.''.

(d) AUTHORIZATION OF APPROPRIATIONS AND RESERVATIONS.—Section 501(a)(1) of such Act (42 U.S.C. 12681(a)(1)) is amended—

(1) in subparagraph (A), by striking ''title I'' and inserting ''title I (other than subpart B of part I)'';

(2) in subparagraph (B)(ii), by striking ''subpart B'' and inserting ''subpart C''; and

(3) by adding at the end the following:

''(C) SUBPART B OF PART I.—There is authorized to be appropriated to carry out subpart B of part I of subtitle B of title I—

''(i) $20,000,000 for fiscal year 2009;

''(ii) $30,000,000 for fiscal year 2010;

''(iii) $30,000,000 for fiscal year 2011;

''(iv) $40,000,000 for fiscal year 2012; and

''(v) $40,000,000 for fiscal year 2013.''.

SEC. 112. CAMPUS OF SERVICE.

(a) FINDINGS.—Congress finds the following:

(1) Providing service-learning courses to individuals who are students in institutions of higher education can make such individuals more likely to engage in service throughout their lives, and better prepared to take on public service careers in the nonprofit sector or government.

(2) While many institutions of higher education, in using work-study funds for community service under part C of title IV of the Higher Education Act of 1965, considerably exceed the percentage of such funds required to be used for such service, nationally the amount of such funds used for such service has remained relatively constant for the past few years.

(3) The public service sector, including nonprofit organizations and government, faces many human capital challenges, and institutions of higher education can be a part of efforts to address the challenges.

(b) PURPOSES.—The purposes of this section are—

(1) to identify and recognize institutions of higher education that serve as model Campuses of Service, in terms of engaging students in community service activities, providing service-learning courses, and encouraging or assisting graduates to pursue careers in public service in the nonprofit sector or government; and

(2) to allow such institutions to increase their ability to encourage or assist more students to pursue careers in public service, including public service careers in the nonprofit sector or government.

(c) GENERAL AUTHORITY.—Subtitle B of title I of the National and Community Service Act of 1990 (42 U.S.C. 12521 et seq.) is amended by adding at the end the following:

''PART III—CAMPUS OF SERVICE PROGRAM

''SEC. 119E. CAMPUSES OF SERVICE.

''(a) IN GENERAL.—The Corporation, after consultation with the Secretary of Education, may annually designate not more than 30 institutions of higher education as Campuses of Service, from among institutions nominated by State Commissions. An institution that receives the designation shall have an opportunity to apply for funds under subsection (d), and may nominate additional individuals for ServeAmerica Fellowships under section 198E, as described in subsection (e).

''(b) APPLICATIONS FOR NOMINATION.—

''(1) IN GENERAL.—To be eligible for a nomination to receive designation under subsection (a), and have an opportunity to apply for funds under subsection (d), for a fiscal year, an institution of higher education in a State shall submit an application to the State Commission at such time, in such manner, and containing such information as the State Commission may require.

''(2) CONTENTS.—At a minimum, the application shall include information specifying—

''(A)(i) the number of undergraduate and, if applicable, graduate service-learning courses offered at such institution for the most recent full academic year preceding the fiscal year for which designation is sought; and

''(ii) the number and percentage of undergraduate students and, if applicable, the number and percentage of graduate students at such institution who were enrolled in the corresponding courses described in clause (i), for that preceding academic year;

''(B) the percentage of undergraduate students engaging in and, if applicable, the percentage of graduate students engaging in activities providing community services, as defined in section 441(c) of the Higher Education Act of 1965 (20 U.S.C. 2751(c)), during that preceding academic year, the quality of such activities, and the average amount of time spent, per student, engaged in such activities;

''(C) for that preceding academic year, the percentage of Federal work-study funds made available to the institution under part C of title IV of the Higher Education Act of 1965 (20 U.S.C. 2751 et seq.) that is used to compensate students employed in providing community services, as so defined, and a description of the efforts the institution undertakes to make available to students opportunities to provide such community services and be compensated through such work-study funds;

''(D) at the discretion of the institution, information demonstrating the degree to which recent graduates of the institution, and all graduates of the institution, have obtained full-time public service employment in the nonprofit sector or government, with a private nonprofit organization or a Federal, State, or local public agency; and

''(E) any programs the institution has in place to encourage or assist graduates of the institution to pursue careers in public service in the nonprofit sector or government.

''(c) NOMINATIONS AND DESIGNATION.—

''(1) NOMINATION.—

''(A) IN GENERAL.—A State Commission that receives applications from institutions of higher education under subsection (b) may nominate, for designation under subsection (a), not more than 3 such institutions of higher education, consisting of—

''(i) not more than one 4-year public institution of higher education;

''(ii) not more than one 4-year private institution of higher education; and

''(iii) not more than one 2-year institution of higher education.

''(B) SUBMISSION.—The State Commission shall submit to the Corporation the name and application of each institution nominated by the State Commission under subparagraph (A).

''(2) DESIGNATION.—The Corporation shall designate, under subsection (a), not more than 30 institutions of higher education from among the institutions nominated under paragraph (1). In making the designations, the Corporation shall, if feasible, designate various types of institutions, including institutions from each of the categories of institutions described in clauses (i), (ii), and (iii) of paragraph (1)(A).

''(d) FUNDS.—

''(1) IN GENERAL.—Using sums appropriated under section 501(a)(1)(D), the Corporation shall provide funds to institutions designated under subsection (c), to be used by the institutions to implement strategies to encourage or assist students from those institutions to pursue careers in public service in the nonprofit sector or government.

''(2) PLAN.—To be eligible to receive funds under this subsection, an institution designated under subsection (c) shall submit a plan to the Corporation describing how the institution intends to use the funds to encourage or assist those students to pursue those careers.

''(3) ALLOCATION.—The Corporation shall determine how the funds appropriated under section 501(a)(1)(D) for a fiscal year will be allocated among the institutions submitting acceptable plans under paragraph (2). In determining the amount of funds to be allocated to such an institution, the Corporation shall consider the number of students at the institution, the quality and scope of the plan submitted by the institution under paragraph (2), and the institution's current (as of the date of submission of the plan) strategies to encourage or assist students to pursue public service careers in the nonprofit sector or government.

''(e) ADDITIONAL SERVE AMERICA FELLOWSHIPS.—An institution designated as a Campus of Service may nominate additional individuals (relative to the number that other institutions may nominate) for ServeAmerica Fellowships under section 198E.''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 501(a)(1) of the National and Community Service Act of 1990 (42 U.S.C. 12681(a)(1)), as amended by section 111(d), is further amended—

(1) in subparagraph (A), by striking ''subpart B of part I'' and inserting ''subpart B of part I and part III''; and

(2) by adding at the end the following:

''(D) PART III.—There is authorized to be appropriated to carry out part III of subtitle B of title I $10,000,000 for each of fiscal years 2009 through 2013.''.

SEC. 113. SERVICE-LEARNING IMPACT STUDY.

(a) IN GENERAL.—Subtitle B of title I of the National and Community Service Act of 1990 (42 U.S.C. 12521 et seq.), as amended by section 112(c), is further amended by adding at the end the following:

''PART IV—SERVICE-LEARNING IMPACT STUDY

''SEC. 119F. STUDY AND REPORT.

''(a) STUDY.—

''(1) IN GENERAL.—The Corporation shall enter into a contract with an entity that is not otherwise a recipient of financial assistance under this subtitle, to conduct a 10-year longitudinal study on the impact of the activities carried out under this subtitle.

''(2) CONTENTS.—In conducting the study, the entity shall consider the impact of service-learning activities carried out under this subtitle on students participating in such activities, including in particular examining the degree to which the activities—

''(A) improved student academic achievement;

''(B) improved student engagement;

''(C) improved graduation rates; and

''(D) improved the degree to which the participants in the activities engaged in subsequent national service, volunteering, or other service activities.

''(3) ANALYSIS.—In carrying out such study, the entity shall examine the impact of the service-learning activities on the 4 factors described in subparagraphs (A) through (D) of paragraph (2), analyzed in terms of how much time participants were engaged in service-learning activities.

''(4) BEST PRACTICES.—The entity shall collect information on best practices concerning using service-learning activities to improve the 4 factors.

''(b) REPORT.—The entity shall submit a report to the Corporation containing the results of the study and the information on best practices. The Corporation shall submit such report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

''(c) CONSULTATION AND DISSEMINATION.—On receiving the report, the Corporation shall consult with the Secretary of Education to review the results of the study, and to identify best practices concerning using service-learning activities to improve the 4 factors described in subparagraphs (A) through (D) of subsection (a)(2). The Corporation shall disseminate information on the identified best practices.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 501(a)(1) of the National and Community Service Act of 1990 (42 U.S.C. 12681(a)(1)), as amended by section 112(d), is further amended—

(1) in subparagraph (A), by striking ''subpart B of part I and part III'' and inserting ''subpart B of part I, and parts III and IV''; and

(2) by adding at the end the following:

''(D) PART IV.—There are authorized to be appropriated to carry out part IV of subtitle B of title I such sums as may be necessary for each of fiscal years 2009 through 2013.''.

Subtitle B—Supporting Social Innovation and Entrepreneurship

SEC. 121. INNOVATION AND ENTREPRENEURSHIP.

(a) IN GENERAL.—Title I of the National and Community Service Act of 1990 (42 U.S.C. 12511 et seq.) is amended—

(1) by redesignating subtitles F through I as subtitles H through K; and

(2) by inserting after subtitle E the following:

''Subtitle F—Social Innovation and Entrepreneurship

''PART I—COMMISSION ON CROSS SECTOR SOLUTIONS

''SEC. 167. COMMISSION.

''(a) FINDINGS.—Congress makes the following findings:

''(1) Nonprofit organizations play a significant role in addressing national and local challenges that impact economically disadvantaged individuals.

''(2) Innovative nonprofit organizations often serve as a research and development engine for the social service sector, identifying effective solutions to national and local challenges.

''(3) Despite the important role effective nonprofit organizations play in addressing national and local challenges, such organizations face administrative and efficiency barriers in maximizing their work with businesses and the government, and limited resources are available to help such organizations increase their capacity to deliver services more effectively, efficiently, on a larger scale, and with greater accountability.

''(b) PURPOSES.—The purposes of this section are—

''(1) to examine and recommend ways in which the Federal Government can interact more efficiently and effectively with nonprofit organizations, philanthropic organizations, and business to achieve better outcomes with regard to addressing national and local challenges, accountability, and utilization of resources;

''(2) to provide advice to the President and Congress regarding new, more effective ways for the Federal Government to address national and local challenges in partnership with the nonprofit sector; and

''(3) to support research that will advance the impact and effectiveness of the nonprofit sector and the way that the Federal Government interacts with such sector.

''(c) ESTABLISHMENT OF COMMISSION.—

''(1) ESTABLISHMENT.—There is established a commission to be known as the Commission on Cross-Sector Solutions to America's Problems (in this section referred to as the 'Commission').

''(2) MEMBERSHIP.—

''(A) COMPOSITION.—The Commission shall be composed of 21 members, of whom—

''(i) 9 shall be appointed by the President;

''(ii) 3 shall be appointed by the majority leader of the Senate;

''(iii) 3 shall be appointed by the minority leader of the Senate;

''(iv) 3 shall be appointed by the Speaker of the House of Representatives; and

''(v) 3 shall be appointed by the minority leader of the House of Representatives.

''(B) QUALIFICATIONS OF PRESIDENTIAL APPOINTEES.—

''(i) EXPERIENCE AND EXPERTISE.—Subject to subparagraph (D)(ii), the Commission shall include members appointed under subparagraph (A)(i) who, to the extent practicable, collectively have extensive experience or are experts in—

''(I) social entrepreneurship and social enterprise;

''(II) the management and operation of small nonprofit organizations and large nonprofit organizations;

''(III) business, including a business with experience working with a startup enterprise and a business with experience working with the nonprofit sector;

''(IV) philanthropy, including the specific philanthropic challenges in urban and rural areas and in areas that are philanthropically underserved;

''(V) volunteering, including effective volunteer management; and

''(VI) qualitative and quantitative social science research.

''(ii) OTHER QUALIFICATIONS.—The Commission shall include, among the members appointed under subparagraph (A)(i), a wide range of individuals, including young people, and individuals from diverse economic, racial, ethnic, and religious backgrounds, and individuals from diverse geographic areas.

''(C) QUALIFICATIONS OF CONGRESSIONAL APPOINTEES.—

''(i) EXPERIENCE AND EXPERTISE.—Subject to subparagraph (D)(ii), the Commission shall include members appointed under clauses (ii) through (v) of subparagraph (A) who, to the extent practicable, collectively have extensive experience or are experts in the matters described in subparagraph (B)(i).

''(ii) OTHER QUALIFICATIONS.—The Commission shall include, among the members appointed under clauses (ii) through (v) of subparagraph (A), a wide range of individuals with the qualifications described in subparagraph (B)(ii).

''(D) LIMITATIONS.—

''(i) CHAIRPERSON AND VICE CHAIRPERSON.—The President shall select a Chairperson and a Vice Chairperson, who may not be members of the same political party, from among the members of the Commission appointed under subparagraph (A).

''(ii) GENERAL MEMBERSHIP.—Members appointed under subparagraph (A) shall include not more than 11 members who are members of the same political party.

''(E) EX OFFICIO MEMBERS.—Heads of Federal agencies, appointed to the Commission by the President, whose work concerns the nonprofit sector shall serve as ex officio nonvoting members of the Commission.

''(F) DATE.—The appointments of the members of the Commission shall be made not later than May 31, 2009.

''(3) PERIOD OF APPOINTMENT.—

''(A) IN GENERAL.—Members appointed under paragraph (2)(A) shall be appointed for terms of 2 years.

''(B) EXCEPTION.—The appointing officer—

''(i) under paragraph (2)(A)(i) shall designate 4 of the initial members appointed under that paragraph to serve terms of 3 years;

''(ii) under paragraph (2)(A)(ii) shall designate 2 of the initial members appointed under that paragraph to serve terms of 3 years;

''(iii) under paragraph (2)(A)(iii) shall designate 1 of the initial members appointed under that paragraph to serve terms of 3 years;

''(iv) under paragraph (2)(A)(iv) shall designate 1 of the initial members appointed under that paragraph to serve terms of 3 years; and

''(v) under paragraph (2)(A)(v) shall designate 2 of the initial members appointed under that paragraph to serve terms of 3 years.

''(4) VACANCIES.—Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

''(5) INITIAL MEETING.—Not later than 30 days after the date on which all voting members of the Commission have been appointed, the Commission shall hold its first meeting.

''(6) MEETINGS.—The Commission shall meet at the call of the Chairperson, not less than 3 times a year.

''(7) QUORUM.—A majority of the voting members of the Commission shall constitute a quorum, but a lesser number of voting members may hold hearings.

''(d) DUTIES OF THE COMMISSION.—

''(1) STUDY.—

''(A) IN GENERAL.—The Commission shall conduct a thorough study of all matters relating to ways in which the Federal Government can work more efficiently and effectively with nonprofit organizations and philanthropic organizations to assist the organizations described in this subparagraph, and the Federal Government, in achieving better outcomes with regard to addressing pressing national and local challenges, and improving accountability and utilization of resources, and relating to assisting the Federal Government, such organizations, and business in improving their collaboration to achieve such outcomes.

''(B) MATTERS STUDIED.—The matters studied by the Commission shall include—

''(i) ways in which the Federal Government interacts with nonprofit organizations, philanthropic organizations, and business to address national and local challenges;

''(ii) ways in which businesses collaborate with nonprofit organizations and philanthropic organizations, and any barriers to maximizing the effectiveness of those collaborations in addressing national and local challenges;

''(iii) public and nonprofit sector human capital challenges, including specific upcoming human capital needs facing the nonprofit sector and such needs facing the government sector, the causes of needs described in this clause, and ways in which nonprofit organizations and governments can address the challenges jointly;

''(iv) ways in which government policies could be improved to foster nonprofit organization accountability;

''(v) systems for streamlining the process for nonprofit organizations to obtain Federal grants and contracts, and eliminating unnecessary requirements relating to that process;

''(vi) barriers for smaller nonprofit organizations to participate in Federal Government programs;

''(vii) the degree to which, and ways in which, social entrepreneurs are identifying innovative ways of addressing national and local challenges;

''(viii) ways in which the Federal Government can help build the capacity of effective social entrepreneurs and effective nonprofit organizations, including the capacity of the entrepreneurs and organizations to replicate programs that provide effective ways of addressing national and local challenges;

''(ix) ways in which the Federal Government supports social service sector research and development, whether there is a need to increase such support, and, if so, how such support may be increased;

''(x) ways in which the Federal Government can partner with nonprofit organizations after an emergency or disaster to address the needs of the community involved; and

''(xi) ways in which the Federal Government can make more data available about the nonprofit sector, as the Federal Government does for the business and government sectors.

''(2) GRANTS.—The Commission shall provide advice to the President and Congress regarding the establishment of grants to build the capacity of the nonprofit sector, to support research on the sector, and to model innovative effective ways for the Federal Government to address national and local challenges by supporting social entrepreneurship and enabling nonprofit organizations to replicate and expand effective solutions to national and local challenges.

''(3) ADVICE TO THE PRESIDENT AND CONGRESS.—The Commission shall advise the President and Congress on matters concerning the nonprofit sector and social entrepreneurship.

''(4) REPORT.—Not later than 18 months after the first meeting of the Commission, the Commission shall submit a report to Congress, which shall contain a detailed statement of the findings of the Commission resulting from the study described in paragraph (1), and the advice provided under paragraphs (2) and (3). The report shall contain recommendations resulting from the study.

''(5) ADVICE ON IMPLEMENTATION.—At the request of Congress or the head of any Federal department or agency, the Commission shall provide advice on the implementation of any of the recommendations contained in the report.

''(e) POWERS OF THE COMMISSION.—

''(1) HEARINGS.—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this section.

''(2) INFORMATION FROM FEDERAL AGENCIES.—

''(A) IN GENERAL.—The Commission may secure directly from any Federal agency such information as the Commission considers necessary to carry out this Act.

''(B) AGENCY COOPERATION.—Upon request of the Chairperson of the Commission, the head of any Federal agency shall furnish information requested under this paragraph to the Commission.

''(3) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

''(4) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

''(f) COMMISSION PERSONNEL MATTERS.—

''(1) TRAVEL EXPENSES.—The members of the Commission shall serve without compensation for their work on the Commission. Notwithstanding section 1342 of title 31, United States Code, the Chief Executive Officer of the Corporation may accept the voluntary and uncompensated services of members of the Commission. The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the commission.

''(2) STAFF.—Any Corporation for National and Community Service employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

''(g) TERMINATION OF THE COMMISSION.—The Commission shall terminate in 6 years.

''(h) AVAILABILITY.—Any sums appropriated to carry out this section shall remain available, without fiscal year limitation, until expended.

''PART II—COMMUNITY SOLUTIONS FUNDS PILOT PROGRAM

''SEC. 167A. FUNDS.

''(a) FINDINGS.—Congress finds the following:

''(1) Social entrepreneurs and other nonprofit community organizations are developing innovative and effective solutions to national and local challenges.

''(2) Increased public and private investment in replicating and expanding proven effective solutions developed by social entrepreneurs and other nonprofit community organizations, could allow those entrepreneurs and organizations to replicate and expand proven initiatives in communities.

''(3) A network of Community Solutions Funds could leverage Federal investments to increase State, local, business, and philanthropic resources to replicate and expand proven solutions to tackle specific identified community challenges.

''(b) PURPOSES.—The purposes of this section are—

''(1) to recognize and increase the impact of social entrepreneurs and other nonprofit community organizations in tackling national and local challenges;

''(2) to stimulate the development of a network of Community Solutions Funds that will increase private and public investment in nonprofit community organizations that are effectively addressing national and local challenges to allow such organizations to replicate and expand successful initiatives;

''(3) to assess the effectiveness of such Funds in—

''(A) leveraging Federal investments to increase State, local, business, and philanthropic resources to address national and local challenges; and

''(B) providing resources to replicate and expand effective initiatives; and

''(4) to strengthen the infrastructure to invest in, and replicate and expand, initiatives with effective solutions to national and local challenges.

''(c) DEFINITIONS.—In this section:

''(1) COMMUNITY ORGANIZATION.—The term 'community organization' means a nonprofit organization that carries out innovative, effective initiatives to address community challenges.

''(2) COVERED ENTITY.—The term 'covered entity' means—

''(A) an existing grantmaking institution (existing as of the date on which the institution applies for a grant under this section); or

''(B) a partnership between—

''(i) such an existing grantmaking institution; and

''(ii) an additional grantmaking institution, a State Commission, or a chief executive officer of a unit of general local government.

''(3) ISSUE AREA.—The term 'issue area' means an area described in subsection (f)(3).

''(d) PROGRAM.—The Corporation shall establish a Community Solutions Fund grant program to make grants on a competitive basis to eligible entities to assist the entities in paying for the cost of providing national leveraging capital for Community Solution Funds.

''(e) PERIODS; AMOUNTS.—The Corporation shall make such grants for periods of 5 years, and may renew the grants for additional periods of 5 years, in amounts of not less than $1,000,000 and not more than $10,000,000 per year.

''(f) ELIGIBILITY.—To be eligible to receive a grant under this section, an entity shall—

''(1) be a covered entity;

''(2) be focused on—

''(A) serving a specific local geographical area; or

''(B) addressing a specific issue area, in geographical areas that have the highest need in that issue area, as demonstrated by statistics concerning that need;

''(3) be focused on improving measurable outcomes relating to—

''(A) education for economically disadvantaged students in public schools;

''(B) child and youth development;

''(C) reductions in poverty or increases in economic opportunity for economically disadvantaged individuals;

''(D) health, including access to health care and health education;

''(E) resource conservation and local environmental quality;

''(F) individual or community energy efficiency;

''(G) civic engagement; or

''(H) reductions in crime;

''(4) make data-driven decisions about subgrant awards and internal policies;

''(5) have well-articulated processes for assessing community organizations for subgrants; and

''(6) have appropriate policies, as determined by the Corporation, that protect against conflict of interest, self-dealing, and other improper practices.

''(g) APPLICATION.—To be eligible to receive a grant under subsection (d) for national leveraging capital, an eligible entity shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may specify, including, at a minimum—

''(1) an assurance that the eligible entity will—

''(A) use the funds received through that capital in order to make subgrants to community organizations that will use the funds to replicate or expand proven initiatives in low-income communities;

''(B) in making decisions about subgrants for communities, consult with a diverse cross section of community representatives in the decisions, including individuals from the public, nonprofit private, and for-profit private sectors; and

''(C) make subgrants of a sufficient size and scope to enable the community organizations to build their capacity to manage initiatives, and sustain replication or expansion of the initiatives;

''(2) an assurance that the eligible entity will not make any subgrants to the parent organizations of the eligible entity, a subsidiary organization of the parent organization, or, if the eligible entity applied for funds under this section as a partnership, any member of the partnership;

''(3) an identification of, as appropriate—

''(A) the specific local geographical area referred to in subsection (f)(2)(A) that the eligible entity is proposing to serve; or

''(B) geographical areas referred to in subsection (f)(2)(B) that the eligible entity is likely to serve;

''(4)(A) information identifying the issue areas in which the eligible entity will work to improve measurable outcomes;

''(B) statistics on the needs related to those issue areas in, as appropriate—

''(i) the specific local geographical area described in paragraph (3)(A); or

''(ii) the geographical areas described in paragraph (3)(B), including statistics demonstrating that those geographical areas have the highest need in the specific issue area that the eligible entity is proposing to address; and

''(C) information on the specific measurable outcomes related to the issue areas involved that the eligible entity will seek to improve;

''(5) information describing the process by which the eligible entity selected, or will select, community organizations to receive the subgrants, to ensure that the community organizations—

''(A) are institutions with proven initiatives, with track records of achieving specific outcomes related to the measurable outcomes for the eligible entity;

''(B) articulate measurable outcomes for the use of the subgrant funds that are connected to the measurable outcomes for the eligible entity;

''(C) will use the funds to replicate or expand their initiatives;

''(D) provide a well-defined plan for replicating or expanding the initiatives funded;

''(E) can sustain the initiatives after the subgrant period concludes through reliable public revenues, earned income, or private sector funding;

''(F) have strong leadership and financial and management systems;

''(G) are committed to the use of data collection and evaluation for improvement of the initiatives;

''(H) will implement and evaluate innovative initiatives, to be important contributors to knowledge in their fields; and

''(I) will meet the requirements for providing matching funds specified in subsection (k);

''(6) information about the eligible entity, including its experience managing collaborative initiatives, or assessing applicants for grants and evaluating the performance of grant recipients for outcome-focused initiatives, and any other relevant information;

''(7) a commitment to meet the requirements of subsection (i) and a plan for meeting the requirements, including information on any funding that the eligible entity has secured to provide the matching funds required under that subsection;

''(8) a description of the eligible entity's plan for providing technical assistance and support, other than financial support, to the community organizations that will increase the ability of the community organizations to achieve their measurable outcomes;

''(9) information on the commitment, institutional capacity, and expertise of the eligible entity concerning—

''(A) collecting and analyzing data required for evaluations, compliance efforts, and other purposes;

''(B) supporting relevant research; and

''(C) submitting regular reports to the Corporation, including information on the initiatives of the community organizations, and the replication or expansion of such initiatives; and

''(10) a commitment to use data and evaluations to continuously improve the initiatives funded by the eligible entity.

''(h) SELECTION CRITERIA.—In selecting eligible entities to receive grants under this section, the Corporation shall—

''(1) select eligible entities on a competitive basis;

''(2) select eligible entities on the basis of the quality of their selection process, as described in subsection (g)(5), the capacity of the eligible entities to manage Community Solutions Funds, and the potential of the eligible entities to sustain the Funds after the conclusion of the grant period; and

''(3) include among the grant recipients eligible entities that propose to provide subgrants to community organizations serving rural low-income communities.

''(i) MATCHING FUNDS FOR GRANTS.—

''(1) IN GENERAL.—The Corporation may not make a grant to an eligible entity under this section for a Community Solutions Fund unless the entity agrees that, with respect to the cost described in subsection (d) for that Fund, the entity will make available matching funds in an amount not less that $1 for every $1 of funds provided under the grant.

''(2) NON-FEDERAL SHARE.—

''(A) TYPE AND SOURCES.—The eligible entity shall provide the matching funds in cash. The eligible entity shall provide the matching funds from State, local, or private sources, which may include State or local agencies, businesses, private philanthropic organizations, or individuals.

''(B) ELIGIBLE ENTITIES INCLUDING STATE COMMISSIONS OR LOCAL GOVERNMENT OFFICES.—

''(i) IN GENERAL.—In a case in which a State Commission, a local government office, or both entities are a part of the eligible entity, the State involved, the local government involved, or both entities, respectively, shall contribute not less than 30 percent and not more than 50 percent of the matching funds.

''(ii) LOCAL GOVERNMENT OFFICE.—In this subparagraph, the term 'local government office' means the office of the chief executive officer of a unit of general local government.

''(3) REDUCTION.—The Corporation may reduce by 50 percent the matching funds required by paragraph (1) for an eligible entity serving a community (such as a rural low-income community) that the eligible entity can demonstrate is significantly philanthropically underserved.

''(j) SUBGRANTS.—

''(1) SUBGRANTS AUTHORIZED.—An eligible entity receiving a grant under this section is authorized to use the funds made available through the grant to award subgrants on a competitive basis to—

''(A) community organizations serving low-income communities within the specific local geographical area referred to in subsection (f)(2)(A); or

''(B) community organizations addressing a specific issue area referred to in subsection (f)(2)(B), in low-income communities in geographical areas referred to in that subsection.

''(2) PERIODS; AMOUNTS.—The eligible entity shall make such subgrants for periods of not less than 3 and not more than 5 years, and may renew the grants for such periods, in amounts of not less than $100,000.

''(3) APPLICATIONS.—To be eligible to receive a subgrant from an eligible entity under this section, including receiving a payment for that subgrant each year, a community organization shall submit an application to an eligible entity that serves the specific local geographical area, or geographical areas, that the community organization proposes to serve, at such time, in such manner, and containing such information as the eligible entity may require, including—

''(A) a description of the initiative the community organization carries out and plans to replicate or expand using funds received from the eligible entity, and how the initiative relates to the issue areas identified under subsection (g)(4)(A) in which the eligible entity has committed to work;

''(B) data on the measurable outcomes the community organization has improved, and information on the measurable outcomes the community organization seeks to improve by replicating or expanding an initiative, which shall be among the measurable outcomes the eligible entity is seeking to improve as identified under subsection (g)(4)(C);

''(C) an identification of the community in which the community organization proposes to carry out an initiative, which shall be within the specific local geographical area referred to in subsection (f)(2)(A) or the geographical areas referred to in subsection (f)(2)(B), that the eligible entity serves;

''(D) a description of how the community organization uses data to analyze and improve its initiatives;

''(E) specific evidence of how the community organization will meet the requirements for providing matching funds specified in subsection (k);

''(F) a description of how the community organization will sustain the replicated or expanded initiative after the conclusion of the subgrant period; and

''(G) any other information the eligible entity may require, including information necessary for the eligible entity to fulfill its obligations under subsection (g)(5).

''(k) MATCHING FUNDS FOR SUBGRANTS.—

''(1) IN GENERAL.—An eligible entity may not make a subgrant to a community organization under this section for an initiative described in subsection (j)(3)(A) unless the organization agrees that, with respect to the cost of carrying out that initiative, the organization will make available, on an annual basis, matching funds in an amount not less than $1 for every $1 of funds provided under the subgrant. If the community organization fails to make such matching funds available for a fiscal year, the eligible entity shall not make payments for the remaining fiscal years of the subgrant period, notwithstanding any other provision of this part.

''(2) TYPES AND SOURCES.—The community organization shall provide the matching funds in cash. The community organization shall provide the matching funds from State, local, or private sources, which may include funds from State or local agencies, or private sector funding.

''(l) NATIONAL FUNCTIONS.—

''(1) CORPORATION.—The Corporation shall enter into a contract with an independent entity (referred to in this subsection as a 'national contractor') to evaluate the eligible entities, and the initiatives supported by the eligible entities.

''(2) NATIONAL CONTRACTOR.—

''(A) RESEARCH AND REPORTS.—

''(i) IN GENERAL.—The national contractor shall collect data and conduct or support research with respect to the eligible entities, and the initiatives supported by the eligible entities, to determine the success of the program carried out under this section in replicating and expanding initiatives, including—

''(I) the success of the replicated or expanded initiatives in improving measurable outcomes; and

''(II) the success of the program in increasing philanthropic investments in philanthropically-underserved communities.

''(ii) REPORTS.—The national contractor shall submit reports to Congress and the Corporation including—

''(I) the data collected and the results of the research;

''(II) information on lessons learned about best practices from the activities carried out under this section, to improve those activities; and

''(III) a list of all eligible entities and community organizations receiving funds under this section.

''(B) TECHNICAL ASSISTANCE.—The national contractor shall provide technical assistance to the eligible entities that receive grants under this section.

''(C) KNOWLEDGE MANAGEMENT.—The national contractor shall maintain a clearinghouse for information on best practices resulting from initiatives supported by the eligible entities.

''(D) RESERVATION.—Of the funds appropriated under section 501(a)(5)(B) for a fiscal year, not more than 5 percent may be used to carry out this subsection.

''PART III—INNOVATION FELLOWSHIPS PILOT PROGRAM

''SEC. 167B. PROGRAM.

''(a) GRANTS.—The Corporation shall make grants, on a competitive basis, to individuals to pay for the Federal share of carrying out projects in which the individuals establish innovative nonprofit organizations to address national and local challenges.

''(b) AMOUNTS, PERIODS, AND NUMBER OF GRANTS.—The Corporation shall make the grants for periods of 2 years. The Corporation shall make the grants in amounts of not more than $100,000. The Corporation shall make not more than 25 grants under subsection (a) in a fiscal year.

''(c) PAYMENTS.—The Corporation shall make the grant awards through annual payments, for the 2 years of the grant periods.

''(d) ELIGIBLE APPLICANT.—To be eligible to apply for a grant under this section, an individual shall—

''(1) have completed at least 1 term or period of service as a participant in a national service program under subtitle C or G, as a participant in a program under subtitle E or section 198E, or as a volunteer in a program under part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.); or

''(2) be a veteran, as defined in section 101 of title 38, United States Code.

''(e) INITIAL APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive a grant under this section, and a payment for the first year of the grant period, an individual shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require.

''(2) CONTENTS.—At a minimum, the application shall include—

''(A) a description of the national or local challenge that the individual seeks to address through the project involved;

''(B) a description of the project the individual is proposing or the organization the individual is proposing to establish through the project, including information describing why the individual's proposal to address the challenge is innovative;

''(C) information describing how the individual proposes to address the challenge at the community level; and

''(D) information describing the location of the project and the community the individual proposes to serve through the project, including relevant data about the challenge in that community.

''(f) SUBSEQUENT APPLICATION.—To be eligible to receive a payment for the second year of the grant period, the individual shall submit to the Corporation—

''(1) a report on the actions taken by the individual, and, if applicable, the nonprofit organization established using funds provided under this section, to carry out the project; and

''(2) information describing how the individual will comply with the non-Federal share requirement described in subsection (g) for the second year of the grant period.

''(g) NON-FEDERAL SHARE.—

''(1) IN GENERAL.—The Federal share of the cost of carrying out a project under this section shall be—

''(A) 100 percent for the first year of the grant period; and

''(B) 50 percent for the second year of the grant period.

''(2) NON-FEDERAL SHARE.—The individual may provide the non-Federal share of the cost in cash or in kind, fairly evaluated, including plant, equipment, or services. The individual may provide the non-Federal share from State, local, or private sources.

''(h) CONSIDERATION.—In reviewing applications, the Corporation shall take into consideration the likelihood that a project proposed to serve a community, if successful, will be replicable in other communities.

''(i) TECHNICAL ASSISTANCE.—The Corporation may reserve 15 percent of the funds appropriated to carry out this section to provide technical assistance to individuals and nonprofit organizations carrying out projects under this section.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 501(a) of the National and Community Service Act of 1990 (42 U.S.C. 12681(a)) is amended by adding at the end the following:

''(5) SUBTITLE F.—There are authorized to be appropriated—

''(A) to carry out section 167, such sums as may be necessary for each of fiscal years 2009 through 2013;

''(B) to carry out section 167A, $50,000,000 for fiscal year 2009, $60,000,000 for fiscal year 2010, $70,000,000 for fiscal year 2011, $80,000,000 for fiscal year 2012, and $100,000,000 for fiscal year 2013, and such sums as may be necessary for each subsequent fiscal year; and

''(C) to carry out section 167B, $3,500,000 for fiscal year 2009, and $5,000,000 for each subsequent fiscal year.''.

Subtitle C—ServeAmerica Corps

SEC. 131. CORPS.

(a) FINDINGS.—Congress finds the following:

(1) Since 1993, over 500,000 individuals have served in national service positions, meeting unmet human, educational, environmental, and public safety needs of the United States.

(2) Full- and part-time national service can effectively promote an ethic of service and volunteering, and former national service participants are likely to remain engaged in national service, and participate in community and public service.

(3) Focused national service efforts can effectively tackle pressing national challenges, such as improving education for low-income students, increasing energy conservation, and improving the health, well-being, and economic opportunities of the neediest individuals in the Nation.

(4) An increasing number of individuals in the United States who are retiring or age 50 or older indicate an interest in service, with almost 60 percent of such individuals indicating that they would consider taking jobs now or in the future to serve their communities.

(b) PURPOSES.—The purposes of this section are—

(1) to provide opportunities by 2013 for 250,000 individuals annually to participate in a year of service, by providing funding for an additional 175,000 individuals (in addition to the 75,000 individuals already participating) each year to so participate, and to continue growing national service in the future;

(2) to focus national service in the areas of national need such service has the capacity to address, such as improving education for low-income students, increasing energy conservation, improving access to health care for, and the health status of, individuals in medically underserved populations, and creating new economic opportunities for low-income individuals; and

(3) to encourage ''encore service'' and draw on the talents and experience of individuals age 50 and older, by providing better opportunities and incentives for individuals of that age to serve.

(c) GENERAL AUTHORITY.—Title I of the National and Community Service Act of 1990 (42 U.S.C. 12511 et seq.), as amended by section 121, is further amended by inserting after subtitle F the following:

''Subtitle G—ServeAmerica Corps

''SEC. 168. CORPS.

''(a) DEFINITIONS.—In this section:

''(1) 21ST CENTURY COMMUNITY LEARNING CENTER.—The term '21st century community learning center' has the meaning given the term 'community learning center', as defined in section 4201 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171).

''(2) CLEAN ENERGY SERVICE CORPS.—The term 'Clean Energy Service Corps' means the participants who improve performance on clean energy indicators through the grants funded under subsection (c)(3).

''(3) CLEAN ENERGY SERVICE CORPS FUND.—The term 'Clean Energy Service Corps Fund' means the Clean Energy Service Corps Fund established under subsection (b)(3).

''(4) CLEAN ENERGY INDICATORS.—The term 'clean energy indicators' means—

''(A) number of housing units of low-income households weatherized or retrofitted to improve energy efficiency;

''(B) annual energy costs (to determine savings in those costs) at facilities where participants have provided service;

''(C) number of national parks, State parks, city parks, county parks, forest preserves, or trails or rivers owned or maintained by the Federal Government or a State, that are cleaned or improved;

''(D) another indicator relating to clean energy that the Corporation, in consultation with the Administrator of the Environmental Protection Agency and the Secretary of Energy, establishes for a given year; and

''(E) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to clean energy, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section.

''(5) COLLEGE-GOING RATE.—The term 'college-going rate' means the percentage of high school graduates who enroll in an institution of higher education in the school year immediately following graduation from high school.

''(6) EDUCATION CORPS.—The term 'Education Corps' means the participants who improve performance on education indicators through the grants funded under subsection (c)(1).

''(7) EDUCATION CORPS FUND.—The term 'Education Corps Fund' means the Education Corps Fund established under subsection (b)(1).

''(8) EDUCATION INDICATORS.—The term 'education indicators' means—

''(A) student engagement, including student attendance and student behavior;

''(B) student academic achievement;

''(C) high school graduation rates;

''(D) college-going rates for high school graduates;

''(E) college persistence rates for high school graduates;

''(F) an additional indicator relating to improving education for students that the Corporation, in consultation with the Secretary of Education, establishes for a given year; and

''(G) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to improving education for students, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section.

''(9) ELIGIBLE ENTITY.—The term 'eligible entity' means an entity that—

''(A) is a nonprofit organization with a proven record of improving, or a promising strategy to improve, performance on appropriate indicators described in this subsection;

''(B) meets the eligibility requirements to receive a grant under subtitle C; and

''(C) if the entity is seeking to receive (or has received) a grant directly under subsection (c), is seeking to carry out (or is carrying out) a national service program in 2 or more States.

''(10) ENCORE SERVICE PROGRAM.—The term 'encore service program' means a program, carried out by an eligible entity under subsection (c), that—

''(A) involves a significant number of participants age 50 or older in the program; and

''(B) takes advantage of the skills and experience that such participants offer in the design and implementation of the program.

''(11) HEALTHY FUTURES CORPS.—The term 'Healthy Futures Corps' means the participants who improve performance on health indicators through the grants funded under subsection (c)(2).

''(12) HEALTHY FUTURES CORPS FUND.—The term 'Healthy Futures Corps Fund' means the Healthy Futures Corps Fund established under subsection (b)(2).

''(13) HEALTH INDICATORS.—The term 'health indicators' means—

''(A) access to health care among economically disadvantaged individuals and individuals who are members of medically underserved populations;

''(B) access to health care for uninsured individuals, including such individuals who are economically disadvantaged children;

''(C) participation, among economically disadvantaged individuals and individuals who are members of medically underserved populations, in disease prevention and health promotion initiatives, particularly those with a focus on addressing common health conditions, addressing chronic diseases, and decreasing health disparities;

''(D) health literacy of patients;

''(E) an additional indicator, relating to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, that the Corporation, in consultation with the Secretary of Health and Human Services and the Director of the Centers for Disease Control and Prevention, establishes for a given year; and

''(F) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to improving or protecting the health of economically disadvantaged individuals and individuals who are members of medically underserved populations, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section.

''(14) HIGH SCHOOL.—The term 'high school' means a public school, including a public high school, that provides high school education, as determined by State law.

''(15) MEDICALLY UNDERSERVED AREA.—The term 'medically underserved area' means an urban or rural area designated by the Secretary of Health and Human Services as an area with a shortage of personal health services.

''(16) MEDICALLY UNDERSERVED POPULATION.—The term 'medically underserved population' has the meaning given the term in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3)).

''(17) OPPORTUNITY CORPS.—The term 'Opportunity Corps' means the participants who improve performance on opportunity indicators through the grants funded under subsection (c)(4).

''(18) OPPORTUNITY CORPS FUND.—The term 'Opportunity Corps Fund' means the Opportunity Corps Fund established under subsection (b)(4).

''(19) OPPORTUNITY INDICATORS.—The term 'opportunity indicators' means—

''(A) financial literacy among economically disadvantaged individuals;

''(B) housing units built or improved for economically disadvantaged individuals or low-income families;

''(C) economically disadvantaged individuals with access to job training and other skill enhancement;

''(D) economically disadvantaged individuals with access to information about job placement services;

''(E) an additional indicator relating to improving economic opportunity for economically disadvantaged individuals that the Corporation, in consultation with the Secretary of Health and Human Services and the Secretary of Labor, establishes for a given year; and

''(F) a local indicator (applicable to a particular eligible entity and on which an improvement in performance is needed) relating to improving economic opportunity for economically disadvantaged individuals, proposed by that eligible entity in an application submitted to, and approved by, a State Commission or the Corporation under this section.

''(20) POVERTY LINE.—The term 'poverty line' has the meaning given the term in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902).

''(21) STUDENT.—The term 'student' means a public elementary school or public secondary school student.

''(b) FUNDS AND AVAILABILITY.—

''(1) EDUCATION CORPS FUND.—The Corporation shall establish an account to be known as the Education Corps Fund.

''(2) HEALTHY FUTURES CORPS FUND.—The Corporation shall establish an account to be known as the Healthy Futures Corps Fund.

''(3) CLEAN ENERGY SERVICE CORPS FUND.—The Corporation shall establish an account to be known as the Clean Energy Service Corps Fund.

''(4) OPPORTUNITY CORPS FUND.—The Corporation shall establish an account to be known as the Opportunity Corps Fund.

''(c) PROGRAM AUTHORIZED.—

''(1) EDUCATION CORPS.—

''(A) GRANTS.—The Corporation may use the amounts made available for the Education Corps Fund to make grants under this paragraph to State Commissions and eligible entities, as described in paragraph (5).

''(B) PROGRAMS.—The Corporation shall make the grants to pay for the Federal share of the cost of carrying out full- or part-time national service programs that are consistent with subtitle C and that improve performance on education indicators, through the service of the participants in the programs.

''(2) HEALTHY FUTURES CORPS.—

''(A) GRANTS.—The Corporation may use the amounts made available for the Healthy Futures Corps Fund to make grants under this paragraph to State Commissions and eligible entities, as described in paragraph (5).

''(B) PROGRAMS.—The Corporation shall make the grants to pay for the Federal share of the cost of carrying out full- or part-time national service programs that are consistent with subtitle C and that improve performance on health indicators, through the service of the participants in the programs.

''(3) CLEAN ENERGY SERVICE CORPS.—

''(A) GRANTS.—The Corporation may use the amounts made available for the Clean Energy Service Corps Fund to make grants under this paragraph to State Commissions and eligible entities, as described in paragraph (5).

''(B) PROGRAMS.—The Corporation shall make the grants to pay for the Federal share of the cost of carrying out full- or part-time national service programs that are consistent with subtitle C and that improve performance on clean energy indicators, through the service of the participants in the programs.

''(4) OPPORTUNITY CORPS.—

''(A) GRANTS.—The Corporation may use the amounts made available for the Opportunity Corps Fund to make grants under this paragraph to State Commissions and eligible entities, as described in paragraph (5).

''(B) PROGRAMS.—The Corporation shall make the grants to pay for the Federal share of the cost of carrying out full- or part-time national service programs that are consistent with subtitle C and that improve performance on opportunity indicators, through the service of the participants in the programs.

''(5) FORMULA AND COMPETITIVE GRANTS.—For purposes of making grants under paragraph (1), (2), (3), or (4), the Corporation shall carry out the following:

''(A) FORMULA GRANTS.—

''(i) GRANTS TO CERTAIN STATES.—

''(I) IN GENERAL.—From 33⅓ percent of the amount available in the Fund described in that paragraph for a fiscal year (after the Corporation makes the reservation described in subsection (i)), the Corporation shall make grants (including financial assistance and a corresponding allotment of approved national service positions). The Corporation shall make the grants to the State Commission of each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that has an application approved by the Corporation under subsection (e), from allotments described in subclause (II).

''(II) ALLOTMENT.—The amount allotted as a grant to each such State under subclause (I) for a fiscal year shall be equal to the amount that bears the same ratio to that 33⅓ percent of the amount available in that Fund for that fiscal year as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(ii) GRANTS TO CERTAIN TERRITORIES AND POSSESSIONS.—

''(I) IN GENERAL.—From 1 percent of the amount available in the Fund described in that paragraph for a fiscal year (after the Corporation makes the reservation described in subsection (i)), the Corporation shall make grants (including financial assistance and a corresponding allotment of approved national service positions). The Corporation shall make the grants to the State Commission for each of the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands that has an application approved by the Corporation under subsection (e), from allotments described in subclause (II).

''(II) ALLOTMENT.—The amount allotted as a grant to each such State under subclause (I) for a fiscal year shall be equal to the amount that bears the same ratio to that 1 percent of the amount available in that Fund for that fiscal year as the population of the State bears to the total population of the States referred to in subclause (I).

''(iii) GRANTS TO INDIAN TRIBES.—

''(I) IN GENERAL.—From 1 percent of the amount available in the Fund described in that paragraph for a fiscal year (after the Corporation makes the reservation described in subsection (i)), the Corporation shall make grants (including financial assistance and a corresponding allotment of approved

national service positions) to Indian tribes that have applications approved by the Corporation under subsection (e). The funds allotted for such grants shall be allotted by the Corporation on a competitive basis in accordance with the respective needs of the Indian tribes.

''(II) APPLICATION.—For purposes of this subtitle, other than this subparagraph, a reference to a State Commission shall be considered to include a reference to the governing body of an Indian tribe, and a reference to a State shall be considered to include a reference to an Indian tribe or the geographic area in which the tribe resides. The Corporation shall have authority to issue standards to apply the provisions of this subtitle (other than this subparagraph) to Indian tribes.

''(iv) EFFECT OF FAILURE TO APPLY.—If a State or Indian tribe fails to apply for, or fails to give notice to the Corporation of its intent to apply for, an allotment under this subparagraph, the Corporation shall use the amount that would have been allotted under this subparagraph to the State or Indian tribe—

''(I) to make grants (including financial assistance and a corresponding allotment of approved national service positions) to other eligible entities that propose to carry out national service programs in the State on behalf of the Indian tribe; and

''(II) after making grants under subclause (I), to make a reallotment to other States and Indian tribes that have applications approved by the Corporation under subsection (e).

''(B) COMPETITIVE GRANTS.—From the remainder of the amount available in that Fund for that fiscal year, the Corporation shall make grants (including such assistance and corresponding allotment), on a competitive basis, to State Commissions and eligible entities that have such approved applications.

''(6) TERMS AND CONDITIONS.—

''(A) IN GENERAL.—Except as otherwise expressly provided in this section and subtitle D, the terms and conditions of grants made under this subsection shall be consistent with the provisions of subtitle C concerning terms and conditions of grants made under section 121(a). Those terms and conditions shall apply with respect to grants and allotments requested, national service positions and national service programs proposed, and applications submitted, under this section.

''(B) INVESTMENT IN NATIONAL SERVICE.—For purposes of applying the provisions of part I of subtitle C under this subsection, sections 122(c), 125, and 126 shall not apply.

''(C) APPLICATION, APPROVAL, AND ALLOCATION.—State Commissions and eligible entities shall apply for the grants, and the grants (and the financial assistance and approved national service positions made available through the grants) shall be allocated among State Commissions and eligible entities, in a manner consistent with this section. Except as otherwise provided in this section, subsections (a) through (d) of section 129, subsections (a) through (d), and (g), of section 130, subsections (a)(1) and (f) of section 131, and subsections (a), (b), (d), and (e) of section 133 shall not apply to such applications and allocations.

''(D) NATIONAL SERVICE PARTICIPANTS.—Except as otherwise expressly provided in this section and subtitle D, the terms and conditions that apply to participants in programs carried out under such grants (including provisions relating to participant eligibility, selection, terms of service, and benefits) shall be consistent with the provisions of subtitle C concerning terms and conditions that apply to participants in programs under subtitle C.

''(7) NUMBER OF POSITIONS.—The Corporation shall—

''(A) establish or increase the number of positions that are approved as approved national service positions under this subtitle during each of fiscal years 2009 through 2013;

''(B) establish the number of the approved positions as 25,000 for fiscal year 2009; and

''(C) increase the number of the approved positions to—

''(i) 50,000 for fiscal year 2010;

''(ii) 75,000 for fiscal year 2011;

''(iii) 125,000 for fiscal year 2012; and

''(iv) 175,000 for fiscal year 2013.

''(d) ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—Eligible entities shall carry out the national service programs under subsection (c).

''(2) QUALIFICATION.—To be qualified to carry out a national service program under subsection (c), an eligible entity shall—

''(A) receive a grant under subsection (c); or

''(B) be selected to carry out the program through a competitive process, by a State Commission that receives a grant under subsection (c).

''(e) APPLICATION.—

''(1) IN GENERAL.—To be qualified to receive a grant under subsection (c) for a national service program, a State Commission or an eligible entity shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, which shall include—

''(A) information describing how the eligible entity proposed to carry out the program proposes to utilize funds under a paragraph of subsection (c) to improve performance on the corresponding indicators described in subsection (a) utilizing participants, including the activities in which such participants will engage to improve performance on those indicators;

''(B) information identifying the geographical area in which the eligible entity proposed to carry out the program proposes to use funds under a paragraph of subsection (c) to improve performance on the corresponding indicators described in subsection (a), including demographic information on the students or individuals, as appropriate, in such area, and statistics demonstrating the need to improve such indicators in such area;

''(C) with respect to a grant to carry out a national service program under a paragraph of subsection (c), information describing the experience of the eligible entity proposed to carry out the program in improving performance on the corresponding indicators described in subsection (a), including whether the entity has previously utilized participants to improve performance on such indicators, and if so, the activities in which such participants have engaged;

''(D) if applicable, information on how the eligible entity described in subparagraph (A) will work with other community-based agencies to carry out activities to improve performance on the corresponding indicators described in subsection (a) using such funds;

''(E) a description of—

''(i) the type of positions into which participants will be placed, using the assistance provided under subsection (c), including descriptions of the specific tasks to be performed by such participants, and the minimum qualifications that individuals will be required to meet to become participants in such program; and

''(ii) the number of proposed full- and part-time national service positions for which participants will receive the national service educational award described in subtitle D;

''(F) a description consistent with the description required by section 130(b)(12) for the national service positions proposed;

''(G) information and assurances consistent with those described in subsections (e) and (f) of section 130, subsections (a)(2), (b), (c), (d)(1), and (e) of section 131, and section 132(a), for the grant requested and the national service program and national service positions proposed, except as provided in subsection (g)(1)(B);

''(H) measurable goals, to be used for annual measurements of the program on 1 or more of the corresponding indicators described in subsection (a);

''(I) in the case of a grant under subsection (c)(1), information on how the eligible entity described in subparagraph (A) will enter into partnerships with local educational agencies and schools to carry out activities to improve performance on education indicators using funds received under this subsection (c);

''(J) in the case of a grant under subsection (c)(4)—

''(i) if the program is designed to improve economic opportunity by engaging economically disadvantaged individuals as participants—

''(I) the minimum and maximum percentages of participants who will be economically disadvantaged individuals; and

''(II) if applicable, information on the skills and training those individuals will receive that will assist those individuals in obtaining jobs after completion of their service under the grant; and

''(ii) information on the number and percentage of individuals, including children, in families with family incomes below the poverty line in the community to be served; and

''(K) any other information the Corporation may require.

''(2) REQUEST FOR WAIVER.—

''(A) REQUIREMENTS RELATING TO EDUCATIONAL AWARDS.—An applicant may include in the application a request for a waiver (including a justification of the need for such waiver and information describing how such waiver will assist the applicant in improving performance on the appropriate indicators described in subsection (a)) of requirements relating to the Corporation's provision of a national service educational award to or on behalf of a participant in the program, which may include—

''(i) in the case of a grant under subsection (c)(1), requirements relating to the minimum age for a participant under section 137(a)(4); and

''(ii) in the case of a grant under any paragraph of subsection (c), requirements relating to individuals who receive a national service educational award under section 146(a) and related provisions, to allow the eligible entity proposed to carry out the program to select participants to serve in approved national service positions (with eligibility for national service educational awards) from among a prespecified group of participants, if the request describes the process by which the participants serving in such positions will be selected from such group.

''(B) REQUIREMENTS RELATING TO USE OF ALLOTMENTS FOR PROGRAMS.—

''(i) IN GENERAL.—A State Commission may include in the application a request that the Corporation—

''(I) waive provisions requiring the State to use an allotment from a Fund, described in subsection (c)(5)(A), for corresponding programs described in a paragraph of subsection (c); and

''(II) permit the State to use funds from the allotment for other programs described in another paragraph of subsection (c).

''(ii) INFORMATION.—The State Commission shall include in the request—

''(I) information demonstrating that the State has not received a sufficient number of applications of adequate quality to carry out the corresponding programs referred to in clause (i)(I); and

''(II) information identifying the other programs referred to in clause (i)(II), and the amount of funds from the allotment that the State intends to use for each such program.

''(iii) TREATMENT.—If the Corporation approves the waiver, and permits the State to use funds from the allotment for programs described in a paragraph of subsection (c), for purposes of this subtitle (other than subsection (c)(5)(A)), the funds shall be considered to be part of a grant made under that paragraph.

''(3) LIMITATION ON SAME PROJECT IN MULTIPLE APPLICATIONS.—The Corporation shall reject an application submitted under this subsection if a project proposed to be conducted using assistance requested by the applicant is already described in another application pending before the Corporation.

''(f) CONSULTATION.—

''(1) OFFICIALS.—

''(A) EDUCATION CORPS.—The Corporation shall consult with the Secretary of Education as appropriate in making grants under subsection (c)(1) and developing additional indicators described in subsection (a)(8)(F).

''(B) HEALTHY FUTURES CORPS.—The Corporation shall consult with the Secretary of Health and Human Services and the Director of the Centers for Disease Control and Prevention as appropriate in making grants under subsection (c)(2) and developing additional indicators described in subsection (a)(13)(E).

''(C) CLEAN ENERGY SERVICE CORPS.—The Corporation shall consult with the Secretary of Energy and the Administrator of the Environmental Protection Agency as appropriate in making grants under subsection (c)(3) and developing additional indicators described in subsection (a)(4)(D).

''(D) OPPORTUNITY CORPS.—The Corporation shall consult with the Secretary of Health and Human Services and the Secretary of Labor as appropriate in making grants under subsection (c)(4) and developing additional indicators described in subsection (a)(19)(E).

''(2) REVIEW PANELS.—The Corporation shall—

''(A) establish panels of experts for the purpose of securing recommendations on applications submitted under subsection (e) for more than $250,000 in assistance, or for a number of national service positions that would require more than $250,000 in national service educational awards; and

''(B) consider the opinions of such panels prior to making determinations on such applications.

''(g) ALLOCATION OF FINANCIAL ASSISTANCE AND POSITIONS.—

''(1) ALLOCATION.—

''(A) IN GENERAL.—In making grants under subsection (c), the Corporation shall allocate the financial assistance and approved national service positions provided through the grants among eligible entities proposed to carry out national service programs described in subsection (c).

''(B) APPROVED NATIONAL SERVICE POSITIONS ONLY.—In making those grants, the Corporation—

''(i) may make some grants that provide only approved national service positions (as opposed to financial assistance and such positions) for some or all of the participants in the national service programs involved; but

''(ii) shall ensure that not more than 35 percent of the participants in the national service programs described in subsection (c) will receive only approved national service positions through the grants.

''(C) FULL-TIME POSITIONS.—In making the grants, the Corporation shall ensure that 50 percent of the approved national service positions provided through the grants shall be full-time national service positions.

''(2) PRIORITY.—In awarding financial assistance and approved national service positions to eligible entities proposed to carry out national service programs described in subsection (c)—

''(A) in the case of a grant under subsection (c)(2)—

''(i) the Corporation may give priority to such eligible entities that propose to develop policies to provide, and provide, support for participants who, after completing service under this section, will undertake careers to improve performance on health indicators; and

''(ii) the Corporation shall give priority to such eligible entities that propose to carry out national service programs in medically underserved areas;

''(B) in the case of a grant under subsection (c)(3), the Corporation shall give priority to such eligible entities that propose to recruit individuals for the Clean Energy Service Corps so that significant percentages of participants in the Corps are economically disadvantaged individuals, and provide to such individuals training to develop skills needed for clean energy jobs for which there is ongoing demand or there is predicted to be future demand; and

''(C) in the case of a grant under subsection (c)(4), the Corporation shall give priority to such eligible entities that propose to—

''(i) improve economic opportunity by engaging a significant percentage of economically disadvantaged individuals as participants to provide services and benefits to other economically disadvantaged individuals; or

''(ii) serve a community with a high number and percentage of individuals, including children, in families with family incomes below the poverty line.

''(3) GEOGRAPHIC DIVERSITY.—The Corporation shall ensure that eligible entities receiving financial assistance or positions under subsection (c) are geographically diverse and include entities proposing national service programs to be conducted in urban or rural areas.

''(4) ENCORE SERVICE PROGRAMS.—

''(A) FORMULA GRANTS.—Each State receiving a grant under subsection (c)(5)(A) for a fiscal year shall make an effort to make available not less than 10 percent of the financial assistance and approved national service positions provided through the grant for that fiscal year to eligible entities proposed to carry out encore service programs, unless the State Commission involved does not receive a sufficient number of applications of adequate quality to justify making that percentage available to those eligible entities.

''(B) COMPETITIVE GRANTS.—In making grants under subsection (c)(5)(B) for a fiscal year, the Corporation shall make an effort to allocate not less than 10 percent of the financial assistance and approved national service positions provided through the grants for that fiscal year to eligible entities proposed to carry out encore service programs, unless the Corporation does not receive a sufficient number of applications of adequate quality to justify making that percentage available to those eligible entities.

''(5) EDUCATIONAL AWARDS.—A participant who serves in a national service program that receives a grant under subsection (c) shall be considered to have served in an approved national service position and, upon meeting the requirements of section 147 (or the requirements specified in a waiver granted under subsection (e)(2)(A)), shall be eligible for a national service educational award described in section 147. The Corporation shall transfer an appropriate amount of funds to the National Service Trust to provide for the national service educational awards for such participants.

''(h) USE OF ASSISTANCE.—

''(1) ELIGIBLE ENTITIES.—An eligible entity that receives financial assistance or positions under a paragraph of subsection (c) shall use the financial assistance or positions to carry out full-time or part-time national service programs, including summer programs, described in that paragraph of subsection (c) that are designed to improve performance on the corresponding indicators described in subsection (a) in low-income communities.

''(2) PARTICIPANT ACTIVITIES.—A participant in such a program shall address identified community needs by carrying out activities (which may include providing direct service, recruiting and coordinating the activities of volunteers providing direct service, and building the capacity of local organizations and communities) designed to improve performance on the corresponding indicators described in subsection (a), such as—

''(A) in the case of a program carried out under subsection (c)(1)—

''(i) tutoring, or providing other academic support to students;

''(ii) mentoring students, including adult or peer mentoring;

''(iii) linking needed integrated services and comprehensive supports with students, their families, and their public schools;

''(iv) improving the school climate involved;

''(v) providing assistance to a school in expanding the school day by strengthening the quality of staff in an expanded learning time initiative, a program of a 21st century community learning center, or a high-quality after-school program;

''(vi) assisting schools and local educational agencies in improving and expanding high-quality service-learning programs that keep students engaged in schools by providing service-learning coordinators; and

''(vii) involving family members of students in supporting teachers and students;

''(B) in the case of a program carried out under subsection (c)(2)—

''(i) assisting economically disadvantaged individuals in navigating the health care system;

''(ii) assisting individuals in obtaining access to health care for themselves or their children;

''(iii) educating economically disadvantaged individuals and individuals who are members of medically underserved populations about, and engaging individuals described in this clause in, initiatives regarding navigating the health care system and regarding disease prevention and health promotion, with a particular focus on common health conditions, chronic diseases, and conditions, for which disease prevention and health promotion measures exist and for which socioeconomic, geographic, and racial and ethnic health disparities exist, such as initiatives concerning—

''(I) cardiovascular disease;

''(II) diabetes education;

''(III) cancer screening;

''(IV) HIV infection or AIDS;

''(V) immunizations; and

''(VI) infant mortality;

''(iv) improving health literacy of patients;

''(v) providing translation services at clinics and in emergency rooms to improve health care; and

''(vi) assisting in health promotion interventions that improve health status, and helping people adopt and maintain healthy lifestyles and habits to improve health status;

''(C) in the case of a program carried out under subsection (c)(3)—

''(i) weatherizing and retrofitting housing units for low-income households to improve the energy efficiency of such housing units;

''(ii) building energy efficient housing units in low-income communities;

''(iii) conducting energy audits for low-income households and recommending ways for the households to improve energy efficiency;

''(iv) working with schools and youth programs to educate students and youth about ways to reduce home energy use and improve the environment, including conducting service-learning projects to provide such education;

''(v) assisting in the development of local recycling programs;

''(vi) improving national and State parks, city parks, county parks, forest preserves, and trails owned or maintained by the Federal Government or a State, including planting trees, carrying out reforestation, and making trail enhancements; and

''(vii) cleaning and improving rivers maintained by the Federal Government or a State; and

''(D) in the case of a program carried out under subsection (c)(4)—

''(i) providing financial literacy education to economically disadvantaged individuals, including financial literacy education with regard to credit management, financial institutions including banks and credit unions, and utilization of savings plans;

''(ii) assisting in the construction of housing units including energy efficient homes, in low-income communities;

''(iii) assisting individuals in obtaining access to health care for themselves or their children;

''(iv) assisting individuals in obtaining information about Federal, State, local, or private programs or benefits focused on assisting economically disadvantaged individuals, economically disadvantaged children, or low-income families;

''(v) improving opportunities for economically disadvantaged children and youth to become involved in youth development organizations;

''(vi) facilitating enrollment in and completion of job training for economically disadvantaged individuals; and

''(vii) assisting economically disadvantaged individuals in obtaining access to job placement assistance.

''(i) RESERVATION OF FUNDS FOR REVIEW PANELS AND TRAINING AND TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—Before allotting funds under subsection (c)(5), the Corporation shall reserve an equal percentage (but not more than 4 percent) of the amounts available in each Fund described in a paragraph of subsection (b), to—

''(A) carry out activities concerning review panels as provided in subsection (f)(2); and

''(B) provide training and technical assistance to eligible entities, including training and technical assistance to assist eligible entities carrying out national service programs with a Corps described in subsection (a) in—

''(i) coordinating efforts; and

''(ii) improving the ability of the Corps to improve performance on the corresponding indicators described in subsection (a).

''(2) TRAINING AND TECHNICAL ASSISTANCE.—The Corporation may, as appropriate, consult with the corresponding officials described in subsection (f)(1) in planning and carrying out the training and technical assistance.

''(j) REPORT.—Not later than 60 days after the end of each fiscal year for which the Corporation makes grants under a paragraph of subsection (c), the Corporation shall prepare and submit to Congress a report containing—

''(1) information describing how the Corporation allocated financial assistance and approved national service positions among eligible entities proposed to carry out national service programs described in that paragraph for that fiscal year;

''(2) a measure of the extent to which the national service programs improved performance on the corresponding indicators described in subsection (a); and

''(3) information describing how the Corporation is coordinating—

''(A) the national service programs funded under that paragraph; with

''(B) applicable programs, as determined by the Corporation, carried out under subtitles B and C of this title, and part A of title I and parts A and B of title II of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq., 5001, 5011) that improve performance on those indicators or otherwise address identified community needs.

''(k) INCENTIVES FOR ENCORE SERVICE.—

''(1) INCENTIVES STUDY.—

''(A) STUDY.—The Corporation shall study the use of additional incentives (other than incentives provided by this Act on the date of enactment of the Serve America Act), to attract individuals who are age 50 or older to perform service under subtitle C or this subtitle.

''(B) REPORT.—Not later than 2 years after the date of enactment of the Serve America Act, the Corporation shall prepare and submit to Congress a report containing the results of the study.

''(2) INCENTIVES.—Not later than 2 years after the date of enactment of the Serve America Act, the Corporation shall, notwithstanding any other provision of this title, implement through a pilot program additional incentives that the Corporation has found, through the study described in paragraph (1), to be effective to attract individuals described in paragraph (1)(A) to perform service under subtitle C or this subtitle.''.

(d) NATIONAL SERVICE EDUCATIONAL AWARDS.—

(1) TRUST.—Section 145 of the National and Community Service Act of 1990 (42 U.S.C. 12601) is amended—

(A) in subsection (a)(1), by striking ''section 501(a)(2)'' and inserting ''paragraph (2) or (6) of section 501(a)''; and

(B) in subsection (d)(4), by striking ''subtitle C'' and inserting ''subtitle C or G''.

(2) INCREASED NUMBER OF TERMS OF SERVICE TO ENCOURAGE ENCORE SERVICE OPPORTUNITIES.—Section 146 of the National and Community Service Act of 1990 (42 U.S.C. 12602) is amended—

(A) in subsection (c)—

(i) by striking ''Although'' and inserting the following:

''(1) IN GENERAL.—Although''; and

(ii) by adding at the end the following:

''(2) TERMS OF SERVICE FOR ENCORE SERVICE OPPORTUNITIES.—

''(A) NUMBER OF TERMS.—Notwithstanding paragraph (1) and section 147, a participant who is age 50 or older on the first day of the participant's service under subtitle C or G may receive a national service educational award for not more than 3 terms of service under subtitle C or G.

''(B) AMOUNT OF AWARD.—The participant shall receive—

''(i) a national service educational award in the amount described in the corresponding provision of section 147, for the first or second term of such service; and

''(ii) a reduced national service educational award equal to ½ of the amount described in the corresponding provision of section 147, for the third term of such service.''; and

(B) in subsection (d), by adding at the end the following:

''(3) TERM FOR TRANSFERRED EDUCATIONAL AWARDS.—For purposes of applying paragraphs (1) and (2)(A) to an individual who is eligible to receive an educational award as a designated individual (as defined in section 148(f)(3)), references to a seven-year period shall be considered to be references to a 15-year period that begins on the date the individual who transferred the educational award to the designated individual completed the term of service in the approved national service position that is the basis of the award.''.

(3) EDUCATIONAL AWARD TRANSFERS TO ENCOURAGE ENCORE SERVICE OPPORTUNITIES.—Section 148 of the National and Community Service Act of 1990 (42 U.S.C. 12604) is amended—

(A) in subsection (c)(5), by striking ''subtitle C'' and inserting ''subtitle C or the appropriate national service program under subtitle G, as applicable'';

(B) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(C) by inserting after subsection (e) the following:

''(f) TRANSFER OF EDUCATIONAL AWARDS.—

''(1) IN GENERAL.—An individual who is eligible to receive a national service educational award under a program described in paragraph (2) may elect to receive a reduced national service educational award (equal to ½ of the amount described in the corresponding provision of section 147) and transfer the award to a designated individual. Subsections (b), (c), and (d) shall apply to the designated individual in lieu of the individual who is eligible to receive the national service educational award, except that amounts refunded to the account under subsection (c)(5) on behalf of a designated individual may be used by the Corporation to fund additional placements in the national service program in which the eligible individual who transferred the national service educational award participated for such award.

''(2) CONDITIONS FOR TRANSFER.—A national service educational award may be transferred under this subsection if—

''(A) the educational award is for service in a national service program that receives a grant under subtitle G; and

''(B) the eligible individual is age 50 or older.

''(3) DEFINITION OF A DESIGNATED INDIVIDUAL.—In this subsection, the term 'designated individual' is an individual—

''(A) whom an individual who is eligible to receive a national service educational award under a program described in paragraph (2) designates to receive the educational award;

''(B) who meets the eligibility requirements of paragraphs (3) and (4) of section 146(a); and

''(C) who is a child or grandchild of the individual described in subparagraph (A).''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 501(a) of the National and Community Service Act of 1990 (42 U.S.C. 12681(a)), as amended by section 121(b), is further amended by adding at the end the following:

''(6) SERVEAMERICA CORPS.—

''(A) IN GENERAL.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2009 through 2013 to provide financial assistance under subtitle G of title I and to provide national service educational awards under subtitle D of title I (including providing financial assistance and national service educational awards to participants in national service positions, established or increased as provided in section 168(c)(7).

''(B) AVAILABILITY.—Of the amounts appropriated under subparagraph (A) for a fiscal year, the Corporation shall make available—

''(i) not less than 35 percent for the Education Corps Fund; and

''(ii) not less than 35 percent for the Clean Energy Service Corps Fund.''.

Subtitle D—Civic Health Index

SEC. 141. INDEX.

(a) IN GENERAL.—Section 179 of the National and Community Service Act of 1990 (42 U.S.C. 12639) is amended by adding at the end the following:

''(j) CIVIC HEALTH INDEX.—

''(1) DEFINITIONS.—In this subsection:

''(A) CORPORATION.—The term 'Corporation' means the Corporation for National and Community Service, in conjunction with the Director of the Bureau of the Census, the Commissioner of Labor Statistics, and (consistent with the terms of an agreement entered into between the Corporation and the National Conference) the National Conference.

''(B) NATIONAL CONFERENCE.—The term 'National Conference' means the National Conference on Citizenship referred to in section 150701 of title 36, United States Code.

''(2) IN GENERAL.—The Corporation shall establish a Civic Health Index by collecting civic health data, conducting related analyses, and reporting the data and analyses, as described in this subsection.

''(3) COLLECTION OF DATA.—

''(A) INDICATORS.—

''(i) IN GENERAL.—In collecting data for the Index, the Corporation shall collect data on various indicators established by the Corporation, including indicators related to—

''(I) volunteering and community service;

''(II) voting and other forms of political engagement;

''(III) charitable giving;

''(IV) connecting to civic groups and faith-based organizations; and

''(V) understanding and obtaining knowledge of United States history and government.

''(ii) UPDATING.—The Corporation shall periodically evaluate and update the indicators.

''(B) AGE GROUPS AND EDUCATION LEVELS.—The Corporation shall collect data for the Index in a manner that will permit the Corporation to analyze the data by the age group and education level of the individuals involved.

''(C) OTHER ISSUES.—In collecting data for the Index, the Corporation shall collect such information as may be necessary to analyze the role of internet technology in strengthening and inhibiting civic activities, the role of specific programs in strengthening civic activities, and the civic attitudes and activities of new citizens and immigrants.

''(D) RELATIONSHIP TO OTHER DATA.—To collect data for the Index, the Corporation shall consider methods of expanding data collection conducted by the Bureau of the Census, through the Current Population Survey, or by the Bureau of Labor Statistics.

''(4) REPORTING OF DATA.—

''(A) IN GENERAL.—The Corporation shall, not less often than once each year, prepare a report containing detailed data collected under paragraph (3), including data on each of the indicators described in paragraph (3)(A), and containing the analyses described in subparagraphs (B) and (C) of paragraph (3).

''(B) AGGREGATION AND PRESENTATION.—The Corporation shall aggregate the data collected under paragraph (3) by community, by State, and nationally. The report shall present the aggregated data in a form that enables communities and States to assess their civic health, as measured on each of the indicators, and compare those measures with comparable measures of other communities and States.

''(C) SUBMISSION.—The Corporation shall submit the report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, and make the report available to the general public.

''(5) CONFERENCES AND FORUMS.—The Corporation shall hold conferences and forums to discuss the implications of the data and analyses reported under paragraph (4).

''(k) RESEARCH AND EVALUATION.—

''(1) RESEARCH.—The Corporation, acting in conjunction with the Commissioner of Labor Statistics, shall provide for baseline research and tracking of domestic and international volunteering, and baseline research and tracking related to relevant data on the indicators described in subsection (j)(3). In providing for the research and tracking under this paragraph, the Corporation and the Commissioner shall consider methods of expanding research and tracking conducted by the Bureau of Labor Statistics.

''(2) IMPACT RESEARCH AND EVALUATION.—The Corporation, acting in conjunction with the Commissioner of Labor Statistics, shall provide for research on, and evaluations of, the impact of domestic and international volunteering, including an assessment of best practices for such volunteering, and methods of improving such volunteering through enhanced collaboration among entities that recruit, manage, support, and utilize volunteers, institutions of higher education, and research institutions.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 501(a) of the National and Community Service Act of 1990 (42 U.S.C. 12681(a)), as amended in section 131(e), is further amended by adding at the end the following:

''(7) CIVIC HEALTH INDEX; RESEARCH AND EVALUATION.—In addition to any amounts appropriated under paragraph (4), there is authorized to be appropriated to carry out subsections (j) and (k) of section 179, $5,600,000 for fiscal years 2009 though 2013, of which—

''(A) not more than $800,000 may be used for a fiscal year to carry out data collection under paragraph (3) of section 179(j);

''(B) not more than $200,000 may be used for a fiscal year to carry out paragraphs (4) and (5) of section 179(j); and

''(C) for fiscal years 2009, 2011, and 2013, not more than $200,000 may be used to establish or update indicators under paragraph (3) of section 179(j).''.

Subtitle E—ServeAmerica and Encore Fellowships

SEC. 151. SERVEAMERICA AND ENCORE FELLOWSHIPS.

(a) FINDINGS.—Congress finds the following:

(1) Full- and part-time volunteer service, both at the national and State levels, can effectively tackle pressing national challenges and improve communities throughout the United States.

(2) Individual service plans and opportunities can improve the ability of the nonprofit sector to address areas of national need by introducing more personal innovation and ingenuity into volunteer service efforts.

(3) Many individuals in the United States who are retiring or age 50 or older have shown an increasing interest in community service and, by utilizing their individual skills and expertise, volunteer organizations can find creative solutions to pressing national problems.

(b) PURPOSES.—The purposes of this section are—

(1) to provide, by 2013, individual fellowships to 5,000 individuals annually, allowing the individuals to propose their own plans for serving in their communities and addressing areas of national need;

(2) to focus the ideas and creativity of individuals into addressing national challenges such as improving education for low-income students, increasing energy conservation, improving access to health care for, and the health status of, low-income individuals, and creating new economic opportunities for low-income individuals; and

(3) to provide Encore Fellowships to individuals over the age of 50 to draw on the individuals' talents and experience, to improve the effectiveness of volunteer service organizations, and to provide the individuals with the support they need to make a transition to longer-term public service work.

(c) GENERAL AUTHORITY.—Subtitle J of title I of the National and Community Service Act of 1990 (42 U.S.C. 12653 et seq.), as redesignated by section 121, is amended by adding at the end the following:

''SEC. 198E. SERVEAMERICA AND ENCORE FELLOWSHIPS.

''(a) SERVEAMERICA FELLOWSHIPS.—

''(1) DEFINITIONS.—In this subsection:

''(A) AREA OF NATIONAL NEED.—The term 'area of national need' means an area related to—

''(i) improving education in public schools for economically disadvantaged students;

''(ii) expanding and improving access to health care;

''(iii) improving clean energy indicators, as defined in section 168(a);

''(iv) improving economic opportunities for economically disadvantaged individuals; or

''(v) improving disaster preparedness and response.

''(B) CAMPUS OF SERVICE.—The term 'Campus of Service' means an institution of higher education designated as a Campus of Service under section 119E.

''(C) ELIGIBLE FELLOWSHIP RECIPIENT.—The term 'eligible fellowship recipient' means an individual who is selected by a State Commission under paragraph (4)(E) and, as a result of such selection, is eligible for a ServeAmerica Fellowship.

''(D) FELLOW.—The term 'fellow' means an eligible fellowship recipient who is awarded a ServeAmerica Fellowship and is designated a fellow under paragraph (5)(B).

''(2) SERVEAMERICA FELLOWSHIP PROGRAM.—The Corporation shall establish and carry out a ServeAmerica Fellowship program.

''(3) GRANTS.—

''(A) IN GENERAL.—The Corporation shall make grants (including financial assistance and a corresponding allotment of approved national service positions), from allotments described in subparagraph (B), to the State Commissions of each of the several States, the District of Columbia, and the Commonwealth of Puerto Rico that has an application approved by the Corporation, to enable the State Commissions to award ServeAmerica Fellowships under paragraph (5). The fellowships shall be used to enable fellows to carry out service projects in areas of national need.

''(B) RESERVATION; ALLOTMENT.—

''(i) RESERVATION.—From the amount appropriated under section 501(a)(2)(C) for a fiscal year, the Corporation shall reserve not more than 3 percent to administer the program under this subsection.

''(ii) ALLOTMENT.—The amount allotted as a grant to a State Commission under subparagraph (A) for a fiscal year shall be equal to the amount that bears the same ratio to the amount appropriated under section 501(a)(2)(C) and not reserved under clause (i) for that fiscal year, as the population of the State bears to the total population of the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(C) NUMBER OF POSITIONS.—The Corporation shall—

''(i) establish or increase the number of positions that are approved as approved national service positions under this subsection during each of fiscal years 2009 through 2013;

''(ii) establish the number of approved positions at 1,000 for fiscal year 2009; and

''(iii) increase the number of the approved positions to—

''(I) 2,000 for fiscal year 2010;

''(II) 3,000 for fiscal year 2011;

''(III) 4,000 for fiscal year 2012; and

''(IV) 5,000 for fiscal year 2013.

''(D) APPLICATIONS.—To be eligible to receive such a grant, a State Commission shall submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, including information on the criteria and procedures that the State Commission will use for coordinating placements for service projects, and awarding ServeAmerica Fellowships, under paragraph (5).

''(4) ELIGIBLE FELLOWSHIP RECIPIENTS.—

''(A) IN GENERAL.—In carrying out the program, the Corporation shall, each fiscal year, maintain a list of eligible fellowship recipients selected under subparagraph (E).

''(B) APPLICATION.—An individual desiring to be selected as an eligible fellowship recipient shall submit an application to a State Commission, a Campus of Service, or an institution of higher education, that has elected to participate in the program carried out under this subsection, at such time and in such manner as the Commission, Campus, or institution may require, and containing the information described in subparagraph (C) and such additional information as the Commission, Campus, or institution may require. An individual may submit such application to only 1 entity under this subparagraph for a fiscal year.

''(C) CONTENTS.—The Corporation shall specify information to be provided in the application, which shall include—

''(i) a description of the area of national need that the applicant hopes to address through service in the service project;

''(ii) a description of the skills and experience the applicant has to address the area of national need;

''(iii) a description of the type of service that the applicant plans to provide as a fellow; and

''(iv) information identifying the State in which the applicant will serve (which, in the case of an application submitted to a State Commission, shall be the State served by the Commission) and the local area in which the applicant plans to serve, for the service project.

''(D) NOMINATIONS BY CAMPUSES OF SERVICE AND INSTITUTIONS.—After reviewing the applications—

''(i) each Campus of Service may nominate not fewer than 8 individuals for consideration by the State Commission as eligible fellowship recipients; and

''(ii) each institution of higher education that is not a Campus of Service may nominate not fewer than 4 individuals for consideration by the State Commission as eligible fellowship recipients.

''(E) SELECTION.—Each State Commission shall select, from the applications nominated by Campuses of Service and institutions of higher education serving the State and the applications received by the State Commission for a fiscal year, the number of eligible fellowship recipients that may be supported for that fiscal year based on the allotment received by the State Commission under paragraph (3)(B). A total of not less than 10 percent and not more than 15 percent of the eligible fellowship recipients selected by the State Commission for a fiscal year shall be individuals nominated by a Campus of Service or an institution of higher education.

''(5) FELLOWS.—

''(A) IN GENERAL.—To be eligible to participate in a service project through the program as a fellow and receive a ServeAmerica Fellowship, an eligible fellowship recipient shall—

''(i) within 6 months after being selected as an eligible fellowship recipient, select an appropriate service sponsor organization described in paragraph (6) in the State described in paragraph (4)(C)(iv), with which the individual is interested in serving under this subsection;

''(ii) enter into an agreement with the organization—

''(I) that specifies the service the individual will provide if the placement is approved; and

''(II) in which the individual agrees to serve for 1 year on a (as determined by the Corporation) full-time, part-time, or reduced part-time basis; and

''(iii) submit such agreement to the State Commission.

''(B) AWARD.—Upon receiving the eligible fellowship recipient's agreement under subparagraph (A), the State Commission shall award a ServeAmerica Fellowship to the recipient and designate the recipient as a fellow.

''(C) FELLOWSHIP AMOUNT.—

''(i) IN GENERAL.—From funds received under paragraph (3), each State Commission shall award each fellow a ServeAmerica Fellowship amount that is equal to 50 percent of the amount of the total average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

''(ii) AMOUNT FROM SERVICE SPONSOR ORGANIZATION.—Except as provided in clause (iii), the service sponsor organization shall award to the fellow serving such organization an amount that will ensure that the total award received by the fellow for service in the serve project (consisting of that amount and the ServeAmerica Fellowship amount the fellow receives under clause (i)) is equal to or greater than 70 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

''(iii) MAXIMUM LIVING ALLOWANCE.—The total amount that may be provided to a fellow under this subparagraph shall not exceed 100 percent of the average annual subsistence allowance provided to VISTA volunteers under section 105 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4955).

''(iv) PRORATION OF AMOUNT.—In the case of a fellow who is authorized to serve a part-time or reduced part-time term of service under the agreement described in subparagraph (A)(ii), the amount provided to a fellow under this subparagraph shall be prorated accordingly.

''(v) WAIVER.—The Corporation may allow a State Commission to waive the amount required under clause (ii) from the service sponsor organization for a fellow serving the organization if—

''(I) such requirement is inconsistent with the objectives of the Fellowship program; and

''(II) the amount provided to the fellow under clause (i) is sufficient to meet the necessary costs of living (including food, housing, and transportation) in the area in which the fellowship program is located.

''(6) SERVICE SPONSOR ORGANIZATIONS.—

''(A) IN GENERAL.—Each service sponsor organization shall—

''(i) be a nonprofit organization;

''(ii) agree, by registering with a State Commission, to abide by all program requirements;

''(iii) agree to provide an amount described in paragraph (5)(C)(ii) for each fellow serving with the organization through the ServeAmerica Fellowship;

''(iv) be responsible for certifying whether each fellow serving with the organization successfully completed the ServeAmerica Fellowship; and

''(v) agree—

''(I) to record and certify in a manner specified by the Corporation the number of hours served by a fellow for purposes of determining the fellow's eligibility for benefits; and

''(II) to provide timely access to records relating to the ServeAmerica Fellowship to the State Commission, the Corporation, or the Corporation's Inspector General.

''(B) REGISTRATION.—

''(i) REQUIREMENT.—No service sponsor organization may receive a fellow under this subsection until the organization registers with the State Commission.

''(ii) REVOCATION.—A State Commission shall revoke the registration of any service sponsor organization if the State Commission determines after a hearing that the organization is in violation of any of the applicable provisions of this subsection.

''(7) COMPLIANCE WITH INELIGIBLE SERVICE CATEGORIES.—Service under a ServeAmerica Fellowship shall comply with section 132(a).

''(8) REPORTS.—Each service sponsor organization that receives a fellow under this subsection shall, on a biweekly basis, report to the Corporation on the number of hours served and the services provided by that fellow. The Corporation shall establish a web portal for the organizations to use in reporting the information.

''(9) EDUCATIONAL AWARDS.—A fellow who serves in a service project under this subsection shall be considered to have served in an approved national service position and, upon meeting the requirements of section 147 for full-time, part-time, or reduced part-time national service, shall be eligible for a national service educational award described in such section. The Corporation shall transfer an appropriate amount of funds to the National Service Trust to provide for the national service educational awards for such fellows.

''(b) ENCORE FELLOWSHIPS.—

''(1) DEFINITIONS.—In this subsection:

''(A) AREA OF NATIONAL NEED.—The term 'area of national need' has the meaning given the term in subsection (a)(1).

''(B) ELIGIBLE ENCORE FELLOWSHIP RECIPIENT.—The term 'eligible Encore Fellowship recipient' means an individual who is selected under paragraph (3)(B) and, as a result of such selection, is eligible for an Encore Fellowship.

''(C) ENCORE FELLOW.—The term 'Encore fellow' means an eligible Encore Fellowship recipient who is awarded an Encore Fellowship and is designated an Encore fellow under paragraph (5)(C).

''(2) ENCORE FELLOWSHIP PROGRAM.—

''(A) IN GENERAL.—The Corporation shall establish and carry out an Encore Fellowship program. In carrying out the program, the Corporation shall award 1-year Encore Fellowships to enable individuals age 50 or older—

''(i) to carry out service projects in areas of national need; and

''(ii) to receive training and development in order to transition to full- or part-time public service in the nonprofit sector or government.

''(B) PROGRAM.—In carrying out the program, the Corporation shall—

''(i) maintain a list of eligible Encore Fellowship recipients who are eligible to participate in service projects through the program and receive fellowships;

''(ii) maintain a list of organizations that are eligible to have eligible Encore Fellows placed with the organizations to carry out service projects through the program and provide the list to all eligible Encore Fellowship recipients described in clause (i); and

''(iii) at the request of an Encore Fellowship recipient—

''(I) determine whether the requesting eligible Encore Fellowship recipient is able to meet the service needs of a listed organization, or another organization that the recipient requests in accordance with paragraph (5)(B), for a service project; and

''(II) upon making a favorable determination under subclause (I), award the recipient with an Encore Fellowship and place the recipient with the organization as an Encore Fellow.

''(3) ELIGIBLE ENCORE FELLOWSHIP RECIPIENTS.—

''(A) IN GENERAL.—An individual desiring to be selected as an eligible Encore Fellowship recipient shall—

''(i) be an individual who is—

''(I) at least 50 years of age as of the time the individual applies for the program; and

''(II) not engaged in, but who wishes to make a transition to being engaged in, full- or part-time public service in the nonprofit sector or government; and

''(ii) submit an application to the Corporation, at such time, in such manner, and containing such information as the Corporation may require, including—

''(I) a description of the area of national need that the applicant hopes to address through the service project;

''(II) a description of the skills and experience the applicant has to address an area of national need; and

''(III) information identifying the area of the country in which the applicant wishes to serve.

''(B) SELECTION BASIS.—In determining which individuals to select as eligible Encore Fellowship recipients, the Corporation shall—

''(i) select not more than 10 individuals from each State; and

''(ii) give priority to individuals with skills and experience for which there is an ongoing high demand in the nonprofit sector and government.

''(4) LISTED ORGANIZATIONS.—To be listed under paragraph (2)(B)(ii), an organization shall—

''(A) be a nonprofit organization; and

''(B) submit an application to the Corporation at such time, in such manner, and containing such information as the Corporation may require, including—

''(i) a description of—

''(I) the services and activities the organization carries out generally;

''(II) the area of national need that the organization seeks to address through a service project; and

''(III) the services and activities the organization seeks to carry out through the proposed service project;

''(ii) a description of the skills and experience that an eligible Encore Fellowship recipient needs to be placed with the organization as an Encore Fellow for the service project;

''(iii) a description of the training and leadership development the organization shall provide an Encore Fellow placed with the organization to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

''(iv) evidence of the organization's financial stability.

''(5) PLACEMENT.—

''(A) REQUEST FOR PLACEMENT WITH LISTED ORGANIZATIONS.—To be placed with a listed organization under paragraph (2)(B)(iii) for a service project, an eligible Encore Fellowship recipient shall submit an application for such placement to the Corporation at such time, in such manner, and containing such information as the Corporation may require.

''(B) REQUEST FOR PLACEMENT WITH OTHER ORGANIZATIONS.—An eligible Encore Fellowship recipient may apply to the Corporation to serve the recipient's Encore Fellowship year with a nonprofit organization that is not a listed organization. Such application shall be submitted to the Corporation at such time, in such manner, and containing such information as the Corporation shall require, and shall include—

''(i) an identification and description of—

''(I) the organization;

''(II) the area of national need the organization seeks to address; and

''(III) the services or activities the organization carries out to address such area of national need;

''(ii) a description of the services the eligible Encore Fellowship recipient shall provide for the organization as an Encore Fellow;

''(iii) a description of the training and leadership development the organization will provide to the eligible Encore Fellowship recipient if placed with the organization as an Encore Fellow, to assist the Encore Fellow in obtaining a public service job in the nonprofit sector or government after the period of the Encore Fellowship; and

''(iv) a letter of support from the leader of the organization, including—

''(I) a description of the organization's need for the eligible Encore Fellowship recipient's services;

''(II) evidence that such organization is financially sound; and

''(III) an assurance that such organization will provide leadership training and development consistent with the description in the application.

''(C) PLACEMENT AND AWARD OF FELLOWSHIP.—If the Corporation determines that the eligible Encore Fellowship recipient is able to meet the service needs (including skills and experience to address an area of national need) of the organization that the eligible fellowship recipient requests under subparagraph (A) or (B), the Corporation shall—

''(i) approve the placement of the eligible Encore Fellowship recipient with the organization;

''(ii) award the eligible Encore Fellowship recipient an Encore Fellowship for a period of 1 year and designate the eligible Encore Fellowship recipient as an Encore Fellow; and

''(iii) make a payment, in the amount of $11,000, to the listed organization to enable the organization to provide living expenses to the Encore Fellow for the year in which the Encore Fellow agrees to serve.

''(6) MATCHING REQUIREMENT.—An organization that receives an Encore Fellow under this subsection shall agree to provide, for the living expenses of the Encore Fellow during the year of service, non-Federal contributions in an amount equal to not less than $1 for every $1 of Federal funds provided to the organization for the Encore Fellow through the fellowship.

''(7) TRAINING AND ASSISTANCE.—Each organization that receives an Encore Fellow under this subsection shall provide training, leadership development, and assistance to the Encore Fellow, and conduct oversight of the service provided by the Encore Fellow.

''(8) LEADERSHIP DEVELOPMENT.—Each year, the Corporation shall convene current and former Encore Fellows to discuss the Encore Fellows' experiences related to service under this subsection and discuss strategies for increasing leadership and careers in public service in the nonprofit sector or government.''.

(d) NATIONAL SERVICE EDUCATIONAL AWARDS.—

(1) TRUST.—Section 145(d)(4) of the National and Community Service Act of 1990 (42 U.S.C. 12601(d)(4)), as amended by section 131(d)(1)(B), is further amended by inserting ''or section 198E(a)'' after ''subtitle C or G''.

(2) REDUCED PART-TIME SERVICE.—Section 147 of the National and Community Service Act of 1990 (42 U.S.C. 12603) is amended by adding at the end the following:

''(d) REDUCED PART-TIME SERVICE FOR SERVEAMERICA FELLOWS.—A participant (eligible by meeting the requirements described in section 146(a)), who performs service as a ServeAmerica Fellow under section 198E(a) and who successfully completes a required term of reduced part-time national service in an approved national service position shall be eligible to receive a national service educational award having a value, for each of not more than 2 of such terms of service, equal to the amount described in subsection (b), prorated based on the number of hours served by the ServeAmerica Fellow.''.

(3) TRANSFER OF EDUCATIONAL AWARDS.—Section 148(f)(2)(A) of the National and Community Service Act of 1990 (20 U.S.C. 12604(f)(2)(A)), as added by section 131(d)(3)(C), is further amended by inserting ''or section 198E(a)'' after ''subtitle G''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 501(a)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12681(a)(2)) is amended—

(1) in subparagraphs (A) and (B), by inserting ''(other than section 198E)'' after ''H of title I''; and

(2) by adding at the end the following:

''(C) SERVEAMERICA FELLOWSHIPS.—There are authorized to be appropriated such sums as may be necessary for each of fiscal years 2009 through 2013 to provide financial assistance under section 198E(a) and to provide national service educational awards under subtitle D of title I (including providing financial assistance and national service educational awards to participants in national service positions, established or increased as provided in section 198E(a)(3)(C)).

''(D) ENCORE FELLOWSHIPS.—There are authorized to be appropriated to carry out section 198E(b), $7,000,000 for each of the fiscal years 2009 through 2013.''.

Subtitle F—Volunteer Generation Fund; National Service Reserve Corps; Call to Service Campaign

SEC. 161. STATEMENT OF PURPOSES.

The purposes of this subtitle are to—

(1) assist nonprofit, faith-based, and other civic organizations in the United States and State Commissions in expanding the supply of volunteers and improving the capacity of such organizations and State Commissions to utilize new volunteers;

(2) spur innovation in volunteer recruitment and management practices, with a goal of increasing the number of volunteers in the United States each year;

(3) enable the people of the United States to effect change throughout the United States by participating in active volunteer and citizen service; and

(4) draw on the experience, skills, and training of national service alumni to assist local communities that are affected by disasters.

SEC. 162. ESTABLISHMENT OF VOLUNTEER GENERATION FUND.

(a) IN GENERAL.—Subtitle J of title I of the National and Community Service Act of 1990 (42 U.S.C. 12653 et seq.), as amended by section 151, is further amended by adding at the end the following:

"SEC. 198F. VOLUNTEER GENERATION FUND.

''(a) DEFINITIONS.—In this section:

''(1) AREAS OF NATIONAL NEED.—The term 'areas of national need' has the meaning given the term in section 198E(a)(1).

''(2) CIVIC ENTITY.—The term 'civic entity' means a local or national nonprofit organization, including a faith-based organization, that uses volunteers to carry out activities in areas of national need.

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a State Commission; or

''(B) a nonprofit entity that provides technical assistance and support to civic entities in recruiting, managing, and supporting volunteers, such as a volunteer coordinating agency, a nonprofit resource center, a volunteer training clearinghouse, or an institution of higher education.

''(b) FUND.—

''(1) GRANTS AUTHORIZED.—The Corporation shall award grants on a competitive basis to eligible entities to enable—

''(A) eligible entities to increase the number of volunteers available to carry out activities that address areas of national need through civic entities supported by the eligible entity; or

''(B) eligible entities described in subsection (a)(3)(A) to increase the number of volunteers available to carry out statewide volunteer initiatives that address State priorities with regard to areas of national need.

''(2) PERIOD OF GRANT.—The Corporation shall award the grants for periods of not less than 3 years and not more than 5 years.

''(3) APPLICATION.—

''(A) IN GENERAL.—Each eligible entity desiring a grant under this subsection shall submit an application to the Corporation at such time, in such manner, and accompanied by such information as the Corporation may reasonably require.

''(B) CONTENTS.—Each application submitted pursuant to subparagraph (A) shall contain—

''(i)(I) in the case of an eligible entity that proposes to use grant funds to carry out an activity described in paragraph (1)(A), a description of the technical assistance and support the entity provides to civic entities in recruiting, managing, and supporting additional volunteers; or

''(II) in the case of an eligible entity that proposes to use grant funds to carry out a statewide initiative described in paragraph (1)(B), a description of the State priorities with regard to areas of national need and the proposed initiative to address such priorities;

''(ii) an assurance that the eligible entity will annually collect information on—

''(I) the number of volunteers recruited for civic entities or to carry out statewide initiatives described in paragraph (1)(B), using funds received under this subsection, and the type and amount of activities carried out by such volunteers; and

''(II) the number of volunteers supported using funds received under this subsection, and the type and amount of activities carried out by such volunteers;

''(iii) a description of any outcomes the eligible entity will use to annually measure and track performance with regard to—

''(I) activities carried out by volunteers; and

''(II) volunteers recruited, managed, and supported;

''(iv) information describing how the eligible entity will annually evaluate the effectiveness of the entity's activities under this subsection; and

''(v) such additional assurances as the Corporation determines to be essential to ensure compliance with the requirements of this subsection.

''(4) USE OF FUNDS.—An eligible entity that receives a grant under this subsection shall use amounts provided through the grant to—

''(A) in the case of an eligible entity using grant funds to carry out an activity described in paragraph (1)(A)—

''(i) increase recruitment and training of volunteers for a civic entity, relying on best practices in volunteer recruitment and management; or

''(ii) strengthen the capacity of a civic entity to use volunteers; or

''(B) in the case of an eligible entity using grant funds to carry out a statewide initiative described in paragraph (1)(B), recruit, train, and utilize volunteers to carry out statewide volunteer initiatives.

''(5) REPORTING REQUIREMENT.—Each eligible entity receiving a grant under this subsection shall annually submit a report to the Corporation that includes the information described in paragraph (3)(B)(ii), information on how the eligible entity performed with regard to the outcomes described in paragraph (3)(B)(iii), and the results of the evaluation described in paragraph (3)(B)(iv).

''(6) MATCHING REQUIREMENT.—Each eligible entity receiving a grant under this subsection shall provide, from non-Federal sources, an amount equal to the grant amount to carry out the activities supported by the grant.''.

(b) APPROPRIATIONS.—Section 501(a)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12681(a)(2)), as amended by section 151, is further amended—

(1) in subparagraphs (A) and (B), by striking ''section 198E'' each place it appears and inserting ''sections 198E and 198F''; and

(2) by adding at the end the following:

''(E) VOLUNTEER GENERATION FUND.—There is authorized to be appropriated to carry out section 198F—

''(i) $50,000,000 for fiscal year 2009;

''(ii) $60,000,000 for fiscal year 2010;

''(iii) $70,000,000 for fiscal year 2011;

''(iv) $80,000,000 for fiscal year 2012; and

''(v) $100,000,000 for fiscal year 2013.''.

SEC. 163. NATIONAL SERVICE RESERVE CORPS.

(a) IN GENERAL.—Subtitle J of title I of the National and Community Service Act of 1990 (42 U.S.C. 12653 et seq.), as amended by section 162, is further amended by adding at the end the following:

"SEC. 198G. NATIONAL SERVICE RESERVE CORPS.

''(a) DEFINITIONS.—In this section:

''(1) TERM OF NATIONAL SERVICE.—The term 'term of national service' means a term or period of service under subtitle C, E, or G or section 198E of this Act, or under part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.).

''(2) NATIONAL SERVICE RESERVE CORPS MEMBER.—The term 'National Service Reserve Corps member' means an individual who—

''(A) has completed a term of national service;

''(B) has successfully completed training described in subsection (c) within the previous 2 years; and

''(C) is interested in responding to national disasters and other emergencies through the National Service Reserve Corps.

''(b) ESTABLISHMENT OF NATIONAL SERVICE RESERVE CORPS.—The Corporation shall establish a National Service Reserve Corps to prepare and deploy individuals who have completed a term of national service to respond to natural disasters and other emergencies in a timely manner.

''(c) ANNUAL TRAINING.—The Corporation shall, in consultation with the Administrator of the Federal Emergency Management Agency, conduct or coordinate annual training sessions for individuals who have completed a term of national service, and who wish to join the National Service Reserve Corps.

''(d) CERTIFICATION OF ORGANIZATIONS.—On a biannual basis, the Corporation shall certify organizations with demonstrated experience in responding to disasters, including through using volunteers, for participation in the program under this section.

''(e) DATABASES.—The Corporation shall develop or contract with an outside organization to develop—

''(1) a database of all National Service Reserve Corps members; and

''(2) a database of all nonprofit organizations that—

''(A) have been certified by the Corporation under subsection (d); and

''(B) are prepared to respond to major disasters or emergencies with members of the National Service Reserve Corps.

''(f) DEPLOYMENT OF NATIONAL SERVICE RESERVE CORPS.—

''(1) IN GENERAL.—If a major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) occurs that the Corporation, in consultation with the Administrator of the Federal Emergency Management Agency, determines is an incident for which National Service Reserve Corps members are prepared to assist, the Corporation shall—

''(A) deploy interested National Service Reserve Corps members on 30-day assignments to assist with local needs related to preparing or recovering from the incident in the affected area, through organizations certified under subsection (d);

''(B) make travel arrangements for the deployed National Service Reserve Corps members to the site of the incident; and

''(C) provide funds to those organizations that are responding to the incident with deployed National Service Reserve Corps members, to enable the organizations to coordinate and provide housing, living stipends, and insurance for those deployed members.

''(2) STIPEND FUND.—Any amounts that are appropriated under section 501(a)(2)(F) to carry out paragraph (1) for a fiscal year shall be kept in a separate fund. Any amounts in such fund that are not used during a fiscal year shall remain available for the next fiscal year for the purpose of carrying out such paragraph.

''(g) INFORMATION.—The Corporation, the State Commissions, and entities receiving financial assistance for programs under subtitle C, E, or G or section 198E of this Act, or under part A of title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.), shall inform participants of those programs of the National Service Reserve Corps upon the participants' completion of their term of national service.

''(h) COORDINATION.—In deploying National Service Reserve Corps members under subsection (f), the Corporation may consult and, as appropriate, partner with Citizen Corps programs in the affected area.''.

(b) APPROPRIATIONS.—Section 501(a)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12681(a)(2)), as amended by section 162, is further amended—

(1) in subparagraphs (A) and (B), by striking ''and 198F'' each place it appears and inserting '', 198F, and 198G''; and

(2) by adding at the end the following:

''(F) NATIONAL SERVICE RESERVE CORPS.—There is authorized to be appropriated—

''(i) $6,500,000 in year 2009, of which—

''(I) not more than $1,500,000 shall be used to carry out section 198G (other than section 198G(f)(1)); and

''(II) the amount remaining after the application of subclause (I) shall be used to carry out section 198G(f)(1); and

''(ii) for each succeeding fiscal year—

''(I) $1,000,000 to carry out section 198G (other than section 198G(f)(1)); and

''(II) such sums as are necessary to carry out section 198G(f)(1) so that the amount available for such fiscal year to carry out such section, including any amounts remaining in the fund described in section 198G(f)(2), is equal to $4,000,000.''.

SEC. 164. CALL TO SERVICE CAMPAIGN.

Subtitle J of title I of the National and Community Service Act of 1990 (42 U.S.C. 12653 et seq.), as amended by section 163, is further amended by adding at the end the following:

''SEC. 198H. CALL TO SERVICE CAMPAIGN.

''Not later than 180 days after the date of enactment of the Serve America Act, the Corporation shall conduct a nationwide 'Call To Service' campaign, to encourage all people of the United States, regardless of age, race, ethnicity, religion, or economic status, to engage in full-or part-time national service, long- or short-term public service, or volunteering. In conducting the campaign, the Corporation may collaborate with State Commissions, Governors, nonprofit and faith-based organizations, businesses, institutions of higher education, elementary schools, and secondary schools.''.

Subtitle G—Conforming Amendments

SEC. 171. CONFORMING AMENDMENTS.

(a) IN GENERAL.—

(1) Section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511) is amended—

(A) in paragraph (17)(A)(i), by striking ''subtitle C'' and inserting ''subtitles C and G''; and

(B) in paragraph (19)—

(i) by striking ''119(b)(1), or 122(a), or in'' and inserting ''or 119(b)(1), subpart B of part I, or part III, of subtitle B of title I, or section 122(a), in'';

(ii) by inserting ''or in part II or III of subtitle F, or in subtitle G, of title I,'' after ''152(b),''; and

(iii) by striking ''or 198D'' and inserting ''198D, 198E, 198F, or 198G''.

(2) Section 117E of such Act (42 U.S.C. 12546) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''116(a)(1)'' and inserting ''114C(a)(1)''; and

(ii) in paragraph (2), by striking ''116(a)(2)'' and inserting ''114C(a)(2)''; and

(B) by striking ''116(b)'' and inserting ''114C(b)''.

(3) Section 118(a) of such Act (42 U.S.C. 12551(a)) is amended by striking ''subtitle H'' and inserting ''subtitle J''.

(4) Section 119(c) of such Act (42 U.S.C. 12561(c)) is amended—

(A) in paragraph (1)(B), by striking ''116(a)(2)'' and inserting ''114C(a)(2)''; and

(B) in paragraph (2), by striking ''116(b)'' and inserting ''114C(b)''.

(5) Section 122(a)(2) of such Act (42 U.S.C. 12572(a)(2)) is amended by striking ''subtitle I'' and inserting ''subtitle K''.

(6) Section 193A(f)(1) of such Act (42 U.S.C. 12651d(f)(1)) is amended by striking ''subtitles C and I'' and inserting ''subtitles C and K''.

(7) Section 501(a)(2) of such Act (42 U.S.C. 12681(a)(2)) is amended—

(A) in the paragraph heading, by striking ''C, D, AND H'' and inserting ''C, D, AND J'';

(B) in subparagraph (A), by striking ''subtitles C and H'' and inserting ''subtitles C and J''; and

(C) in subparagraph (B), by striking ''subtitle H'' and inserting ''subtitle J''.

(b) TABLE OF CONTENTS.—

(1) The table of contents in section 1(b) of such Act is amended—

(A) by striking the items relating to sections 115, 115A, 116, 116A, and 116B and inserting the following:

''Sec. 114A. Consideration of applications.
''Sec. 114B. Participation of students and teachers from private schools.
''Sec. 114C. Federal, State, and local contributions.
''Sec. 114D. Limitations on uses of funds.
''Sec. 114E. Definitions.'';

(B) by striking the item relating to the subpart heading of subpart C of part I of subtitle B of title I and inserting the following:

''SUBPART D—CLEARINGHOUSE'';

(C) by striking the item relating to the subpart heading of subpart B of part I of subtitle B of title I and inserting the following:

''SUBPART C—COMMUNITY-BASED SERVICE PROGRAMS FOR SCHOOL-AGE YOUTH'';

(D) by inserting after the items relating to subpart A of part I of subtitle B of title I the following:

''SUBPART B—YOUTH ENGAGEMENT AND SERVICE-LEARNING TO STRENGTHEN LOCAL COMMUNITIES

''Sec. 115. Grant program.'';

(E) by inserting after the items relating to part II of subtitle B of title I the following:

''PART III—CAMPUS OF SERVICE PROGRAM

''Sec. 119E. Campuses of Service.'';

(F) by inserting after the items relating to part III of subtitle B of title I (as added by subparagraph (E)) the following:

''PART IV—SERVICE-LEARNING IMPACT STUDY

''Sec. 119F. Study and report.'';

(G) by striking the item relating to the subtitle heading for subtitle I of title I and inserting the following:

''Subtitle K—American Conservation and Youth Corps'';

(H) by striking the item relating to the subtitle heading for subtitle H of title I and inserting the following:

''Subtitle J—Investment for Quality and Innovation'';

(I) by striking the item relating to the subtitle heading for subtitle G of title I and inserting the following:

''Subtitle I—Corporation for National and Community Service'';

(J) by striking the item relating to the subtitle heading for subtitle F of title I and inserting the following:

''Subtitle H—Administrative Provisions'';

(K) by inserting after the items relating to subtitle E of title I the following:

''Subtitle F—Social Innovation and Entrepreneurship

''PART I—COMMISSION ON CROSS SECTOR SOLUTIONS

''Sec. 167. Commission.

''PART II—COMMUNITY SOLUTIONS FUNDS

''Sec. 167A. Funds.

''PART III—INNOVATION FELLOWSHIPS PILOT PROGRAM

''Sec. 167B. Program.

''Subtitle G—ServeAmerica Corps

''Sec. 168. Corps.'';

(L) by adding at the end of the items relating to subtitle J (as so redesignated) of title I the following:

''Sec. 198E. ServeAmerica and Encore Fellowships.'';

and

(M) by adding at the end of the items relating to subtitle J (as so amended and redesignated) of title I the following:

''Sec. 198F. Volunteer Generation Fund.
''Sec. 198G. ServeAmerica Emergency Response Reserve Corps.
''Sec. 198H. Call To Service campaign.''.

TITLE II—VOLUNTEERS FOR PROSPERITY PROGRAM

SEC. 201. FINDINGS.

Congress makes the following findings:

(1) Americans engaged in international volunteer service, and the organizations deploying them—

(A) play critical roles in responding to the needs of people living throughout the developing world; and

(B) advance the international public diplomacy of the United States.

(2) The Volunteers for Prosperity Program has successfully promoted international volunteer service by skilled American professionals.

(3) In its first 4 years, the VfP Program helped to mobilize 74,000 skilled Americans, including doctors, nurses, engineers, businesspeople, and teachers, through a network of 250 nonprofit organizations and companies in the United States, to carry out development and humanitarian efforts for those affected by great global challenges in health, the environment, poverty, illiteracy, financial literacy, disaster relief, and other challenges.

(4) The VfP Program has undertaken activities, including—

(A) direct outreach to leading nonprofit organizations and companies in the United States;

(B) promotion of the work of skilled Americans and nonprofit organizations and companies in the United States as it relates to international volunteer service;

(C) public recognition of skilled American volunteers;

(D) support for organizations that utilize skilled Americans as volunteers;

(E) participation in the development of special initiatives to further opportunities for skilled Americans; and

(F) leadership of an innovative public-private partnership to provide eligible skilled with financial assistance for volunteer assignments.

SEC. 202. DEFINITIONS.

In this title:

(1) VFP OFFICE.—The term ''VfP Office'' means the Office of Volunteers for Prosperity of the United States Agency for International Development.

(2) VFP PROGRAM.—The term ''VfP Program'' means the Volunteers for Prosperity Program established through Executive Order 13317.

(3) VFPSERVE.—The term ''VfPServe'' means a program established by the VfP Office, in cooperation with the USA Freedom Corps and the Global Giving Foundation, to provide eligible skilled professionals with fixed amount stipends to offset the travel and living costs of volunteering abroad.

SEC. 203. OFFICE OF VOLUNTEERS FOR PROSPERITY.

(a) FUNCTIONS.—The VfP Office shall pursue the objectives of the VfP Program described in subsection (b) by—

(1) implementing the VfPServe Program to provide eligible skilled professionals with fixed amount stipends to offset the travel and living expenses of volunteering abroad with nonprofit organizations;

(2) otherwise promoting short- and long-term international volunteer service by skilled American professionals, including connecting such professionals with nonprofit organizations, to achieve such objectives;

(3) helping nonprofit organizations in the United States recruit and effectively manage additional skilled American professionals for volunteer assignments throughout the developing world;

(4) providing recognition for skilled American volunteers and the organizations deploying them;

(5) helping nonprofit organizations and corporations in the United States to identify resources and opportunities in international volunteer service utilizing skilled Americans;

(6) encouraging the establishment of international volunteer programs for employees of United States corporations; and

(7) encouraging international voluntary service by highly skilled Americans to promote health and prosperity throughout the world.

(b) VFP PROGRAM OBJECTIVES.—The objectives of the VfP Program shall be to—

(1) eliminate extreme poverty;

(2) reduce world hunger and malnutrition;

(3) increase access to safe potable water;

(4) enact universal education;

(5) reduce child mortality and childhood diseases;

(6) combat the spread of preventable diseases, including HIV, malaria, and tuberculosis;

(7) provide educational and work skill support for girls and empowering women to achieve independence;

(8) create sustainable business and entrepreneurial opportunities; and

(9) increase access to information technology.

(c) VOLUNTEERS FOR PROSPERITY SERVICE INCENTIVE PROGRAM.—The VfP Office may provide fixed amount stipends to offset the travel and living costs of volunteering abroad to any individual who—

(1) has skills relevant to addressing any objective described in subsection (b); and

(2) provides a dollar-for-dollar match for such stipend—

(A) through the organization with which the individual is serving; or

(B) by raising private funds.

(d) FUNDING.—

(1) IN GENERAL.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall make available the amounts appropriated pursuant to section 204 to the VfP Office to pursue the objectives described in subsection (b) by carrying out the functions described in subsection (a).

(2) USE OF FUNDS.—Amounts made available under paragraph (1) may be used by the VfP Office to provide personnel and other resources to develop, manage, and expand the VfP Program, under the supervision of the United States Agency for International Development.

(e) COORDINATION.—The VfP Office shall coordinate its efforts with other public and private efforts that aim to send skilled professionals to serve in developing nations.

(f) REPORT.—The VfP Office shall submit an annual report to Congress on the activities of the VfP Office.

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to carry out this title $10,000,000 for each of the fiscal years 2009 through 2013.

(b) ALLOCATION OF FUNDS.—Of the amounts appropriated pursuant to subsection (a)—

(1) 90 percent shall be expended to expand VfPServe; and

(2) 10 percent shall be expended to manage the VfP Program.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 657—DESIGNATING SEPTEMBER 13, 2008, AS ''NATIONAL CELIAC DISEASE AWARENESS DAY''

Mr. NELSON of Nebraska (for himself and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on the Judiciary.

S. RES. 657

Whereas celiac disease affects approximately 1 in every 130 people in the United States, for a total of 3,000,000 people;

Whereas the majority of people with celiac disease have yet to be diagnosed;

Whereas celiac disease is a chronic inflammatory disorder that is classified as both an autoimmune condition and a genetic condition;

Whereas celiac disease causes damage to the lining of the small intestine, which results in overall malnutrition;

Whereas, when a person with celiac disease consumes foods that contain certain protein fractions, that person suffers a cell-mediated immune response that damages the villi of the small intestine, interfering with the absorption of nutrients in food and the effectiveness of medications;

Whereas those problematic protein fractions are found in wheat, barley, rye, and oats, which are used to produce many foods, medications, and vitamins;

Whereas, because celiac disease is a genetic disease, there is an increased incidence of celiac disease in families with a known history of celiac disease;

Whereas celiac disease is underdiagnosed because the symptoms can be attributed to other conditions and are easily overlooked by doctors and patients;

Whereas, as recently as 2000, the average person with celiac disease waited 11 years for a correct diagnosis;

Whereas ½ of all people with celiac disease do not show symptoms of the disease;

Whereas celiac disease is diagnosed by tests that measure the blood for abnormally high levels of the antibodies of immunoglobulin A, anti-tissue transglutaminase, and IgA anti-endomysium antibodies;

Whereas celiac disease can be treated only by implementing a diet free of wheat, barley, rye, and oats, often called a ''gluten-free diet'';

Whereas a delay in the diagnosis of celiac disease can result in damage to the small intestine, which leads to an increased risk of malnutrition, anemia, lymphoma, adenocarcinoma, osteoporosis, miscarriage, congenital malformation, short stature, and disorders of the skin and other organs;

Whereas celiac disease is linked to many autoimmune disorders, including thyroid disease, systemic lupus erythematosus, type 1 diabetes, liver disease, collagen vascular disease, rheumatoid arthritis, and Sjogren's syndrome;

Whereas the connection between celiac disease and diet was first established by Dr. Samuel Gee, who wrote, ''if the patient can be cured at all, it must be by means of diet'';

Whereas Dr. Samuel Gee was born on September 13, 1839; and

Whereas, by designating September 13, 2008, as National Celiac Disease Awareness Day, the Senate can raise awareness of celiac disease in the general public and the medical community: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 13, 2008, as ''National Celiac Disease Awareness Day'';

(2) recognizes that all people in the United States should become more informed and aware of celiac disease;

(3) calls upon the people of the United States to observe the date with appropriate ceremonies and activities; and

(4) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the Celiac Sprue Association, the American Celiac Society, the Celiac Disease Foundation, the Gluten Intolerance Group of North America, and the Oklahoma Celiac Support Group No. 5 of the Celiac Sprue Association.

SENATE RESOLUTION 658—EXPRESSING THE SENSE OF THE SENATE THAT THE FORMER CHIEF EXECUTIVE OFFICERS OF FANNIE MAE SHOULD NOT RECEIVE LAVISH SEVERANCE PACKAGES AT TAXPAYER EXPENSE

Mr. NELSON of Nebraska submitted the following resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. RES. 658

Whereas, on September 7, 2008 the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac) were placed into conservatorship by the Federal Housing Finance Agency;

Whereas the Department of the Treasury has announced that up to $200,000,000,000 of tax dollars will be invested in senior preferred stock of Fannie Mae and Freddie Mac, with billions more lent to the companies via the Government Sponsored Entity Credit Facility, and invested in mortgage backed securities issued by the companies;

Whereas the Federal Housing Finance Agency, as conservator, has all the rights, titles, powers, and privileges of the companies and of any stockholder, officer, or director of the companies, and has been charged with the duty to operate the companies;

Whereas media reports indicate that the former chief executive officers of Fannie Mae and Freddie Mac may be paid severance packages worth a combined $24,000,000 in pay, bonuses, and benefits;

Whereas these chief executive officers presided over Fannie Mae and Freddie Mac in the time that led to a taxpayer-funded rescue and Federal takeover, and should not be rewarded; and

Whereas the conservator of Fannie Mae and Freddie Mac has a duty both to the stability of the financial markets, and to the best interest of the American taxpayer, whose dollars are being invested in the companies: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the former chief executive officers who presided over the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac) during the period that led to a Federal takeover should not be rewarded with lavish severance packages paid for by American taxpayers; and

(2) the severance packages of both former chief executive officers should be carefully examined and eliminated or reduced to an appropriate level.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5498. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill S. 3001, to authorize

appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 5499. Mr. WEBB submitted an amendment intended to be proposed by him to the bill S. 3001, supra; which was ordered to lie on the table.

SA 5500. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 3001, supra; which was ordered to lie on the table.

SA 5501. Ms. SNOWE (for herself and Mr. STEVENS) submitted an amendment intended to be proposed by her to the bill S. 3001, supra; which was ordered to lie on the table.

SA 5502. Mr. NELSON, of Nebraska (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill S. 3001, supra; which was ordered to lie on the table.

SA 5503. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3001, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 5498. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill S. 3001, to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PROTECTION OF NATIONAL SECURITY INTERESTS FROM OIL AND GAS LEASING IN CERTAIN AREAS.

(a) AREAS.—This section applies to—

(1) any area in the Gulf of Mexico that is east of the Military Mission Line (as defined in section 102 of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note; Public Law 109–432));

(2) the area that is also known as the ''Joint Gulf Range Complex'' or the ''Gulf of Mexico Range''; and

(3) any military or national security agency operations, training, or testing area that is used by a military or national security agency of the United States

(b) PREREQUISITE.—Notwithstanding any other provision of law, the Secretary of the Interior shall not issue any permit for oil and gas leasing or extraction in an area described in subsection (a) unless and until the President certifies (based on written opinions provided by each of the Secretary of Defense, the Secretary of the Navy, the Secretary of the Air Force, and the head of each appropriate national security agency of the United States) that in balancing the national security interests of the United States—

(1) the advantages of oil or gas extraction in the area; outweigh

(2) the military and national security missions being conducted in the area.

(c) OPINIONS.—Each written opinion required for an area under subsection (b) shall—

(1) be submitted to the national security committees of Congress in unclassified form, with a classified annex (if applicable); and

(2) evaluate the effects of oil or gas extraction on military and national security agency operations, training, or testing in the area.

SA 5499. Mr. WEBB submitted an amendment intended to be proposed by him to the bill S. 3001, to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1222. SENSE OF CONGRESS ON EXTENSION OF THE MANDATE OF MULTI-NATIONAL FORCE IN IRAQ AFTER EXPIRATION OF ITS CURRENT UNITED NATIONS MANDATE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States Special Representative to the United Nations should use the voice, vote, and influence of the United States at the United Nations to seek an extension of the mandate of the Multi-National Force in Iraq under United National Security Council Resolution 1790 (2007) in order to provide United States and Coalition forces within the Multi-National Force in Iraq with the authorities, privileges, and immunities necessary for such forces to carry out their mission in Iraq after December 31, 2008;

(2) the extension under paragraph (1) should expire upon the earlier of—

(A) a period of one year; or

(B) the entry into force of a strategic framework agreement and a status of forces agreement between the United States and Iraq as mutually agreed upon by the Government of the United States and the Government of Iraq;

(3) the strategic framework agreement now being negotiated between the United States and Iraq poses significant long-term national security implications for the United States;

(4) the Bush Administration having fully agreed to consult with Congress regarding all details of the strategic framework agreement and status of forces agreement between the United States and Iraq, copies of the full texts of each such agreement should be provided to the Chairman and Ranking Minority Member of the appropriate committees of Congress before entry into such agreement; and

(5) any strategic framework agreement mutually agreed upon by the Government of the United States and the Government of Iraq should cease to have effect unless approved by Congress within 180 days of the entry into force of such agreement.

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

(1) the Committees on Armed Services and Foreign Relations of the Senate; and

(2) the Committees on Armed Services and International Relations of the House of Representatives.

SA 5500. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 3001, to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 81, before line 6, insert the following:

SEC. 344. ALTERNATIVE AVIATION FUEL INITIATIVE.

(a) FINDINGS.—Congress makes the following findings:

(1) Dependence on foreign sources of oil is detrimental to the national security of the United States due to possible disruptions in supply.

(2) The Department of Defense is the largest single consumer of fuel in the United States.

(3) The United States Air Force is the largest consumer of fuel in the Department of Defense.

(4) The skyrocketing price of fuel is having a significant budgetary impact on the Department of Defense.

(5) The United States Air Force uses about 2,600,000,000 gallons of jet fuel a year, or 10 percent of the entire domestic market in aviation fuel.

(6) The Air Force has developed an energy program (in this section referred to as the ''Air Force Energy Program'') to certify the entire Air Force aircraft fleet for operations on a 50/50 synthetic fuel blend by not later than June 30, 2011, and to acquire 50 percent of its domestic aviation fuel requirement from a synthetic fuel blend, at prices equal to or less than market prices for petroleum-based alternatives, that exhibits a more favorable environmental footprint across all major contaminates of concern, by not later than December 31, 2016.

(7) The Air Force Energy Program will provide options to reduce the use of foreign oil, by focusing on expanding alternative energy options that provide favorable environmental attributes as compared to currently-available options.

(b) CONTINUATION OF INITIATIVES.—

(1) IN GENERAL.—The Secretary of the Air Force shall continue the alternative aviation fuel initiatives of the Air Force with a goal of—

(A) certifying the entire Air Force aircraft fleet for operations on alternative or synthetic fuels (including blends of alternative or synthetic fuels with conventional fuels) by not later than June 30, 2011;

(B) acquiring 50 percent of its domestic aviation fuel requirement from alternative or synthetic fuels (including blends of alternative or synthetic fuels with conventional fuels) by not later than December 31, 2016, provided that—

(i) the lifecycle greenhouse gas emissions associated with the production and combustion of such fuel shall be lower than such emissions from conventional fuels that are used in the same application, as determined in accordance with guidance by the Department of Energy and the Environmental Protection Agency ; and

(ii) prices for such fuels are equal to or less than market prices for petroleum-based alternatives that are used for the same functions;

(C) taking actions in collaboration with the commercial aviation industry and equipment manufacturers to spur the development of a domestic alternative aviation fuel industry; and

(D) taking actions in collaboration with other Federal agencies, the commercial sector, and academia to solicit for and test the next generation of environmentally-friendly alternative aviation fuels.

(2) ADJUSTMENT OF GOAL.—The Secretary of the Air Force may adjust the goal of acquiring 50 percent of Air Force domestic fuel requirements from alternative or synthetic fuels by not later than December 31, 2016, if the Secretary determines in writing that it would not be practicable, or in the best interests of the Air Force, to do so and informs the congressional defense committees within 30 days of the basis for such determination.

(3) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act and annually thereafter in each of fiscal years 2010 through 2016, the Secretary of Defense, in consultation with the Secretary of the Air Force, shall submit to Congress a report on the progress of the alternative aviation fuel initiative program, including—

(A) the status of aircraft fleet certification, until complete;

(B) the quantities of alternative or synthetic fuels (including blends of alternative or synthetic fuels with conventional fuels) purchased for use by the Air Force in the fiscal year ending in such year;

(C) progress made against published goals for such fiscal year;

(D) the status of recovery plans to achieve any goals set for previous years that were not achieved; and

(E) the establishment or adjustment of goals and objectives for the current fiscal year or for future years.

(c) ANNUAL REPORT FOR ARMY AND NAVY.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter in each of fiscal years 2010 through 2016, the Secretary of the Army and the Secretary of the Navy shall each submit to Congress a report on goals and progress to research, test, and certify the use of alternative fuels in their respective aircraft fleets.

(d) DEFENSE SCIENCE BOARD REVIEW.—

(1) REPORT REQUIRED.—Not later than October 1, 2011, the Defense Science Board shall report to the Secretary of Defense on the feasibility and advisability of achieving the goals established in subsection (b)(1). The report shall address—

(A) the technological and economic achievability of the goals;

(B) the impact of actions required to meet such goals on the military readiness of the Air Force, energy costs, environmental performance, and dependence on foreign oil; and

(C) any recommendations the Defense Science Board may have for improving the Air Force program.

(2) SUBMISSION TO CONGRESS.—Not later than 30 days after receiving the report required by under paragraph (1), the Secretary of Defense shall forward the report to Congress, together with the comments and recommendations of the Secretary.

SA 5501. Ms. SNOWE (for herself and Mr. STEVENS) submitted an amendment intended to be proposed by her to the bill S. 3001, to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 311, between lines 13 and 14, insert the following:

SEC. 1083. SMALL BUSINESS PROGRAMS FOR SERVICE-DISABLED VETERANS.

(a) DEFINITIONS.—In this section—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively; and

(2) the term ''small business concern owned and controlled by service-disabled veterans'' has the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632), as amended by this section.

(b) CERTIFICATION.—

(1) CONGRESSIONAL INTENT.—It is the intent of Congress that the Administrator should accept certifications by the Department of Veterans Affairs, under such criteria as the Administrator may prescribe, by regulation or order, in certifying small business concerns owned and controlled by service-disabled veterans

(2) REGULATIONS.—Before implementing paragraph (1), the Administrator shall promulgate regulations or orders ensuring appropriate certification safeguards to be implemented by the Administration and the Department of Veterans Affairs.

(3) REGISTRATION PORTAL.—The Administrator and the Secretary of Veterans Affairs shall ensure that small business concerns owned and controlled by service-disabled veterans may apply to participate in all programs for such small business concerns carried out by the Administrator or the Secretary through a single process.

(c) TRANSITION PERIOD FOR SURVIVING SPOUSES OR PERMANENT CARE GIVERS.—Section 3(q)(2) of the Small Business Act (15 U.S.C. 632(q)(2)) is amended by striking subparagraph (B) and inserting the following:

''(B) the management and daily business operations of which are controlled—

''(i) by 1 or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent care giver of such veteran; or

''(ii) for a period of not longer than 10 years after the death of a service-disabled veteran, by a surviving spouse or permanent caregiver thereof.''.

(d) MENTOR-PROTEGE PROGRAM.—The Administrator may establish a mentor-protege program for small business concerns owned and controlled by service-disabled veterans, modeled on the mentor-protege program of the Administration for small businesses participating in programs under section 8(a) of the Small Business Act (15 U.S.C. 637(a)).

(e) IMPROVING OPPORTUNITIES FOR SERVICE DISABLED VETERANS.—Section 36(a) of the Small Business Act (15 U.S.C. 657f(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''may'' and inserting ''shall''; and

(2) in paragraph (1), by striking ''and the contracting officer'' and all that follows through ''contracting opportunity''.

SA 5502. Mr. NELSON of Nebraska (for himself and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill S. 3001, to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VI, add the following:

SEC. 652. AUTHORIZATION FOR PAYMENT OF HAZARDOUS DUTY PAY FOR ARDUOUS PERSONNEL TEMPOS AND OTHER FACTORS.

Section 305(a) of title 37, United States Code, is amended—

(1) by inserting ''(1)'' after ''(a) SPECIAL PAY AUTHORIZED.—''; and

(2) by adding at the end the following new paragraph:

''(2) In designating duty as hardship duty for purposes of this section, the Secretary of Defense shall take into account the following:

''(A) Quality-of-life and living conditions in the area of a member's assignment.

''(B) The mission a member is performing.

''(C) Whether the tempo of operations under which a member is performing the duty exceeds the thresholds established in section 991 of title 10.

''(D) Whether the time a member has served on deployment during the course of the member's career in specified locations or operations (such as combat zones or combat operations), missions, or assignments exceeds a period specified by the Secretary of Defense.

''(E) Such other factors as the Secretary of Defense considers appropriate.''.

SA 5503. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill S. 3001, to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1068. PILOT PROGRAM ON TRAINING AND CERTIFICATION FOR FAMILY CAREGIVER PERSONAL CARE ATTENDANTS FOR VETERANS AND MEMBERS OF THE ARMED FORCES WITH TRAUMATIC BRAIN INJURY.

(a) PILOT PROGRAMS AUTHORIZED.—The Secretary of Veterans Affairs shall, in collaboration with the Secretary of Defense, carry out a pilot program to assess the feasibility and advisability of providing training and certification for family caregivers of veterans and members of the Armed Forces with traumatic brain injury as personal care attendants of such veterans and members.

(b) DURATION OF PROGRAM.—The pilot program required by subsection (a) shall be carried out during the three-year period beginning on the date of the commencement of the pilot program.

(c) LOCATIONS.—The pilot program under this section shall be carried out in three medical facilities of the Department of Veterans Affairs. In selecting the locations of the pilot program, the Secretary shall give special emphasis to the polytrauma centers of the Department of Veterans Affairs designated as Tier I polytrauma centers.

(d) TRAINING CURRICULA.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall develop curricula for the training of personal care attendants under the pilot program under this section. Such curricula shall incorporate—

(A) applicable standards and protocols utilized by certification programs of national brain injury care specialist organizations; and

(B) best practices recognized by caregiving organizations.

(2) USE OF EXISTING CURRICULA.—In developing the curricula required by paragraph (1), the Secretary of Veterans Affairs shall, to the extent practicable, utilize and expand upon training curricula developed pursuant to section 744(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2308).

(e) PARTICIPATION IN PROGRAMS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall determine the eligibility of a family member of a veteran or member of the Armed Forces for participation in the pilot program under this section.

(2) BASIS FOR DETERMINATION.—A determination made under paragraph (1) shall be based on the needs of the veteran or member of the Armed Forces concerned, as determined by the physician of such veteran or member.

(f) ELIGIBILITY FOR COMPENSATION.—A family caregiver of a veteran or member of the Armed Forces who receives certification as a personal care attendant under the pilot program under this section shall be eligible for

compensation from the Department of Veterans Affairs for care provided to such veteran or member.

(g) COSTS OF TRAINING.—

(1) TRAINING OF FAMILIES OF VETERANS.—Any costs of training provided under the pilot program under this section for family members of veterans shall be borne by the Secretary of Veterans Affairs.

(2) TRAINING OF FAMILIES OF MEMBERS OF THE ARMED FORCES.—The Secretary of Defense shall reimburse the Secretary of Veterans Affairs for any costs of training provided under the pilot program for family members of members of the Armed Forces. Amounts for such reimbursement shall be derived from amounts available for Defense Health Program for the TRICARE program.

(h) ASSESSMENT OF FAMILY CAREGIVER NEEDS.—

(1) IN GENERAL.—The Secretary of Veterans Affairs may provide to a family caregiver who receives training under a pilot program under this section—

(A) an assessment of their needs with respect to their role as a family caregiver; and

(B) a referral to services and support that—

(i) are relevant to any needs identified in such assessment; and

(ii) are provided in the community where the family caregiver resides, including such services and support provided by community-based organizations, publicly-funded programs, and the Department of Veterans Affairs.

(2) USE OF EXISTING TOOLS.—In developing and administering an assessment under paragraph (1), the Secretary shall, to the extent practicable, use and expand upon caregiver assessment tools already developed and in use by the Department.

(i) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report on the pilot program carried out under this section, including the recommendations of the Secretary with respect to expansion or modification of the pilot program.

(j) CONSTRUCTION.—Nothing in this section shall be construed—

(1) to establish a mandate or right for a family caregiver to be trained and certified under this section; and

(2) to prohibit the Secretary from considering or adopting the preference of a veteran or member of the Armed Forces for services provided by a personal care attendant who is not a family caregiver.

(k) FAMILY CAREGIVER DEFINED.—In this section, with respect to member of the Armed Forces or a veteran with traumatic brain injury, the term ''family caregiver'' means a family member of such member or veteran, or such other individual of similar affinity to such member or veteran as the Secretary proscribes, who is providing care to such member or veteran for such traumatic brain injury.

ORDERS FOR MONDAY, SEPTEMBER 15, 2008

Mr. SANDERS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 3 p.m., Monday, September 15; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then resume consideration of S. 3001, the Defense authorization bill, with no motions to proceed in order during Monday's session. I further ask that the mandatory quorum under rule XXII be waived and that the filing deadline for first-degree amendments be 4 p.m. Monday.

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

PROGRAM

Mr. SANDERS. Mr. President, today Senator REID filed cloture on the Defense authorization bill. Senators have until 4 p.m. on Monday to file germane amendments. The cloture vote will occur on Tuesday. As previously announced, there will be no rollcall votes on Monday.

ADJOURNMENT UNTIL MONDAY, SEPTEMBER 15, 2008, AT 3 P.M.

Mr. SANDERS. If there is no further business to come before the Senate, I ask unanimous consent it stand adjourned under the previous order.

There being no objection, the Senate, at 12:34 p.m., adjourned until Monday, September 15, 2008, at 3 p.m.

NOMINATIONS

Executive nominations received by the Senate:

UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY

JAY T. SNYDER, OF NEW YORK, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2010. (REAPPOINTMENT)

FOREIGN SERVICE

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF CAREER MINISTER:

JONATHAN S. ADDLETON, OF GEORGIA
LILIANA AYALDE, OF MARYLAND

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER COUNSELOR:

SUSAN K. BREMS, OF NORTH CAROLINA
MARGOT BIEGELSON ELLIS, OF NEW YORK
PATRICK C. FLEURET, OF VIRGINIA
KAREN L. FREEMAN, OF VIRGINIA
JON DANIEL LINDBORG, OF INDIANA
CARL ABDOU RAHMAAN, OF MARYLAND
SUSAN G. REICHLE, OF VIRGINIA

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR:

DAVID JON BARTH, OF VIRGINIA
E. JED BARTON, OF NEVADA
ROBBIN E. BURKHART, OF TEXAS
SUSAN FRENCH FINE, OF VIRGINIA
JAMES ALAN FRANCKIEWICZ, OF MARYLAND
R. DAVID HARDEN, OF MARYLAND
PETER R. HUBBARD, OF THE DISTRICT OF COLUMBIA
BARBARA JEANNE KRELL, OF VIRGINIA
LAWRENCE A. MESERVE, OF VIRGINIA
THOMAS CHRISTOPHER MILLIGAN, OF THE DISTRICT OF COLUMBIA
BETH A. SALAMANCA, OF VIRGINIA
MAUREEN A. SHAUKET, OF THE DISTRICT OF COLUMBIA
HERBERT B. SMITH, OF DELAWARE
THOMAS H. STAAL, OF MARYLAND
RICHARD WINSLOW WHELDEN, OF VIRGINIA

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF STATE

JONATHAN TREVOR AUSTIN, OF MINNESOTA
JENNIFER A. BAH, OF ALABAMA
GAURAV BANSAL, OF NEW YORK
ANNE M. BENNETT, OF TEXAS
MARK MELLAS BLISS, OF GEORGIA
MATTHEW HAROLD BLONG, OF MARYLAND
RYAN EUGENE BOWLES, OF MINNESOTA
NATHAN J. BOYACK, OF WASHINGTON
ROBIN SOPHIA BROOKS, OF COLORADO
CHRISTOPHER J. BROWN, OF VIRGINIA
TODD ALAN CAMPBELL, OF ILLINOIS
ALICE RUTH CHU, OF MINNESOTA
GORDON SCOTT CHURCH, OF TENNESSEE
JEANNE L. CLARK, OF NEW YORK
FRANCES JUANITA CRESPO, OF TEXAS
GRETCHEN MCKEEVER CURETON, OF TEXAS
SARAH J. DEBBINK, OF THE DISTRICT OF COLUMBIA
AMY WUEBBELS DIAZ, OF TEXAS
REBECCA EVE DODDS, OF OREGON
ERIN L. EDDY, OF SOUTH DAKOTA
SITA M. FARRELL, OF VIRGINIA
MOLLY PLEDGE FLORES, OF KANSAS
MARY ANN FREEMAN, OF CALIFORNIA
CHRIS W. GRANTHAM, OF WASHINGTON
BETH BOWDEN HERBOLICH, OF ARIZONA
SAUL ANTONIO HERNANDEZ, OF GEORGIA
SABIN MANZEL HINTON, OF UTAH
MICHELLE LYNN HOYT, OF VIRGINIA
SARAH ELIZABETH HUTCHISON, OF VIRGINIA
DAVID JEFFREY, OF WASHINGTON
ERIC N. JOHNSON, OF COLORADO
HYUN S. KIM, OF ILLINOIS
KEVIN MATTHEW KREUTNER, OF THE DISTRICT OF COLUMBIA
SUSANNE KUESTER, OF FLORIDA
REBECCA LYNN LANDIS, OF CALIFORNIA
DANIEL B. LANGENKAMP, OF THE DISTRICT OF COLUMBIA
COBY DAWNE LASTUKA, OF WASHINGTON
JEAN BOWMAN LEEDY, OF TEXAS
LISA SHIH-YUN LIAO, OF NEW YORK
BRUCE ALEXANDER LIPSCOMB III, OF VIRGINIA
JEFFREY MICHAEL LOREE, OF NEW YORK
RONITA MICHELLE MACKLIN, OF OHIO
DANIEL STEWART MATTERN, OF NEW YORK
SUZANNE SHELTON MCGUIRE, OF VIRGINIA
RUSSELL C. MENYHART, OF INDIANA
SAMUEL S. MIKHELSON, OF VIRGINIA
LOREN GIALLANELLA MURAD, OF MASSACHUSETTS
DANIEL R. MYERS, OF OREGON
TRACY J. NABER, OF SOUTH DAKOTA
HART GABRIEL NELSON, OF MISSOURI
MARLENE MONFILETTO NICE, OF FLORIDA
MARLENE EGUIZABAL OLSEN, OF FLORIDA
DARBY ANDREW PARLIAMENT, OF COLORADO
CHRISTOPHER BRENT PATCH, OF UTAH
VANESSA M. PAULOS, OF TEXAS
MARGARET HOLLIS PEIRCE, OF FLORIDA
MICHELE LOUISE PETERSEN, OF VIRGINIA
ELLEN PETERSON, OF NEW YORK
SCOTT ALAN REESE, OF VERMONT
JAN MARLYS REILLY, OF NEW YORK
RYAN J. ROBERTS, OF TEXAS
MARK ROSENSHIELD, OF FLORIDA
ALEXANDER D. SCHRANK, OF THE DISTRICT OF COLUMBIA
MAHVASH SIDDIQUI, OF CALIFORNIA
ALEXIS LYNN SMITH, OF COLORADO
CHRISTOPHER WELBY SMITH, OF VIRGINIA
KIM M. STEENBERG, OF INDIANA
WILLIAM B. STEVENS, JR., OF VIRGINIA
PAUL W. STEVENSON, OF NEW YORK
KARAN ELIZABETH SWANER, OF VIRGINIA
DMITRI TARAKHOVSKY, OF MICHIGAN
MARK AUGUST TERVAKOSKI, OF FLORIDA
CELIA CLAIRE THOMPSON, OF TEXAS
ELIZABETH KENNEDY TRUDEAU, OF NEW HAMPSHIRE
HELENE N. TULING, OF WASHINGTON
MARK ANDREW TURNER, OF VIRGINIA
ANDREW JONATHAN WEBSTER-MAIN, OF WASHINGTON
BRIGID REILLY WEILLER, OF NEW YORK
RHONDA L. WELLS, OF FLORIDA
LILIETH R. WHYTE, OF COLORADO
PAULA C. WIKLE, OF FLORIDA
RYAN DAVID WIRTZ, OF FLORIDA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

DEPARTMENT OF COMMERCE

CHRISTOPHER BECKER, OF ILLINOIS
S. THOMAS BRUNS, OF FLORIDA
STACEY T. CHOW, OF VIRGINIA
SARAH K. FOX-SHIN, OF MARYLAND
LOLA Z. GULOMOVA, OF THE DISTRICT OF COLUMBIA
JOHN R. HOWELL, OF VIRGINIA

DEPARTMENT OF STATE

NATHANIEL W. ADAMS, OF THE DISTRICT OF COLUMBIA
MELISSA D. AINLEY, OF VIRGINIA
MARIA M. ARNETT, OF VIRGINIA
HEATHER MARIE BORLAND, OF VIRGINIA
SHAWN MICHAEL BOYD, OF VIRGINIA
JOHN S. BROWN, OF WASHINGTON
KATHLEEN T. BRYDA, OF VIRGINIA
JESSICA ARIAS BULLOCK, OF VIRGINIA
ROBERT ALFRED BULLOCK, OF VIRGINIA
HERBERT CHRISTIAN CHEN, OF VIRGINIA
JACOB KYUNG-HWOON CHOI, OF UTAH
KARIN J. CHURCHEY, OF THE DISTRICT OF COLUMBIA
KAREN LYNN CLARK, OF TEXAS
JOHN RAMSEY CLARKE, OF THE DISTRICT OF COLUMBIA
DONALD R. COLEMAN, OF CALIFORNIA
LAURA SUSAN CONAWAY, OF MARYLAND
CYNTHIA LAUREN COOK, OF THE DISTRICT OF COLUMBIA
MARJORIE CORLETT, OF FLORIDA
ETHAN K. CURBOW, OF MARYLAND
EBONY ROSE CUSTIS, OF MARYLAND

SANDYA DAS, OF CALIFORNIA
CHRISTOPHER DAVENPORT, OF VIRGINIA
BRIDGET DAVIS, OF NEW YORK
ANDREA JO DEARMENT, OF TEXAS
DUSTIN DEGRANDE, OF THE DISTRICT OF COLUMBIA
DANIEL DEL CASTILLO, OF MINNESOTA
WILLIAM ANTHONY DENTON, OF THE DISTRICT OF COLUMBIA
JUDD B. DEVERMONT, OF THE DISTRICT OF COLUMBIA
LUKE T. DURKIN, OF ILLINOIS
EMMERSON W. EDWARDS, OF THE DISTRICT OF COLUMBIA
JON KELLY EMERSON, OF MARYLAND
SARAH AILEEN ENGELHARDT, OF VIRGINIA
MARK D. ERICSON, OF MARYLAND
ALISON R. EVANS, OF THE DISTRICT OF COLUMBIA
ROBERT T. FALZONE, OF VIRGINIA
M. MARGARET FERRARA, OF VIRGINIA
KELLY E. FOLLIARD, OF FLORIDA
JEREMY J. FOWLER, OF THE DISTRICT OF COLUMBIA
SHAWNA L. GARNER, OF VIRGINIA
ALEXANDER DIMOND GORDON, OF THE DISTRICT OF COLUMBIA
MARY E. GOUDEY, OF THE DISTRICT OF COLUMBIA
MIGUEL A. GUZMAN, OF VIRGINIA
ADAM HALVERSON, OF WISCONSIN
BRIAN HARP, OF NEW HAMPSHIRE
CHRISTOPHER THADDEUS WESTON HARTFIELD, OF GEORGIA
DAVID H. HASKETT, OF MARYLAND
JILLIAN A. HAYES, OF THE DISTRICT OF COLUMBIA
TIMOTHY F. HAYNES, JR., OF NEW YORK
LISA R. HECHT-CRONSTEDT, OF FLORIDA
NEIL HELBRAUN, OF ILLINOIS
JACQUELINE BRETT HERNANDEZ, OF FLORIDA
SHANNON PIPER HILL, OF NEW MEXICO
ANDREA SMITH HILLYER, OF GUAM
HENRY HOWARD III, OF CONNECTICUT
THOMAS J. HUDAK, OF VIRGINIA
VIRSA Y. HURT, OF TENNESSEE
MARK T. HUSE, OF VIRGINIA
JASON RAY HUTCHISON, OF FLORIDA
BRANDON JOVAN JACKSON, OF FLORIDA
SANDRA M. JACOBS, OF FLORIDA
JAMAL JOSEPH JAFARI, OF THE DISTRICT OF COLUMBIA
KELVIN JAMISON, OF INDIANA
HUGO A. JIMENEZ, OF FLORIDA
SHEENA M. JOHNSON, OF VIRGINIA
KYLE T. JONES, OF OKLAHOMA
N. RASHAD JONES, OF GEORGIA
MARK RICHARD JORGENSEN, OF MINNESOTA
JERRY G. KALARICKAL, OF TEXAS
ELIZABETH A. KEENE, OF TEXAS
SALMAN K. KHALIL, OF VIRGINIA
JOHN P. KOSER, OF VIRGINIA
MARIANNE B. L'ALTRELLI, OF PENNSYLVANIA
ANDREW D. LEBKUECHER, OF MINNESOTA
MATTHEW L. LEE, OF VIRGINIA
NANCY M. LEW, OF OREGON
ELEESHA M. LEWIS, OF FLORIDA
EILEEN M. LISTON, OF VIRGINIA
LISA E. MAHONEY, OF VIRGINIA
PATRICK MARTINO, OF WISCONSIN
BRITTNEY ANJALI MCCLARY, OF FLORIDA
KIRK MCDONALD, OF FLORIDA
DEBORAH M. MCGRATH, OF WISCONSIN
NINA D. MCLAUGHLIN, OF THE DISTRICT OF COLUMBIA
BRIANA GRIBBIN MEACHAM, OF PENNSYLVANIA
AMANDA JOHNSON MILLER, OF THE DISTRICT OF COLUMBIA
ERIN M. MOLNAR, OF NEW YORK
JOAN A. MORGAN, OF VIRGINIA
DALI MUKHERJEE, OF VIRGINIA
PETER M. MUNOZ, OF VIRGINIA
YOMARIS C. NUNEZ, OF NEW YORK
KATHLEEN M. NUTT, OF VIRGINIA
JAMES PATRICK O'BRIEN, OF WASHINGTON
JOHN BURTON O'BRIEN, OF FLORIDA
DANIEL PATRICK OGAN, OF VIRGINIA
MATTHEW GEREON OSBORNE, OF VIRGINIA
PAUL A. PAVWOSKI, OF THE DISTRICT OF COLUMBIA
AMANDA K. PAZ, OF CALIFORNIA
BENJAMIN JOSEPH PERACCHIO, OF NORTH CAROLINA
MATTHEW L. PETIT, OF FLORIDA
BRETT ANDREW PIERCE, OF VIRGINIA
ANDREW J. PUBLICOVER, OF WASHINGTON
ELIZABETH A. QUIRING, OF PENNSYLVANIA
JUDNEFERA A. RASAYON, OF VIRGINIA
ALISSA MEREDITH REDMOND, OF NORTH CAROLINA
ROBERT ALEXANDER ROMANOWSKI, OF VIRGINIA
STEVEN MEREDITH RUGGE, OF VIRGINIA
RYAN RUTA, OF TEXAS
JENNIFER L. SAMPLE, OF VIRGINIA
NICOLAS STEVEN SAMUELSON, OF VIRGINIA
BENJAMIN SAND, OF NEW YORK
MARIA W. SAND, OF NEW YORK
SETH E. SCHLEICHER, OF VIRGINIA
AUDREY LOUISE SCHRADER, OF VIRGINIA
KYLE E. SCHRADER, OF CALIFORNIA
MELISSA L. SCHUMI, OF THE DISTRICT OF COLUMBIA
PATRICIA A. SEEKER, OF FLORIDA
ROSEMARIE E. SKELLY, OF VIRGINIA
TARA E. SKRABANEK, OF TEXAS
JASON P. SPELLBERG, OF COLORADO
INEKE MARGARET STONEHAM, OF THE DISTRICT OF COLUMBIA
NATELLA V. SVISTUNOVA, OF OREGON
DINA LUCIA TAMBURRINO, OF FLORIDA
JOSEPH P. TAVES, OF VIRGINIA
BEVERLY A. THACKER, OF OREGON
MARK EVAN TRABUE, OF VIRGINIA
COLLEEN M. TRAUGHBER, OF MINNESOTA
ERIN J. TRUHLER, OF MINNESOTA
MARY VARGAS, OF CALIFORNIA
JOSEPH WILLIAM WADE, OF UTAH
DAVID AUSTIN WESTENHOFER, OF KENTUCKY
TERESA WILLIAMSON, OF CONNECTICUT
JONATHAN WOLFINGTON, OF THE DISTRICT OF COLUMBIA
HANAN YEHIA, OF MARYLAND
MATTHEW J. ZAMARY, OF VIRGINIA
MARK W. ZANOLLI, OF PENNSYLVANIA
LINDSEY M. ZULUAGA, OF PENNSYLVANIA

CONSULAR OFFICER IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JOSEPH AMBROSE KENNY, JR., OF MARYLAND

THE FOLLOWING-NAMED CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF AGRICULTURE FOR PROMOTION WITIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER COUNSELOR, EFFECTIVE MARCH 20, 2005:

PHILIP A. SHULL, OF VIRGINIA

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION WITHIN AND INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER COUNSELOR, EFFECTIVE JANUARY 6, 2008:

DAVID MALCOLM ROBINSON, JR., OF CONNECTICUT

THE FOLLOWING-NAMED CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO AND WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASSES INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF CAREER MINISTER:

JOHN E. HERBST, OF VIRGINIA
RONALD LEWIS SCHLICHER, OF TENNESSEE
THOMAS A. SHANNON, JR., OF VIRGINIA
WILLIAM BRAUCHER WOOD, OF NEW YORK

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER-COUNSELOR:

MARK L. ASQUINO, OF RHODE ISLAND
BARBARA S. AYCOCK, OF OREGON
JESS LIPPINCOTT BAILY, OF GEORGIA
MICHAEL ANTHONY BUTLER, OF VIRGINIA
MARY DEANE CONNERS, OF PENNSYLVANIA
JEFFREY W. CULVER, OF VIRGINIA
ROBERT E. DAVIS, JR., OF WASHINGTON
DAVID F. DAVISON, OF HAWAII
JAMES C. DICKMEYER, OF OHIO
ELLEN CONNOR ENGELS, OF VIRGINIA
KATHLEEN M. FITZPATRICK, OF MARYLAND
ROBERT STEPHEN FORD, OF MARYLAND
ALCY RUTH FRELICK, OF CALIFORNIA
KAY E. GOTOH, OF VIRGINIA
BRADFORD EUGENE HANSON, OF VIRGINIA
DOUGLAS C. HENGEL, OF NEW YORK
PHILLIP P. HOFFMANN, OF NEW YORK
MICHAEL STEPHEN HOZA, OF WASHINGTON
CHERIE J. JACKSON, OF COLORADO
KENNETH HOWARD JARRETT, OF NEW YORK
RICHARD E. JAWORSKI, OF MICHIGAN
DEBORAH KAY JONES, OF NEW MEXICO
IAN C. KELLY, OF NEW JERSEY
JOHN MONROE KOENIG, OF WASHINGTON
JUNE HEIL KUNSMAN, OF MISSOURI
BARRY JAY LEVIN, OF MISSOURI
NANCY LEE MANAHAN, OF FLORIDA
SCOT ALAN MARCIEL, OF VIRGINIA
C. STEVEN MCGANN, OF CALIFORNIA
ROBERT MCKINNIE, OF TENNESSEE
RONALD KEITH MCMULLEN, OF IOWA
PATRICIA N. MOLLER, OF PENNSYLVANIA
RODERICK W. MOORE, OF FLORIDA
BRIAN A. NICHOLS, OF CALIFORNIA
RICHARD BOYCE NORLAND, OF MISSOURI
JAMES D. PETTIT, OF VIRGINIA
LISA A. PIASCIK, OF VIRGINIA
DANIEL WILLIAM PICCUTA II, OF CALIFORNIA
ROBERT A. POLLARD, OF VIRGINIA
RONALD J. POST, OF FLORIDA
MARTIN R. QUINN, OF VIRGINIA
BROOKS A. ROBINSON, OF CALIFORNIA
DANIEL RICHARD RUSSEL, OF CALIFORNIA
THOMAS F. SKIPPER, OF CALIFORNIA
DERWOOD KEITH STAEBEN, OF WISCONSIN
GRACE CAROLY STETTENBAUER, OF VIRGINIA
KAREN BREVARD STEWART, OF FLORIDA
SHARON E. W. VILLAROSA, OF TEXAS
MARY BURCE WARLICK, OF CALIFORNIA
EDWARD J. WEHRLI, OF TEXAS
JOSEPH YUOSANG YUN, OF OREGON

THE FOLLOWING-NAMED CAREER MEMBERS OF THE FOREIGN SERVICE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE, AS INDICATED:

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR:

THEODORE ALLEGRA, OF COLORADO
KURT E. AMEND, OF WASHINGTON
LARRY EDWARD ANDRE, JR., OF TEXAS
THOMAS H. ARMBRUSTER, OF FLORIDA
BRUCE ARMSTRONG, OF FLORIDA
LISA GAMBLE BARKER, OF RHODE ISLAND
CLARE A. BARKLEY, OF MARYLAND
ERICA JEAN BARKS-RUGGLES, OF VIRGINIA
JOHN F. BERRY, OF MICHIGAN
TIMOTHY A. BETTS, OF CALIFORNIA
JAMES A. BOUGHNER, OF WASHINGTON
WILLIAM BRENT CHRISTENSEN, OF OREGON
CARL S. COCKBURN, OF FLORIDA
JONATHAN RAPHAEL COHEN, OF CALIFORNIA
MAUREEN E. CORMACK, OF ILLINOIS
JOHN S. CREAMER, OF VIRGINIA
MARK J. DAVIDSON, OF NEW JERSEY
JEFFREY F. DELAURENTIS, OF NEW YORK
LAURA FARNSWORTH DOGU, OF TEXAS
WALTER DOUGLAS, OF NEVADA
CATHERINE I. EBERT-GRAY, OF COLORADO
JOHN J. FINNEGAN, JR., OF VIRGINIA
MICHAEL J. FITZPATRICK, OF FLORIDA
VALERIE L. FOWLER, OF WASHINGTON
CARLOS GARCIA, OF FLORIDA
THOMAS B. GIBBONS, OF VIRGINIA
DANIEL EDWARD GOODSPEED, OF VIRGINIA
LAWRENCE J. GUMBINER, OF CALIFORNIA
BLAIR P. HALL, OF THE DISTRICT OF COLUMBIA
DANIEL J. HALL, OF TEXAS
BRENT R. HARTLEY, OF MARYLAND
STUART M. HATCHER, OF VIRGINIA
WILLIAM A. HEIDT, OF CALIFORNIA
DEBRA P. HEIEN, OF WASHINGTON
JAMES WILLIAM HERMAN, OF WASHINGTON
CHARLES F. HUNTER, OF THE DISTRICT OF COLUMBIA
KAREN E. JOHNSON, OF TEXAS
RUSSELL WARREN JONES, JR., OF ILLINOIS
GERALDINE L. KAM, OF CALIFORNIA
STEVEN B. KASHKETT, OF FLORIDA
ELIZABETH COOPER KAUFFMAN, OF FLORIDA
SUNG Y. KIM, OF CALIFORNIA
LAURA JEAN KIRKCONNELL, OF FLORIDA
PHILIP S. KOSNETT, OF NORTH CAROLINA
ROBERT R. KUNTZ II, OF CALIFORNIA
MARY BETH LEONARD, OF THE DISTRICT OF COLUMBIA
EARLE D. LITZENBERGER, OF CALIFORNIA
NAOMI EMERSON LYEW, OF PENNSYLVANIA
WILLIAM JOHN MARTIN, OF CALIFORNIA
RAYMOND D. MAXWELL, OF NORTH CAROLINA
ELIZABETH KAY WEBB MAYFIELD, OF TEXAS
VICTORIA SHARON MIDDLETON, OF VIRGINIA
JEFFREY A. MOON, OF FLORIDA
JONATHAN M. MOORE, OF ILLINOIS
WENDELA C. MOORE, OF VIRGINIA
TULINABO SALAMA MUSHINGI, OF VIRGINIA
JULIETA VALLS NOYES, OF FLORIDA
JULIE H. NUTTER, OF PENNSYLVANIA
MARY MONICA O'KEEFE, OF VIRGINIA
THEODORE G. OSIUS, OF THE DISTRICT OF COLUMBIA
JOSEPH M. POMPER, OF CONNECTICUT
MICHAEL A. RAYNOR, OF MARYLAND
BRUCE DAVID ROGERS, OF CALIFORNIA
SARA A. ROSENBERRY, OF VIRGINIA
CHRISTOPHER JOHN ROWAN, OF TENNESSEE
JULIE ANN RUTERBORIES, OF TEXAS
SUE ELLEN SAARNIO, OF VIRGINIA
MICHAEL R. SCHIMMEL, OF MICHIGAN
TODD P. SCHWARTZ, OF OHIO
KRISTEN B. SKIPPER, OF CALIFORNIA
DANA SHELL SMITH, OF CALIFORNIA
KURT D. VOLKER, OF THE DISTRICT OF COLUMBIA
PAUL ALLEN WEDDERIEN, OF CALIFORNIA
UZRA S. ZEYA, OF FLORIDA
SUSAN L. ZIADEH, OF WASHINGTON
BENJAMIN G. ZIFF, OF CALIFORNIA
JANE BUCHMILLER ZIMMERMAN, OF VIRGINIA

CAREER MEMBERS OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, AND CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

AZIZ AHMED, OF VIRGINIA
DOUGLAS A. ALLISON, OF VIRGINIA
JAMES PATRICK BACIGALUPO, OF NEW YORK
RICHARD L. BOOHAKER, OF FLORIDA
MICHAEL B. BRETZ, OF FLORIDA
TODD JAMES BROWN, OF VIRGINIA
PANAKKAL DAVID, OF NEW YORK
JOHN M. DAVIS, OF VIRGINIA
EDMUND J. GAGLIARDI, JR., OF PENNSYLVANIA
LEON G. GALANOS, JR., OF NEW HAMPSHIRE
TIMOTHY G. HALEY, OF TEXAS
DANIEL BARRETT HOGAN, OF VIRGINIA
MARTIN FORTUNE KRAUS, OF MARYLAND
DANIEL R. MUHM, OF WASHINGTON
JOSEPH MICHAEL PATE, OF TENNESSEE
STEVE G. ROMERO, OF VIRGINIA
DAVID J. SCHNORBUS, OF NEW YORK
CHRISTIAN J. SCHURMAN, OF VIRGINIA
CHARLES J. SLATER, OF FLORIDA
WALTER D. STORM, OF WASHINGTON
XAVIER VAZQUEZ, OF NEW YORK

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

THOMAS R. REED

To be major

REBECCA W. CARTER
RICHARD A. DEFELICE
ALBERTO L. ENRICO, JR.
JOAN M. HOVERMAN
MICHAEL W. KRUG
NIDA SHEMMERI
VIJAYALAKSHMI SRIPATHY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND AS PERMANENT PROFESSOR AT THE UNITED STATES AIR FORCE ACADEMY, UNDER TITLE 10, U.S.C., SECTIONS 9333(B) AND 9336(A):

To be colonel

DANIEL URIBE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MARK A. LAMBERTSEN

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

RANDY L. MANELLA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

TIMOTHY W. RICKS

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

MARCO V. GALVEZ
MARY A. HAYES
MARK L. KAMPFE
ENEYA H. MULAGHA
JOSEPH M. OLIVEIRA
INAAM A. PEDALINO
JOHN T. SYMONDS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS PERMANENT PROFESSOR AT THE UNITED STATES MILITARY ACADEMY IN THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 4333(B) AND 4336(A) :

To be colonel

STEVEN B. HORTON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

MARY F. BRAUN

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be colonel

JAMES C. BAYLEY

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JOSE R. RAFOLS

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

MATTHEW MYLES

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY DENTAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

JAYANTHI KONDAMINI

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

KATHERINE G. ARTERBURN
JAMES H. GRIFFITHS
JESSE C. WHITE

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

LEEANN M. CAPACE
PAMELA A. DIPATRIZIO
DUAINE J. KACZINSKI

THE FOLLOWING NAMED INDIVIDUALS FOR REGULAR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES ARMY MEDICAL CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

JOB ANDUJAR

To be major

RALPH LAYMAN

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S8457–S8503

Measures Introduced: Five bills and two resolutions were introduced, as follows: S. 3483–3487, and S. Res. 657–658. **Page S8479**

Measures Reported:

S. 3097, to amend the Vietnam Education Foundation Act of 2000. (S. Rept. No. 110–458)

H.R. 2553, to amend the State Department Basic Authorities Act of 1956 to provide for the establishment and maintenance of existing libraries and resource centers at United States diplomatic and consular missions to provide information about American culture, society, and history, with amendments. (S. Rept. No. 110–459)

S. 2052, to allow for certiorari review of certain cases denied relief or review by the United States Court of Appeals for the Armed Forces.

S. 3166, to amend the Immigration and Nationality Act to impose criminal penalties on individuals who assist aliens who have engaged in genocide, torture, or extrajudicial killings to enter the United States. **Page S8479**

Measures Considered:

National Defense Authorization Act: Senate continued consideration of S. 3001, to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, taking action on the following amendments proposed thereto: **Pages S8457–71**

Pending:

Reid Amendment No. 5290, to change the enactment date. **Page S8457**

Reid Amendment No. 5291 (to Amendment No. 5290), of a perfecting nature. **Page S8457**

Motion to recommit the bill to the Committee on Armed Services with instructions to report back forthwith, with Reid Amendment No. 5292 (to the instructions of the motion to recommit), to change the enactment date. **Page S8457**

Reid Amendment No. 5293 (to the instructions of the motion to recommit to the bill), of a perfecting nature. **Page S8457**

Reid Amendment No. 5294 (to Amendment No. 5293), of a perfecting nature. **Page S8457**

A motion was entered to close further debate on the bill, and, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, a vote on cloture will occur on Tuesday, September 16, 2008. **Page S8470**

A unanimous-consent agreement was reached providing that Senate resume consideration of the bill at approximately 3 p.m., on Monday, September 15, 2008, and that the previous order with respect to a prohibition on motions to proceed remain in effect during the session of the Senate on Monday, September 15, 2008; provided further, that Senators have until 4 p.m., on Monday, September 15, 2008 to file all first-degree amendments to the bill. **Page S8501**

Nominations Received: Senate received the following nominations:

Jay T. Snyder, of New York, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2010.

Routine lists in the Air Force, Army, and the Foreign Service. **Pages S8501–03**

Messages from the House: **Page S8478**

Measures Referred: **Page S8478**

Executive Communications: **Pages S8478–79**

Additional Cosponsors: **Pages S8479–80**

Statements on Introduced Bills/Resolutions: **Pages S8480–98**

Additional Statements: **Pages S8475–78**

Amendments Submitted: **Pages S8498–S8501**

Adjournment: Senate convened at 9:30 a.m. and adjourned at 12:34 p.m., until 3 p.m. on Monday, September 15, 2008. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S8501.)

Committee Meetings

(Committees not listed did not meet)

No committee meetings were held.

House of Representatives

Chamber Action

The House was not in session today. The House is scheduled to meet at 12:30 p.m. on Monday, September 15, 2008.

Committee Meetings

FEDERAL GOVERNMENT ROLE—SMALL BUSINESS DISASTER RECOVERY

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing on the Role of the Federal Government in Small Business Disaster Recovery. Testimony was heard from Representatives King and Braley, both of Iowa; Herbert Mitchell, Assistant Administrator, Office of Disaster Assistance, SBA; and Marko Bourne, Director, Policy and Program Analysis, FEMA, Department of Homeland Security.

CONGRESSIONAL PROGRAM AHEAD

Week of September 15 through September 20, 2008

Senate Chamber

On *Monday*, at approximately 3 p.m., Senate will resume consideration of S. 3001, National Defense Authorization Act.

On *Tuesday*, Senate will continue consideration of S. 3001, National Defense Authorization Act, and vote on the motion to invoke cloture thereon.

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 Banking, Housing, and Urban Affairs: September 16, to hold hearings to examine recent regulatory actions regarding Fannie Mae and Freddie Mac, 10 a.m., SD–538.

September 18, Full Committee, to hold hearings to examine recent bank failures and the response of regulators, 10:30 a.m., SD–538.

September 18, Full Committee, to hold hearings to examine transparency in accounting, proposed changes to accounting for off-balance sheet entities, 2:30 p.m., SD–538.

Committee on Commerce, Science, and Transportation: September 16, to hold hearings to examine reasons that broadband Internet access matters, 10 a.m., SR–253.

September 17, Full Committee, to hold hearings to examine pending Corporation for Public Broadcasting nominations, 10:30 a.m., SR–253.

September 18, Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security, to hold an oversight hearing to examine bus safety, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: September 16, to hold hearings to examine the current state of vehicles powered by the electric grid and the prospects for wider deployment in the near future, 10 a.m., SD–366.

September 16, Subcommittee on Energy, to hold hearings to examine recent analyses of the role of speculative investment in energy markets, 2:30 p.m., SD–366.

Committee on Environment and Public Works: September 16, to hold oversight hearings to examine the children's health protection efforts of the Environmental Protection Agency (EPA), 10 a.m., SD–406.

September 18, Full Committee, to hold oversight hearings to examine clean-up efforts at Federal facilities, 10 a.m., SD–406.

Committee on Finance: September 16, to hold hearings to examine aligning incentives, focusing on the case for delivery system reform, 10 a.m., SD–215.

Committee on Foreign Relations: September 17, to hold hearings to examine Russia's aggression against Georgia, focusing on the consequences and responses, 10 a.m., SD–419.

September 18, Full Committee, to hold hearings to examine the Agreement for Peaceful Nuclear Cooperation with India, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: September 17, to hold hearings to examine 401(k) plan fee disclosure, focusing on helping workers save for retirement, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: September 17, business meeting to consider S. 3474, to amend title 44, United States Code, to enhance information security of the Federal Government, S. 3384, to amend section 11317 of title 40, United States Code, to require greater accountability for cost overruns on Federal IT investment projects, H.R. 2631, to strengthen efforts in the Department of Homeland Security to develop nuclear forensics capabilities to permit attribution of the source of nuclear material, H.R. 6098, to amend the Homeland Security Act of 2002 to improve the financial assistance provided to State, local, and tribal governments for information sharing activities, H.R. 3815, to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to make full and efficient use of open source information to develop and disseminate open source homeland security information products, S. 3176, to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to provide mental health and substance abuse services, an original bill to establish a controlled unclassified information framework, H.R. 6073, to provide that Federal employees receiving their pay by electronic funds transfer shall be given the option of receiving their pay stubs electronically, S. 3350, to provide that claims of the United States to certain documents relating to Franklin

Delano Roosevelt shall be treated as waived and relinquished in certain circumstances, S. 3477, to amend title 44, United States Code, to authorize grants for Presidential Centers of Historical Excellence, H.R. 5975 and S. 3317, bills to designate the facility of the United States Postal Service located at 101 West Main Street in Waterville, New York, as the ''Cpl. John P. Sigsbee Post Office'', H.R. 6092, to designate the facility of the United States Postal Service located at 101 Tallapoosa Street in Bremen, Georgia, as the ''Sergeant Paul Saylor Post Office Building'', S. 3309, to designate the facility of the United States Postal Service located at 2523 7th Avenue East in North Saint Paul, Minnesota, as the Mayor William ''Bill'' Sandberg Post Office Building, H.R. 6437, to designate the facility of the United States Postal Service located at 200 North Texas Avenue in Odessa, Texas, as the ''Corporal Alfred Mac Wilson Post Office'', and the nominations of Ruth Y. Goldway, of California, to be a Commissioner of the Postal Regulatory Commission, and Carol Waller Pope, of the District of Columbia, and Thomas M. Beck, of Virginia, both to be a Member of the Federal Labor Relations Authority, 10 a.m., SD–342.

September 18, Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine the homeland security risks associated with the upcoming presidential transition, the Department of Homeland Security's (DHS) planning for the transition, and what remains to be done to prepare for the transition, 2 p.m., SD–342.

Committee on Indian Affairs: September 18, to hold oversight hearings to examine Federal declinations to prosecute crimes in Indian country, 9:30 a.m., SD–628.

Committee on the Judiciary: September 16, Subcommittee on the Constitution, to hold hearings to examine restoring the rule of law, 10:15 a.m., SH–216.

September 17, Full Committee, to hold oversight hearings to examine the Federal Bureau of Investigation, 9:30 a.m., SH–216.

September 18, Full Committee, business meeting to consider S. 3259, to amend title 11, United States Code, with respect to the priority of certain high cost credit debts, H.R. 3971, to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, S. Res. 540, recognizing the historical significance of the sloop-of-war USS *Constellation* as a reminder of the participation of the United States in the transatlantic slave trade and of the efforts of the United States to end the slave trade, the nominations of Clark Waddoups, to be United States District Judge for the District of Utah, Michael M. Anello, to be United States District Judge for the Southern District of California, Mary Stenson Scriven, to be United States District Judge for the Middle District of Florida, Christine M. Arguello, to be United States District Judge for the District of Colorado, Philip A. Brimmer, to be United States District Judge for the District of Colorado, and Gregory G. Garre, of Maryland, to be Solicitor General of the United States, and the authorization for subpoenas relating to the Department of Justice Office of Legal Counsel, 10 a.m., SH–216.

Committee on Veterans' Affairs: September 17, to hold hearings to examine the nomination of Patrick W. Dunne, of New York, to be Under Secretary for Benefits of the Department of Veterans Affairs, 9:30 a.m., SR–418.

Select Committee on Intelligence: September 18, to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

Special Committee on Aging: September 17, to hold hearings to examine direct-to-consumer medical device advertising, focusing on marketing and medicine, 10:30 a.m., SD–562.

House Committees

Committee on Appropriations, September 17, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Food Safety—FDA, 2 p.m., 2362A Rayburn.

September 17, Subcommittee on Financial Services and General Government, on Public, Educational, and Governmental (PEG) Access to Cable Television, 10 a.m., 2220 Rayburn.

Committee on Armed Services, September 16, hearing on Considerations for an American Grand Strategy, 10 a.m., 2118 Rayburn.

September 16, Subcommittee on Oversight and Investigations, hearing on Defeating the Improvised Explosive Device (IED) and Other Asymmetric Threats: Today's Efforts and Tomorrow's Requirements, 1 p.m., 2212 Rayburn.

September 18, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Lessons for Countering al Qa'ida and the Way Ahead, 10 a.m., 2118 Rayburn.

Committee on the Budget, September 16, hearing on Iraq's Budget Surplus, 9:30 a.m., 210 Cannon.

Committee on Education and Labor, September 17, Subcommittee on Workforce Protections, hearing on the Secret Rule of the Department of Labor's Worker Health Risk Assessment Proposal, 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, September 16, Subcommittee on Commerce, Trade, and Consumer Protection, hearing on H.R. 3402, Calling Card Consumer Protection Act, 10 a.m., 2322 Rayburn; and to mark up H.R. 3232, Travel Promotion Act of 2007; and H.R. 3402, Calling Card Consumer Protection Act, 3 p.m., 2123 Rayburn.

September 16, Subcommittee on Telecommunications and the Internet, hearing entitled ''Status of the DTV Transition: 154 Days and Counting,'' 9:30 a.m., 2123 Rayburn.

September 18, Subcommittee on Health, hearing entitled ''America's Need for Health Reform,'' 9:30 a.m., 2123 Rayburn.

September 18, Subcommittee on Oversight and Investigations, hearing entitled ''Science Under Siege: Scientific Integrity at the Environmental Protection Agency,'' 10 a.m., 2322 Rayburn.

Committee on Financial Services, September 16, to consider the following bills: H.R. 6694, FHA Seller-Financed Downpayment Reform and Risk-Based Pricing Authorization Act of 2008; H.R. 6890, Payments System Protection Act of 2008; H.R. 3019, Expand and Preserve Home Ownership Through Counseling Act; H.R. 6642, National Consumer Cooperative Bank Act Amendments of 2008; and H.R. 6871, Expedited Funds Availability Dollar Limits Adjustment Act of 2008, 1 p.m., 2128 Rayburn.

September 16, Subcommittee on Oversight and Investigations, hearing entitled: ''HUD's Proposed RESPA Rule.'' 10 a.m., 2128 Rayburn.

September 17, full Committee, hearing entitled ''Implementation of the Hope for Homeowners Program and A Review of Foreclosure Mitigation Efforts,'' 10 a.m., 2128 Rayburn.

September 18, full Committee, hearing entitled ''Auction Rate Securities Market: A Review of Problems and Potential Resolutions,'' 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, September 16, Subcommittee on the Middle East and South Asia, hearing on Defeating al Qaeda's Air Force: Pakistan's F–16 Program in the Fight Against Terrorism, 10 a.m., 2172 Rayburn.

September 16, Subcommittee on the Western Hemisphere, hearing on Foreign Assistance in the Americas, 2:30 p.m., 2172 Rayburn.

September 17, Subcommittee on Asia, the Pacific and The Global Environment, hearing on Exporting Toxic Trash: Are We Dumping Our Electronic Waste on Poorer Countries?, 2 p.m., 2172 Rayburn.

September 18, Subcommittee on International Organizations, Human Rights, and Oversight, hearing on Families Torn Apart: Human Rights and U.S., Restrictions on Cuban-American Travel, 10 a.m., 2172 Rayburn.

Committee on Homeland Security, September 16, Subcommittee on Emerging Threats, Cybersecurity, and Science and Technology, hearing entitled ''Cybersecurity Recommendations for the Next Administration,'' 2 p.m., 311 Cannon.

September 16, Subcommittee on Emergency Communications, Preparedness and Response, hearing entitled ''Interoperability in the Next Administration: Assessing the Derailed 700 MHz D-block Public Safety Spectrum Auction,'' 10 a.m., 311 Cannon.

September 17, Subcommittee on Border Maritime and Global Counterterrorism, hearing entitled ''Transportation Worker Identification Credential: A Status Update,'' 10 a.m., 311 Cannon.

September 17, Subcommittee on Management, Investigations and Oversight, hearing entitled ''Waste, Abuse and Mismanagement: Calculating the Cost of DHS Failed Contracts,'' 2 p.m., 311 Cannon.

September 18, full Committee, to continue hearings entitled ''Management, Missteps, and Missed Benchmarks: Why the Virtual Fence Has Not Become a Reality,'' 10 a.m., 311 Cannon.

Committee on the Judiciary, September 16, oversight hearing on the Federal Bureau of Investigation, 10 a.m., 2141 Rayburn.

September 16, Subcommittee on Commercial and Administrative Law, hearing on Bankruptcy Trustee Compensation, 2 p.m., 2141 Rayburn.

September 18, Subcommittee on Commercial and Administrative Law, hearing on H.R. 5793, Cell Tax Fairness Act of 2008, 1 p.m., 2141 Rayburn.

September 18, Subcommittee on Crime, Terrorism, and Homeland Security, hearing on the Department of Justice, Office of Justice Programs Oversight, 11:30 a.m., 2237 Rayburn.

Committee on Natural Resources, September 16, Subcommittee on Fisheries, Wildlife and Oceans, oversight hearing on the impacts that U.S. consumer demand is having on the illegal and unsustainable trade of wildlife products and ongoing and proposed efforts to increase public awareness about these impacts, 10 a.m., 1324 Longworth.

September 16, Subcommittee on National Parks, Forest and Public Lands, oversight hearing on the Pineros: Reviewing the Welfare of Workers on Federal Lands, 10 a.m., 1334 Longworth.

September 18, full Committee, oversight hearing on Recent Interior Department Inspector General Investigations on Federal Oil and Gas Royalty Collections, 10 a.m., 1324 Longworth.

September 18, Subcommittee on Insular Affairs, oversight hearing on the Federal Court Options for American Samoa, 2 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, September 16, hearing on the Domestic Epidemic is Worse Than We Thought: A Wake-up Call for HIV Prevention, 10 a.m., 2154 Rayburn.

September 16, Subcommittee Federal Workforce, Postal Service and the District of Columbia, to mark up H.R. 5600, District of Columbia Court, Offender Supervision, Parole, and Public Defender Employees Equity Act of 2008; followed by a hearing on Legislative Branch Diversity Management Review, 2 p.m., 2154 Rayburn.

September 17, Subcommittee on Information Policy, Census and National Archives, hearing on Implementation of the Office of Government Information Services, 2 p.m., 2154 Rayburn.

September 18, Subcommittee on Domestic Policy, hearing on Gaming the Tax Code: Public Subsidies, Private Profits, and Big League Sports in New York, 10 a.m., 2154 Rayburn.

September 18, Subcommittee on National Security and Foreign Affairs, hearing on Oversight of Airstrikes and Civilian Deaths in Afghanistan, 10 a.m., 2247 Rayburn.

Committee on Rules, September 15, to consider H.R. 6842, National Capital Security and Safety Act, 5 p.m., H–313 Capitol.

Committee on Science and Technology, September 18, Subcommittee on Research and Science Education, hearing on the Role of Social Sciences in Public Health, 10 a.m., 2318 Rayburn.

Committee on Small Business, September 17, Subcommittee on Finance, and Tax, hearing entitled ''Disaster Savings Accounts: Protections for Small Businesses During a Disaster,'' 2 p.m., 1539 Longworth.

September 18, full Committee, hearing entitled ''Making Health Care Reform Work for Small Business,'' 10:30 a.m., 1539 Longworth.

Committee on Transportation and Infrastructure, September 16, hearing on the Effects of Proposed Arrangement Between DHL and UPS on Competition, Customer Service, and Employment, 2 p.m., 2167 Rayburn.

September 16, Subcommittee on Coast Guard and Maritime Transportation, hearing on Oil Spill in New Orleans in July 2008 and Safety on the Inland River System, 10 a.m., 2167 Rayburn.

September 17, Subcommittee on Aviation, hearing on FAA Aircraft Certification: Alleged Regulatory Lapses in the Certification and Manufacture of the Eclipse EA–500, 10 a.m., 2167 Rayburn.

September 18, Subcommittee on Highways and Transit, hearing on Transportation Planning, 10 a.m., 2167 Rayburn.

September 18, Subcommittee on Water Resources and Environment, hearing on Emerging Contaminants in U.S. Waters, 2 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, September 16, Subcommittee on Health, hearing on VA Suicide Hotline, 10 a.m., 340 Cannon.

September 18, Subcommittee on Disability Assistance and Memorial Affairs, hearing on Examining the Effectiveness of the Veterans Benefits Administration's Training, Performance Management and Accountability, 10 a.m., 340 Cannon.

Committee on Ways and Means, September 16, Subcommittee on Social Security, hearing on Clearing the Disability Backlog, 10 a.m., B–318 Rayburn.

September 18, full Committee, to continue hearings on Policy Options to Prevent Climate Change, 10:30 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, September 16, Subcommittee on Technical and Tactical Intelligence, executive, meeting on Subcommittee report, 1:15 p.m., H–405 Capitol.

September 17, Subcommittee on Intelligence Community Management, executive, on Security Clearance proceedings, 10 a.m., H–405 Capitol, and a hearing on the Administration progress toward reform of the security clearance process, as set forth by the Intelligence Reform and Terrorism Prevention Act of 2004, 2 p.m., 2253 Rayburn.

September 18, full Committee, executive, hearing on Cyber Security, 9 a.m., H–405 Capitol.

September 18, Subcommittee on Oversight and Investigations, executive, to meet on ongoing matters/reports, 1 p.m., H–405 Capitol.

September 18, Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence, executive, hearing on Russia, 2:30 p.m., H–405 Capitol.

Select Committee on Energy Independence and Global Warming, September 18, hearing entitled ''The Green Road to Economic Recovery,'' 10 a.m., room to be announced.

Joint Meetings

Joint Economic Committee: September 17, to hold hearings to examine the role of Organization for Security and Cooperation in Europe (OSCE) institutions in advancing human rights and democracy, 3 p.m., 2325, Rayburn Building.

Commission on Security and Cooperation in Europe: September 16, to hold hearings to examine the state of democracy and human rights in Belarus and how the Belarusian authorities are complying with their Organization for Security and Cooperation in Europe (OSCE) election commitments in advance of the September 28 parliamentary elections, 2:30 p.m., B318, Rayburn Building.

Next Meeting of the SENATE

3 p.m., Monday, September 15

Senate Chamber

Program for Monday: Senate will resume consideration of S. 3001, National Defense Authorization Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

12:30 p.m., Monday, September 15

House Chamber

Program for Monday: To be announced.

Congressional Record

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