

Congress is whether we are going to stand with them in solidarity or whether we will turn away our heads. This amendment would provide \$75 million in funds, the amount requested by the administration; in fact, announced by Secretary of State Rice. That announcement, I know from sources I have, was broadly heard and appreciated within the Iranian civil society dissident movement. The committee has recommended one-third of that amount of money. This \$75 million would go to labor activists, women's groups, journalists, human rights advocates, and other members of Iranian civil society. It provides Congress an opportunity to demonstrate that even as we condemn the behavior of the Iranian regime, we stand with the Iranian people, a people with a proud history who truly are, in my opinion, yearning to be free. That freedom is suppressed by the fanatical regime that dominates their lives today.

The alternative path before Congress, if we don't adopt this amendment, would be to cut the administration's request by two-thirds. At that level of funding, existing programs will not only be unable to expand, they will actually be cut back. In other words, at just the moment when the Iranian Government is engaged in an unprecedented rollback of the human rights and political freedoms of the Iranian people, the American Government will be rolling back its own programs to help defend those rights and freedoms. Why would we do this?

The report language of the Appropriations subcommittee, I say respectfully, says that "the Committee supports the goals of promoting democracy in Iran," but "it is particularly concerned that grantees suspected of receiving U.S. assistance have been harassed and arrested by the Government of Iran for their pro-democracy activities."

I ask unanimous consent to be given another 5 minutes.

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

Mr. LIEBERMAN. In other words, the argument against this amendment seems to be that we should give less to help dissidents in Iran because our help, in turn, may lead to their harassment by the totalitarian government in Tehran. I respectfully disagree with this logic. I know that we do not give less to democracy advocates in Myanmar or Zimbabwe or Belarus when they are being harassed by the regime, nor do we give less to freedom fighters behind the Iron Curtain in Poland, Czechoslovakia, and Hungary. On the contrary, it is precisely when dissidents are under attack that they need more help from the United States, not less. I am sure my colleagues would agree that if we give less money to these civil society human rights activists in Iran, the Iranian regime will not repress them any less. The repression probably, in fact, will be greater. As to the argument that those who accept

this money—and I can say, speaking generally, that the money is given through third parties, international organizations, to the civil society human rights advocates in Iran—that somehow they will be harassed for receiving this money, I believe the just and right thing to do is leave that decision to those who are fighting for freedom in Iran, for us to be willing to help them if they want that help. The record is clear there.

Since the State Department began making these grants 8 months ago, 90 percent of the fiscal year 2006 funds have been obligated, with the remaining funds expected to be obligated by mid-September. Perhaps there are some Iranian groups that do not want our funding, but it is clear that many others do. The need is great. It is beyond the \$75 million this amendment would provide. That choice should be theirs. Our moral responsibility is to make the money available to these courageous fighters for freedom in Iran, those who want not only more freedom but a better future for themselves and their children.

I want to close by saying that we know from history that dissidents can change history, because history is made not by abstract, inexorable forces but by individual human beings such as Vaclav Havel or Lech Walesa or Andrei Sakharov or Natan Sharansky. It was the bravery of these people that kindled our moral imagination to see the suffering of millions behind the Iron Curtain, and it was their leadership that inspired millions more to cast off their shackles and overthrow a cruel and dictatorial system of Communist government that many thought would endure forever. Like the Communist terrorists of eastern Europe, the leaders of the Islamic Republic of Iran repress their people because they are frightened of them. They know how powerful the dissidents and the democrats in their midst can become. These are the people to whom this money would go. That is the reason my colleagues and I have offered this amendment.

I ask all Members of the Senate to support it, and I thank the Chair.

I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. LIEBERMAN. I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

#### VISIT TO THE SENATE BY PARLIAMENTARIANS FROM THE REPUBLIC OF SLOVENIA

Mr. HARKIN. Madam President, I take great pride now in asking unanimous consent that the Senate stand in recess for 2 minutes so we may greet five Parliamentarians from the Republic of Slovenia. I take great pride in this. As the occupant of the Chair

knows, my mother came from the small village of Suha in Slovenia, was an immigrant to this country. I know the grandfather of the Senator from Minnesota also came from Slovenia. So for those of us with Slovenian roots, this is a proud moment. In its 16 years of independence, Slovenia has established a stable multiparty democracy, a free press, an independent judiciary, and an excellent human rights record. In 2004, Slovenia joined NATO and became a member of the European Union. In fact, in January of 2008, Slovenia will ascend to the presidency of the European Union.

So we are proud to have five members of the Slovenian Parliament here: Miro Petek, Marijan Pojbcic, Jozef Horvat, Samo Bevk, and Marjan Drogenik.

#### RECESS

Mr. HARKIN. Madam President, I ask unanimous consent that the Senate stand in recess for 2 minutes to greet these fine Parliamentarians.

There being no objection, the Senate, at 4:45 p.m., recessed until 4:47 p.m., and reassembled when called to order by the Presiding Officer (Ms. KLOBUCHAR).

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

The PRESIDING OFFICER. The Senator from Kansas is recognized.

Mr. BROWNBACK. Madam President, I ask unanimous consent to speak on the Lieberman amendment for up to 7 minutes.

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

#### AMENDMENT NO. 2691

Mr. BROWNBACK. Madam President, this is the Lieberman-Brownback amendment; and several others are on the amendment as well. I have worked on this issue for some period of time. Over the past 4 years, we have been able to get some funding for democracy-building activity inside of Iran. It has been a difficult project. We have not been able to get much money secured, but it follows a long tradition of successful efforts at targeting regimes that do not support democracy, that undermine democracy, indeed, even support terrorism around the world, by building civil society organizations within that country.

It is very interesting to me you can get a message into Iran, and there is a good possibility, there is an excellent prospect of building civil society organizations inside Iran. You can look at some of the things that have taken place recently where there has been a bus driver strike and the possibility of a labor union movement forming there or even with some of the teacher strikes or some of the student strikes.

You are clearly seeing the people inside Iran are opposed to the regime. We

need to work, I believe, with them and with others to form civil society organizations inside Iran to go at the regime itself, and to undermine the regime itself, of saying: If you are not going to support our civil rights here, we are going to oppose you.

We saw some of these things taking place with some fruit of success inside the Ukraine, where you had a revolution that took place there, where you had a number of civil society organizations that had built up over a period of years, over time, so that when there was a movement of the people where they decided they didn't like that autocratic dictatorship, that autocratic rule that was taking place, there was an underlying group that said: Yes, here is where we should go as a group and as a society.

Plus, I think we have to recognize what Iran is. The Iranian Government is the lead sponsor of terrorism around the world. The Iranian people do not support the Government. They are in direct conflict with the United States now in their support and development and funding of troops, of people being trained in Iran or supplied in Iran to go into Iraq. We can oppose, exterior-wise, the Iranians. We can oppose the regime that way. But one of the key things we can also do is say, internally, there should be a development of a civil society within Iran, an internal support for people there.

The Iranian regime not only threatens us, they directly and violently threaten a key ally of ours in the region in Israel. In addition to the well-publicized extremist rhetoric from President Ahmadinejad, Iran directly funds groups such as Hezbollah and Hamas. Iran directly funds them, which are designed—these groups—to perpetuate violence and thwart efforts for Middle Eastern peace.

Their regime is engaged in a campaign against the United States interests in Iraq, as I have stated. Some in the United States would prefer to ignore Iran's threats to our operations or pretend they do not exist at all. It is increasingly clear Iran's leaders are deliberately and purposely targeting U.S. forces in Iraq. The Iranian regime does not want the United States to succeed in Iraq and is consistently resorting to violence to underscore that threat. I also note we are also learning of the regime's sponsorship of violence inside of Afghanistan as well.

In short, it is not enough to contemplate what might happen if the United States and Iran came to blows. Based on the actions of the regime in Tehran, Iran is already in conflict with the United States.

On our current course, the future is not bright. Iran is moving ever closer to a nuclear capability that will allow it to threaten the security of anyone who opposes its dreams of dominating the Middle East.

This amendment provides for the full \$75 million for democracy programs. It would take the first step in this direc-

tion. We must call the regime to account for its flagrant human rights abuses committed against the Iranian people.

I have worked with a number of Iranian dissidents. I have done talk radio programs that have broadcast into Tehran.

The regime is brutal in opposing its own people. It is a huge sponsor of terrorism, the largest in the world. It is one we should oppose, and this is a key method that needs to be adequately funded—and I think hardly funded very much at \$75 million. But if you cut that down to \$30 million, you are below a target that probably even can be of much effect at all. We clearly need to do this.

Madam President, before I yield the floor, I want to add Senator COLLINS as a cosponsor to this amendment. I ask unanimous consent that Senator COLLINS be added as a cosponsor to this amendment.

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

Mr. BROWNBACK. Madam President, I ask unanimous consent that Senators MARTINEZ and VITTER be added as cosponsors to both of my amendments I previously spoke about, amendments Nos. 2707 and 2708, related to Mexico City policy and the Kemp-Kasten law.

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

Mr. BROWNBACK. Thank you very much, Madam President.

I yield the floor.

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

Mr. GREGG. Madam President, so we can get to the status of things, we now have approximately five amendments that have been offered that we know we are going to have to have votes on. There are a number of amendments which have been submitted, and we are waiting for Members to come down to present those amendments or, in the alternative, to tell us what they want to do with them.

We would like to wrap this bill up tonight, but it is going to be difficult unless we get Members to participate in this process by actually appearing on the floor and telling us how they want to deal with their amendments. However, as to these five amendments that have been offered, I hope we can go to a vote on them fairly soon and at least get the process started.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 2704, 2705, 2706, AND 2716

Mr. COBURN. Madam President, I call up en bloc amendments Nos. 2704, 2705, 2706, and 2716.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes en bloc amendments numbered 2704, 2705, 2706, and 2716.

Mr. COBURN. Madam President, I ask unanimous consent that the reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 2704

(Purpose: To provide that none of the funds appropriated or otherwise made available by this Act for "Contribution to the International Development Association" may be made available for the World Bank for malaria control or prevention programs)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds appropriated or otherwise made available by this Act for multilateral economic assistance under the heading "CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION" may be made available for the World Bank for malaria control or prevention programs.

AMENDMENT NO. 2705

(Purpose: To provide for the spending of \$106,763,000 on programs that save children's lives, such as the President's Malaria Initiative, rather than lower priority programs, such as the Global Environment Facility, which produce few results and are managed by the United Nations Development Program, which utilizes corrupt procurement practices, operates contrary to United Nations rules, and retaliates against whistleblowers)

On page 410, between lines 15 and 16, insert the following:

SAVING CHILDREN'S LIVES

SEC. 699B. (a) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading "GLOBAL HEALTH PROGRAMS" and available for child survival and maternal health is hereby increased by \$76,763,000.

(b) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading "GLOBAL HEALTH PROGRAMS" for other infectious diseases and available for the President's Malaria Initiative is hereby increased by \$30,000,000.

(c) The amount appropriated or otherwise made available by title V under the heading "GLOBAL ENVIRONMENT FACILITY" is hereby reduced by \$106,763,000.

AMENDMENT NO. 2706

(Purpose: To ensure full public transparency and fiscal accountability at the Global Fund to Fight HIV/AIDS, Tuberculosis and Malaria)

On page 311, strike lines 20 through 22 and insert the following:

(6) has adopted and is implementing a policy to publish on a publicly available web site all program reviews, program evaluations, internally and externally commissioned audits, and inspector general reports and findings, not later than 7 days after they are received by the Global Fund Secretariat, except that such information as determined necessary by the Inspector General to protect the identity of whistleblowers or other informants to investigations and reports of the Inspector General, or proprietary information, may be redacted from such documents; and

## AMENDMENT NO. 2716

(Purpose: To provide for the spending of \$106,763,000 on programs that save children's lives, such as the President's Malaria Initiative, rather than lower priority programs, such as the Global Environment Facility, which produce few results and are managed by the United Nations Development Program, which utilizes corrupt procurement practices, operates contrary to United Nations rules, and retaliates against whistleblowers)

On page 410, between lines 15 and 16, insert the following:

## SAVING CHILDREN'S LIVES

SEC. 699B. (a) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading "GLOBAL HEALTH PROGRAMS" and available for child survival and maternal health is hereby increased by \$48,763,000.

(b) The amount appropriated or otherwise made available by title III for bilateral economic assistance under the heading "GLOBAL HEALTH PROGRAMS" for other infectious diseases and available for the President's Malaria Initiative is hereby increased by \$30,000,000.

(c) The amount appropriated or otherwise made available by title V under the heading "GLOBAL ENVIRONMENT FACILITY" is hereby reduced by \$106,763,000.

Mr. COBURN. Madam President, I have three amendments that I will discuss in a group, and I believe one of them will be accepted by the majority and ranking member, and that is an amendment creating transparency at the World Bank on the malaria program. I will spend a very short time talking about that.

What we know is we have seen in the last 2½ years a tremendous change—much of it thanks to the chairman of this committee in terms of transparency and in working with us on the malaria program—but we have seen a change from using the wrong medicines, the wrong techniques, and the wrong prevention techniques. We have 2 million people a year in Africa die from a preventable, curable, treatable disease.

Not long after I came to the Senate, myself along with NORM COLEMAN and other people who have done great work—and Senator BROWNBACK as well—on malaria, as well as the chairman, what we saw was an ineffective program. The President had a malaria initiative—PMI—and it was set out and peer-reviewed—scientific data to approach this disease from both prevention and treatment. What we saw at the World Bank was a failed \$500 million program and an attempt at another program for which there is no transparency. But the reports from the scientific literature *Lancet*, the greatest medical periodical from the British, had a devastating article outlining the fact that the World Bank continues to use drugs that don't treat, drugs that have resistance, it does not do preventive indoor spraying, does not distribute on a free basis bed netting—the three significant, consistent ways in which we treat African malaria, as well as the way we treat it throughout the rest of the world.

So I want to thank them in advance for doing that. This simply says that the World Bank has to be transparent with what they are doing on malaria.

What we know is the World Health Organization has also changed significantly. We are going to see hundreds of millions of people's lives markedly changed through an appropriate drug treatment prevention strategy for malaria. Of those 2 million people who die every year, 500 million of them are 5 years of age and under—I mean 500,000. Five hundred thousand are pregnant women. There are another 500,000 children who are permanently brain damaged from malaria. If we are going to help in foreign aid, then it ought to be effective foreign aid. So I thank the chairman and ranking member for their consideration on that.

The next amendment I would like to bring up talks about having some transparency with the \$5.3 billion we send to the United Nations every year. This body, as well as the House, unanimously passed transparency and accountability for our own Government and our own agencies. We are going to see this next January where everything in this country where the taxpayers' money is spent is going to be online and available for taxpayers, peer-reviewed looks, watchdog groups, as well as the press to see how we are spending money.

What this amendment does is it ensures that the U.S. contribution to the United Nations is not being wasted to fraud, which we have seen multiple times at the United Nations—waste, abuse, corruption, which we have seen and which has been documented—by maximizing the public transparency of all U.N. spending or our contribution thereof. This amendment says that the Secretary of State certify publicly that the United Nations is publicly transparent about its spending this year, before any of the money we are going to send to the United Nations next year is sent. The basic transparency required by this amendment would include a posting on a publicly available Web site of copies of all contracts, grants, program reviews, audits, budgets, and progress reports relating to fiscal year 2007.

There are a lot of reasons the U.N. should be accountable and transparent, the first of which—and I won't go into a lot of details—is the Oil for Food Program where \$10 billion was mismanaged, stolen, and fraudulently used in a way that was totally unaccountable, to the detriment of the people of Iraq. As of this time, there have been eight guilty pleas, two guilty verdicts, two agreements of forfeiture judgments, and nine pending cases. There are also fugitives from the corruption of that.

The U.N. to this day refuses to fully and publicly release the Oil for Food Program's contracts and financial documents. Some people will say: Well, you can't force this on the U.N.

(Mrs. BOXER assumed the Chair.)

Mr. COBURN. There is not an accountability that we can require.

We are the largest contributor to the United Nations. We have a requirement and a responsibility to the people of this country to make sure that money is well spent. The easiest way to make sure money is well spent and properly spent is for it to be transparent and available to the people who are making these contributions.

The second reason we should be concerned about how the U.N. spends money is procurement fraud. Last year, former U.S. Ambassador to the U.N. John Bolton testified to the Federal Financial Management Subcommittee that of the \$1 billion in U.N. peacekeeping contracts that were audited—they didn't audit all of them but just the first \$1 billion that they audited—a third was found to be lost to waste and fraud and corruption. The U.N. refused to release this audit, even to Secretary Bolton, our representative at the U.N.; however, he was able to secure a leaked copy of it. What that \$1 billion represents in terms of waste, fraud, and abuse is our entire contribution to peacekeeping. For all the money we pay for worldwide peacekeeping through the U.N., what we can extrapolate from this audit is that our entire contribution was wasted.

There is an even more worrisome program at the U.N. called the United Nations Development Program. What we know over the last 10 years is that over \$100 million has been funneled inappropriately, fraudulently, and without any oversight to North Korea for things which it should not have gone. Ten million dollars, at least, was transferred in cash directly to the leaders of the North Korean regime. We know some of that cash was used to purchase homes in Europe and Canada. The Chicago Tribune reported there was evidence that they deposited cash into the same account that North Korea used to buy ballistic missiles. The United Nations Development Program refuses to allow our own investigators from our own Government to audit and review its financial information. It refuses, despite the United States sitting on the UNDP Executive Board and being the largest contributor to the UNDP budget.

Basic transparency—the idea that we give money and they spend money to accomplish good in the world—can only be effective if we know where the money is spent and how it is spent. The idea to have the U.N. transparent will protect against future scandals.

One of the things that bothers me the most about this and our contribution is the fact that the U.N. refuses to be transparent with the money we give them. Every domestic agency, every government program in this country is required to provide this body detailed financial information, program reviews, audits, and budgets. According to OMB, we spend an excessive \$5.3 billion of the taxpayers' money on the United Nations, but despite repeated

requests by Ambassador Bolton, by congressional committees, by oversight committees, by committees on investigation, the U.N. refuses to make available information as to how it spends its money, make its audits available, program reviews available, or any other financial data available to the Congress or the world at large or the public in this country.

The only way we have been able to find out what we have been able to find out is that documents have been leaked. This amendment matters. The reason it matters is that every dollar lost to U.N. corruption is one less dollar that can save the life of an African child, one more dollar that could efficiently prevent violence around the world. Just in what we know on UNDP waste and fraud last year, 20,000 lives could have been saved in Africa from HIV. Or take the country of Uganda, plagued by civil war, and epidemics, and other things; according to the World Bank, their whole GDP was less than what we have wasted.

Think about the impact we could have. Some will say the U.N. has a procurement Web site where information on all contracts that are granted is posted. They didn't have that until 2½ years ago when we started pushing. It only shows a very small percentage of moneys. It is not thorough or comprehensive. It is controlled by the U.N. Secretariat and not all the other agencies under the U.N. So we don't get a look at how our money is spent at the U.N.

This is an amendment that has real teeth. This says what is good for our country in terms of how we spend our money, making it publicly available and transparent to hold us accountable, ought to apply to the U.N.

Madam President, I will talk for a moment about amendment No. 2716. This is a straightforward amendment that moves money around in this appropriations bill. I think we can make a great case for why we ought to do it. What this amendment does is divide and take away money from the global environment facility, which is run by the World Bank but managed by the United Nations, which has been found to be totally failing in both what it is trying to accomplish and also measuring the results of what it accomplishes. We redirect that money into the President's malaria initiative—\$30 million—to bring it up to what they requested. It is a highly successful program that is done right. It is one of our best foreign programs. It has metrics, measurements, accountability, and results-based, oriented goals that can be measured and quantified. It takes and puts the remainder of that money, \$76.67 million, into other lifesaving programs in the child survival and maternal health programs, the global environment facilities in the World Bank, administered by the UNDP, for which grants and contracts are awarded for the purpose of addressing or preventing harm caused by manmade climate change.

The Office of Management and Budget has audited or looked at this, and there are no results they can demonstrate; there is no direction in terms of the grants or no evaluation of the grants. They said it is failing to prevent any environmental damage, based on what they have seen. It hasn't mitigated any that are already there. It agreed with the United States in 2002 to implement performance guidelines. It agreed to those. Yet it has done nothing in the last 5 years to meet the required agreement with our Government. It doesn't allocate its funds based on performance or environmental benefit. In other words, there is no relationship between getting the result and the money that was spent. It lacks any significant anticorruption guidelines. We know it is there as well. Yet they refuse to agree to these things our Government has asked for. It is another mismanaged program by the UNDP.

What does the effect of moving this money to other areas mean? What we know is that, with the President's malaria initiative, we are fast on our way to solving this dread disease in Africa, this preventable disease in Africa. We are gearing up the focus countries with a plan to expand that. By not funding this at the expected level, or the level that was requested, it means two or three more countries are not going to have the right drugs for malaria. They are not going to have the residual training. They are not going to have the trained staff with which to do that properly. We are not going to have long-term bed netting available for all these families, which is more important. Two million people in Africa are dying from malaria or an ineffective program that is not accomplishing its goals even though it has a great name?

This amendment simply moves the money around to a way in which we help children, help refugees, and we help fight the battle against malaria in Africa. I hoped the President's malaria initiative would have been fully funded. This will fund it and allow us to expand the most successful foreign aid program we have, in terms of fighting disease. I hope we have consideration of that amendment. I will ask for a vote if it is not going to be accepted by the chairman and ranking member.

Mr. LEAHY. Will the Senator yield?

Mr. COBURN. Yes.

Mr. LEAHY. Mr. President, I ask unanimous consent that at 5:45 p.m. today, whatever is pending be set aside and the Senate proceed to vote in relation to the following amendments in the order listed, with no second-degree amendments in order to the amendments prior to the vote; that prior to each vote there be 2 minutes of debate equally divided and controlled in the usual form; that after the first vote in sequence, the other votes, if they require a rollcall, be limited to 10 minutes each: the Ensign amendment No. 2700, Lieberman amendment No. 2691, Brownback amendment No. 2707, Boxer

amendment No. 2719, and the Brownback amendment No. 2708.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I thank the Senator from Oklahoma, and I yield the floor.

The PRESIDING OFFICER (Mr. WHITEHOUSE). The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, the next amendment I want to spend some time on has been in the news of late. The Global Fund initiative has been a very important tool in terms of fighting HIV, TB, and malaria, which are the three significant diseases around the world that are limiting progress, health, life, and sustainability for many people throughout the world.

What this amendment does is eliminate the secrecy of the operation of that group. I am not highly critical of discretionary spending to accomplish a goal, but I am highly critical of not having transparency on where money goes. We can do that in a way that protects whistleblowers and in a way that satisfies the American public that if we are going to send their money overseas, we know exactly what it is spent on and how it is spent.

This is a very simple amendment. It conditions 20 percent of our contributions to the Global Fund, which is significant, on certification by the Secretary of State that the Global Fund has made all the financial and programmatic documents available to the public on a Web site. That says if you are going to spend \$100 million on a drug, put it on a Web site and say whether you competitively bid it, and here is what we paid for it. If you paid a consultant, say here is how much we paid them for it. It is the American taxpayers' money.

I think it is significant that the total amount of money contributed to date for the Global Fund, which I support, has been \$2.9 billion. If we follow both what the committee or the Senate happened to do, we are going to have that above \$6 billion at the end of next year; \$6 billion is a significant amount of money. What the global fund says is they have an Inspector General and that we don't need this. The problem is that Inspector General reports are good only if the people who have decision-making capability on the funding get to see those reports. The board at the Global Fund doesn't even get to see the reports. As a matter of fact, the IG of the Global Fund recently retired over the controversy of his IG report that was very critical of the management of the Global Fund.

The answer to accountability is transparency in what we do. This is a straightforward amendment that conditions only 20 percent of the money—less than the increase of what we will be funding with the Global Fund—by saying you have to become transparent, you have to become accountable, and it has to be accessible. It is

simple. We will get better value for the dollars we contribute to the Global Fund if, in fact, we adopt this amendment.

The other thing that will happen is more people will have lifesaving treatments or preventive strategies applied to them if we have transparency and accountability.

All of the amendments we have talked about today are essentially about transparency. It is about if we are going to send American money into foreign places through independent agencies, separate from our own Government, we ought to know how that money is spent. It is straightforward. All of us would do the same thing as we give our money—we look at church budgets and we look at nonprofits' budgets when we contribute to them, and we find out how they are spending their money. We have independent reporting in this country on nonprofits on how they spend money and how much percentage on overhead and whether they waste money. So all these amendments are about accountability—accountability through transparency. I admit they have some teeth. But we are not going to be accountable for the American taxpayers' dollars unless we apply enough pressure to get transparency so we know where the American taxpayers' dollars are going.

I also want to submit for the Record a copy of a whistleblower conversation at UNDP, associated with one of the other amendments. I ask unanimous consent that it be printed in the RECORD.

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

To: Mr. Robert Benson, Chief, Ethics Office, United Nations.

From: Mr. Mathieu Credo Koumoin, Ph.D.

Re: request for ethics review of my dismissal through whistle blowing retaliation review and protection from retaliation.

Date: September 4, 2007.

I am a former UNDP staff member (dismissed as of December 31st, 2006) with a case pending before the Joint Appeals Board (JAB acceptance letter dated February 15th, 2007). Prior to my joining UNDP/GEF on a leave of absence from the African Development Bank where I served for 3 years as a Senior Public Utilities Economist, I was an Energy Economist with the World Bank in Washington, DC for 6 years. As of December 31st, 2007 when I was dismissed and including my academic/teaching and Research experience as a Mellon Research Fellow from the University of Pennsylvania, (Philadelphia, Pennsylvania, USA) I have 16 years of International Development experience from the World Bank, the AfDB and UNDP-GEF combined.

Following my initial success within UNDP-GEF and to avoid a perception of conflict of interest, I was encouraged by UNDP to resign my position with the AfDB in December 2005 only to be announced on March 23rd, 2006 that my contract would not be renewed when it expires in June 30th, 2006 on performance grounds. This, despite the fact that: (i) the performance review which had barely started was not complete; (ii) I received very satisfactory reviews on my performance at mid-term based on both the volume and the substantive quality of my projects (see attachment); (iii) I was warmly congratulated by my

line supervisor and even promised a promotion to D1 if the Program Executive Coordination would sign off (see attachment); (iv) received strong endorsement from GEFSEC Secretariat on all of my Project submissions to GEF Council which captured 85% of the entire Climate Change market niche in Sub-Saharan Africa; ahead of all other competing GEF Implementing Agencies; and (v) received a formal written promise of being kept on board by the Executive Coordinator around mid-term review prior to the strong procurement battles and pressures (see attachment).

The totality of the above set of circumstances led me to resign my position with the AfDB in December 2005 to ensure that my effectiveness within UNDP-GEF would not be undercut by the sizable co-financing expected from the AfDB; particularly as my line supervisor—subsequently—formally apologized to me for pressing me beyond the breaking point on the contract procurement and funds re-direction issues in November 2005.

I have attached to this request for review prima-facie evidence supporting that I was under tremendous pressure from my line Management to re-direct funds and carry out sole-source contracting to UNIDO (based in Vienna), and IEPF (Francophone Institute of Energy and Environment based in Quebec-Canada), and tried to bring these problems to the attention of higher officials (see attachment). It is important to note that, in my best professional judgment, the activities requested by my line Management violated basic rules of UN/UNDP procurement with respect to transparency, competition and accountability, as the African countries for which the funds were intended in the first place were being left in the dark, and the project documents approved by GEF Council were quite clear along with the initial project concept review sheet from GEFSEC which ruled that IEPF was not eligible to execute or implement the GEF African Microhydro Project on behalf of beneficiary African countries. As vividly illustrated in the enclosed annexes, my resistance to the above pressure is thoroughly documented along with my Supervisor's insistence and ultimate apologies (see attachment) only when he decided to fire me in retaliation for my stubborn rejection of a sole sourcing scheme to award IEPF together with UNIDO UNDP contracts from my Regional African Microhydro project. The sole sourcing scheme being forced upon me by my supervisors at the expense of Africa-based regional economic commissions as clearly stipulated in the GEF Council approved project documents was the only bone of contention with my Management. For my whistle blowing efforts and because I had the courage to bring these issues to the attention of the Administrator and other higher up officials, I was fired without due process and have been unable to find work; in part as a direct result of damaging references from UNDP and in part as a result of the on-going legal process.

On the basis of the above along with the pieces of evidence attached, in absence of an Ethics Office within the UNDP, and of a functional whistleblower policy as well as independent internal control and oversight mechanisms, I believe that I deserve to have my case reviewed by the United Nations Ethics Office, which is the only one mechanisms established and recognized by UN Member States, equipped to provide internal administrative review and protection from retaliation and I am so requesting.

I look forward to your kind attention and consideration. Should you require further information you can contact me directly or my legal counsel.

Mr. COBURN. This outlines the fact that in the Global Fund, UNDP has

true corruption in terms of directing how the money is spent to their friends, not the people who can actually do the work or not those who are best suited for the work, but rather at the whim of a friend of somebody working at UNDP. It is very revealing.

What is even more revealing is that UNDP refused to accept a U.N. ethics office and so, therefore, the whistleblower at UNDP doesn't even have the protections of other people at the United Nations. So we have an individual who was doing a great job, but because he reported and refused to send money to somebody not capable of doing a job, not capable of performing with a good portion of our taxpayers' money, he gets fired. That is the kind of transparency we need to have at the UNDP and at the Global Fund.

It is my hope the Members of this body will seriously consider that we ought to be applying the same standards to where we send money outside of our Government that we are now applying to our Government. It is my hope that I will have the consideration of the ranking member and the chairman in supporting these amendments.

AMENDMENT NO. 2705 WITHDRAWN

AMENDMENT NO. 2773

I ask unanimous consent to withdraw amendment No. 2705 and call up amendment No. 2773. Amendment No. 2705 is one of the en bloc amendments and it is the wrong number. I wish to replace it with amendment No. 2773.

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

The legislative clerk read as follows:

The Senator from Oklahoma [Mr. COBURN] proposes an amendment numbered 2773.

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

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

The amendment is as follows:

(Purpose: To ensure that the United States contribution to the United Nations is not being lost to waste, fraud, abuse or corruption by maximizing the public transparency of all United Nations spending)

On page 410, between lines 15 and 16, insert the following:

TRANSPARENCY AND ACCOUNTABILITY OF THE UNITED NATIONS

SEC. 699B. (a) Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be used by the Department of State as a contribution to the United Nations or any subsidiary body of the United Nations, including any organization that is authorized to use the United Nations logo, until the Secretary of State certifies that the United Nations, such subsidiary body of the United Nations, or such organization, as the case may be, is fully and publicly transparent about all of its spending, including for procurement purposes, that occurred during fiscal year 2007, including the posting on a publicly available web site of—

(1) copies of all contracts, grants, subcontracts, and subgrants awarded or utilized during fiscal year 2007;

(2) copies of all program reviews, audits, budgets, and project progress reports relating to fiscal year 2007; and

(3) any other financial information deemed necessary by the Secretary.

(b) The documents required to be made available under subsection (a) shall be in unredacted form, except that such information as determined necessary by the Secretary to protect the identity of whistleblowers or other informants to investigations and reports and proprietary information may be redacted.

Mr. GREGG. Mr. President, we are going to begin voting in about 15 minutes. The Senator from Oklahoma has offered a series of amendments. I happen to be in great sympathy with the basic thrust of these amendments. They are basically trying to make these programs which address disease more efficiently delivered and have better oversight with more transparency. They are legitimate proposals.

I hope as we participate in this voting sequence we can work with the Senator and come to an agreement on most of these amendments because I do believe the thrust of them is the correct direction to go, which is to demand transparency and to make sure the money we are spending gets where it is supposed to go and make sure, especially in the area of the malaria and HIV battles which we have in Africa, that we are using these funds efficiently and that the right medicines are being delivered.

I appreciate the Senator's proposals. Hopefully, as we proceed with these amendments—I know the chairman feels this way and I certainly feel this way. I believe we should wrap this bill up tonight. We can wrap it up tonight if Members will tell us how they want to handle their amendments. We are ready to vote on them. If they want to vote on them, we will vote on them. We do need to get some Members to come forward. They have offered their amendments, filed their amendments, and they should tell us specifically how they want to handle those amendments so we can complete the process of passing this legislation, which is important and should be moved forward.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### AMENDMENT NO. 2700

Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to amendment No. 2700 offered by the Senator from Nevada.

The Senator from Nevada.

#### AMENDMENT NO. 2700

Mr. ENSIGN. Mr. President, this amendment is very simple. Instead of raising the percentage of money that the United States pays for U.N. peacekeeping from 25 percent, the current

level the last couple of years, to 27.1 percent, my amendment would strike that and keep it at 25 percent.

We have read about the atrocities U.N. peacekeepers have committed across the world. There are many reforms the United Nations needs to do. When the Democrats were in control, with President Clinton, they lowered it from 31 percent to 25 percent as the percentage we would pay. I actually believe it should be lower, but it should not be raised from 25 percent to 27.1 percent.

We should continue to put pressure on the United Nations to do the desperately needed reforms at the United Nations and not send the precious tax dollars the American taxpayers send to us to be wasted at the United Nations.

Mr. President, I yield the floor.

Mr. LEAHY. Mr. President, both Senator GREGG and I will oppose this amendment. In doing so, we are supporting President Bush's number on these dues. The fact is, we can't ask the U.N. to carry out peacekeeping missions unless we pay our dues.

For example, this Congress pushed very hard to have the U.N. do a peacekeeping mission in Darfur just last month. After we pushed for that, they agreed to it. Now we have to do what our own Ambassador says, what President Bush has said, and what the Secretary of State has said: We have to pay our share of peacekeeping operations.

I would hope Senators will join with the distinguished ranking member and myself and oppose this amendment by voting no.

Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. LEAHY. I am voting no and actually supporting the administration on this position.

The PRESIDING OFFICER. All time has now expired. The question is on agreeing to amendment No. 2700.

The clerk will call the roll.

The bill clerk called the roll.

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

I further announce that, if present and voting, the Senator from Delaware (Mr. BIDEN) would vote "nay."

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 30, nays 63, as follows:

[Rollcall Vote No. 317 Leg.]

#### YEAS—30

Allard	Crapo	Isakson
Barrasso	DeMint	Kyl
Bennett	Dole	Lott
Bond	Ensign	Murkowski
Brownback	Enzi	Nelson (NE)
Bunning	Graham	Roberts
Burr	Grassley	Sessions
Chambliss	Hatch	Shelby
Coburn	Hutchison	Thune
Cornyn	Inhofe	Vitter

#### NAYS—63

Akaka	Feinstein	Murray
Alexander	Gregg	Nelson (FL)
Baucus	Hagel	Pryor
Bayh	Harkin	Reed
Bingaman	Inouye	Reid
Boxer	Johnson	Rockefeller
Brown	Kennedy	Salazar
Byrd	Kerry	Sanders
Cantwell	Klobuchar	Schumer
Cardin	Kohl	Smith
Carper	Landrieu	Snowe
Casey	Lautenberg	Specter
Cochran	Leahy	Stabenow
Coleman	Levin	Stevens
Collins	Lieberman	Sununu
Conrad	Lugar	Tester
Corker	Martinez	Voinovich
Domenici	McCaskill	Warner
Dorgan	McConnell	Webb
Durbin	Menendez	Whitehouse
Feingold	Mikulski	Wyden

#### NOT VOTING—7

Biden	Dodd	Obama
Clinton	Lincoln	
Craig	McCain	

The amendment (No. 2700) was rejected.

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

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

The motion to lay on the table was agreed to.

#### AMENDMENT NO. 2691

Mr. LEAHY. I ask unanimous consent that the yeas and nays be vitiated on the next amendment.

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

Mr. LEAHY. And the amendment be accepted.

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

The amendment (No. 2691) was agreed to.

#### AMENDMENT NO. 2707

Mr. LEAHY. I think the next amendment is 2707.

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation No. 2707, offered by the Senator from Kansas.

Mr. GREGG. Can we have order, please.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, this amendment simply reinstates the Kemp-Kasten language that has been part of U.S. policy for 25 years. I will read the amendment:

... none of the funds made available in this Act nor any unobligated balances from prior appropriations may be made available to any organization or program which, as determined by the President, supports, or participates in the management of, a program of coercive abortion or involuntary sterilization.

All we are saying with this amendment is no U.S. funds for coercive abortion or forced, involuntary sterilization. I hope everybody in the body would be opposed to forced abortion, whether you are pro-life or pro-choice, and opposed to involuntary sterilization. These are things which have no place in U.S. policy and funding by U.S. Government agencies. If this is part of the bill, the bill will be vetoed, and it is bad policy and it is a bad idea and it is morally reprehensible.

I hope all my colleagues will vote for amendment No. 2707 and oppose forced abortion and forced sterilization.

I yield the floor.

The PRESIDING OFFICER (Mr. NELSON of Florida). The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, no one, no one supports forced abortion or forced sterilization. Let's be honest about that. What this is, there is a provision in the U.S. law called the Kemp-Kasten amendment. It is designed to ensure that U.S. Government funds do not go to organizations engaged in coercive abortion or involuntary sterilization. We all support that. But the law has been construed differently by the White House to deny funds to the UNFPA because it is a program in China. The irony is they are trying to give alternatives to abortion. They are trying to give alternatives to forced sterilization. If we agree to this amendment, then what we are saying is we will turn our backs on the most populous nation on Earth, a country that is rapidly becoming the largest contributor to global warming, and we will not support a program that will give them alternatives to abortion and forced sterilization.

I oppose the amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2707.

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

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

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 48, nays 45, as follows:

[Rollcall Vote No. 318 Leg.]

YEAS—48

Alexander	Barrasso	Bond
Allard	Bennett	Brownback

Bunning  
Burr  
Casey  
Chambliss  
Coburn  
Cochran  
Coleman  
Conrad  
Corker  
Cornyn  
Crapo  
DeMint  
Dole  
Domenici

Ensign  
Enzi  
Graham  
Grassley  
Gregg  
Hagel  
Hatch  
Hutchinson  
Inhofe  
Isakson  
Kyl  
Landrieu  
Lott  
Lugar

Martinez  
McConnell  
Murkowski  
Nelson (NE)  
Roberts  
Sessions  
Shelby  
Smith  
Stevens  
Sununu  
Thune  
Vitter  
Voinovich  
Warner

NAYS—45

Akaka  
Baucus  
Bayh  
Bingaman  
Boxer  
Brown  
Byrd  
Cantwell  
Cardin  
Carper  
Collins  
Dorgan  
Durbin  
Feingold  
Feinstein

Harkin  
Inouye  
Johnson  
Kennedy  
Kerry  
Klobuchar  
Kohl  
Lautenberg  
Leahy  
Levin  
Lieberman  
McCaskill  
Menendez  
Mikulski  
Murray

Nelson (FL)  
Pryor  
Reed  
Reid  
Rockefeller  
Salazar  
Sanders  
Schumer  
Snowe  
Specter  
Stabenow  
Tester  
Webb  
Whitehouse  
Wyden

NOT VOTING—7

Biden	Dodd	Obama
Clinton	Lincoln	
Craig	McCain	

The amendment (No. 2707) was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2719

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote in relation to Amendment No. 2719 offered by the Senator from California.

The Senator from California is recognized.

Mrs. BOXER. Mr. President, I offer this amendment on behalf of myself and Senator SNOWE. I ask for the attention of colleagues because women's lives are on the line. The Senate has twice passed this amendment which overturns the Global Gag Rule, otherwise known as the Mexico City policy. Colleagues, I wish to tell you a story, a compelling story of what happened in Nepal in 2001. A little 13-year-old girl was raped in Nepal by her uncle. A family member took her for an abortion.

Under the laws of Nepal, they sentenced that little girl to 20 long years in jail. Because a family planning agency helped her and because that family planning agency in Nepal, an NGO, spoke out on behalf of changing the laws that put a little girl in jail and let the uncle free, America withheld its funds. That is shameful. It is wrong. Please help me overturn this Mexico City global gag rule.

The PRESIDING OFFICER. Who yields time?

The Senator from Kansas.

Mr. BROWNBACK. Mr. President, if the Senator from California is accurate on what she stated—and I don't have any doubt she is—why don't we fund groups that support groups that are for

women's rights but not ones that support abortion. The Mexico City language—and it has done this since Ronald Reagan was President—said: We will not use U.S. taxpayer funding to fund abortions overseas. We won't support groups that fund abortions overseas. You can be pro-choice and say: I think that makes sense, because I don't think we should use taxpayer funding to support abortion or to promote abortion policies overseas. We should let them decide this deeply moral subject that is a very difficult subject in our country, let alone in places around the world. I urge my colleagues to vote against the Boxer amendment. We don't need to do this. I respect the Senator from California, but I believe there are better places for us to use taxpayer funding than to fund abortions or groups that are promoting abortion overseas. It is a tough enough issue here. I urge Members to vote no.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2719.

Mrs. BOXER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

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

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 53, nays 41, as follows:

[Rollcall Vote No. 319 Leg.]

YEAS—53

Akaka	Harkin	Pryor
Baucus	Inouye	Reed
Bayh	Johnson	Reid
Bingaman	Kennedy	Rockefeller
Boxer	Kerry	Salazar
Brown	Klobuchar	Sanders
Byrd	Kohl	Schumer
Cantwell	Landrieu	Smith
Cardin	Lautenberg	Snowe
Carper	Leahy	Specter
Casey	Levin	Stabenow
Collins	Lieberman	Stevens
Conrad	McCaskill	Tester
Dodd	Menendez	Warner
Dorgan	Mikulski	Webb
Durbin	Murkowski	Whitehouse
Feingold	Murray	Wyden
Feinstein	Nelson (FL)	

NAYS—41

Alexander	Chambliss	Dole
Allard	Coburn	Domenici
Barrasso	Cochran	Ensign
Bennett	Coleman	Enzi
Bond	Corker	Graham
Brownback	Cornyn	Grassley
Bunning	Crapo	Gregg
Burr	DeMint	Hagel

Hatch	Lugar	Shelby
Hutchinson	Martinez	Sununu
Inhofe	McConnell	Thune
Isakson	Nelson (NE)	Vitter
Kyl	Roberts	Voinovich
Lott	Sessions	

NOT VOTING—6

Biden	Craig	McCain
Clinton	Lincoln	Obama

The amendment (No. 2719) was agreed to.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Thank you, Mr. President. We have had a very productive day. We have two of our finest managers on this legislation, Senator LEAHY and the Senator from New Hampshire, JUDG GREGG. I always get the names turned around. It should be "Gregg Judd." Anyway, the end is in sight.

We have a number of amendments that are still pending. We have a number of amendments offered by one Republican Senator. We will accept those amendments. The problem if he demands votes on these amendments and we have other amendments that come forward—I would hope there would be some consideration given to that.

We are at a point now where we have had a number of Senators who have been looking over in detail the managers' package. We should be able to complete this bill very quickly. The point I am making is, we are going to finish this bill tonight whether there are four votes or however many votes it takes. I would hope we could do this. We have been meeting with Senator KENNEDY and Senator ENZI to see if we can work something out on reconciliation. That should be able to be completed likely not tonight, but I think we could do it sometime early in the morning. But we are going to finish this appropriations bill tonight.

I have had this conversation with the distinguished Republican leader. He knew I was going to make this brief statement. So I would hope everyone would understand where we are. We have had a very productive few days. This would be a good way to end the week. I look forward to completing this legislation as soon as possible tonight.

AMENDMENT NO. 2708

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes for debate equally divided prior to a vote in relation to amendment No. 2708, offered by the Senator from Kansas.

The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, this is a simple amendment. It reinstates what U.S. policy has been since 1984. It was repealed under the Clinton administration and then brought back in, and it is simply that the United States would not fund abortions or groups that promote abortions overseas.

I wish to make one quick note to individuals. There is a new term that has entered into the lexicon, and it is called "gendercide." It is in countries where abortion is being forced and promoted, where they are now having male-female ratios where the girls are being killed in utero because they are girls. It is called "gendercide." I do not think it is a policy or something we should be any part of.

This amendment simply reinstates U.S. policy that we will not be involved in countries promoting abortion policies or promoting abortion with our taxpayer dollars. I ask my colleagues to vote aye on this amendment.

The PRESIDING OFFICER. Who yields time?

The Senator from California.

Mrs. BOXER. Mr. President, colleagues, if you voted to repeal the global gag rule, then the obvious way to vote on this amendment is no.

What the Senator is trying to do is to strip a very simple thing out of the bill, which says that we are not going to deny contraceptives to family planning groups simply because they do not toe the line with the global gag rule. If you voted with us to do away with the global gag rule, you certainly would vote to do away with this amendment.

Why would we deny contraception to families who need it desperately? It would be a terrible vote to vote aye on this amendment because you are consigning a lot of women to abortion, and we do not want to do that. We want to get them contraception. So if you believe in family planning, this is a very clear "no" vote on the Brownback amendment.

I thank my colleagues very much.

Mr. LEAHY. Mr. President, I want to commend Senator BOXER for her leadership on this issue of such importance to the health of the world's poorest women.

On his first day in office in January 2001, President Bush, by executive order, with no prior consultation with Congress, reinstated the controversial Mexico City policy on international family planning. The President explained his decision with these words:

It is my conviction that taxpayer funds should not be used to pay for abortions or advocate or actively promote abortion, either here or abroad. It is therefore my belief that the Mexico City policy should be restored.

If U.S. law did, in fact, permit taxpayer funds to be used to pay for or promote abortions overseas, then the President might have had a point. But our law does not allow that. Our law explicitly prohibits any U.S. funds from being used for abortion or to promote abortion.

That is the settled law of the United States. It was passed by the Congress and signed into law by President Clinton. It is something we have all supported. In fact, it has been the law for as long as I can remember, even during past administrations. It is already against the law to use taxpayer funds for purposes related to abortion. Some-

body should have told that to President Bush.

In fact, the Mexico City policy, which he reinstated and has maintained ever since, goes much, much further. Many have called it a "global gag rule." It prohibits taxpayer funds from being used to support private family planning organizations, if they use even one dollar of their own private funds—not taxpayer funds, but private funds—to provide advice, counseling, and information about abortions, and to advocate for safe abortion practices in countries where tens of thousands of women suffer injuries or die from complications from unsafe abortions.

If we tried to impose the Mexico City policy on any family planning organization within our borders, it would violate the first amendment. But we impose it on those same organizations when they work overseas beyond the reach of our Constitution.

Proponents of the Mexico City policy say that it will reduce the number of abortions. There is not a shred of evidence to support that illogical argument. The reality is the opposite. The International Planned Parenthood Federation, which is cut off from U.S. Government support because of this policy, used every U.S. tax dollar it received in the past to provide voluntary family planning services, like contraceptives, to couples who lack them. By providing for the first time modern birth control methods to people in countries where abortion was the primary method of birth control, the number of abortions goes down.

I remember the distinguished former Senator from Oregon, Senator Mark Hatfield, a dear friend of mine, one of the most revered Members of this body, who became chairman of the Senate Appropriations Committee. Senator Hatfield was fervently pro-life, opposed to abortion, very strong in his beliefs. I remember a debate on the Mexico City policy when he stood here—and he probably said it best. I will quote what he said:

It is a proven fact that when contraceptive services are not available to women throughout the world, abortion rates increase. The Mexico City policy is unacceptable to me as someone who is strongly opposed to abortion.

Contrary to a lot of the press reports, this issue is about far more than abortion. It is about protecting the health of women in desperately poor countries where more than half a million women die each year from complications relating to pregnancy, and where women have little control over their own bodies or their lives. We have the opportunity, at very little expense, to help. Instead—not to save money but to make a political point—we cut off that help.

The Mexico City policy has been the subject of more political posturing, more press releases, more fundraising letters, more debates, more votes, and more Presidential vetoes, than virtually any other issue I can think of.

I remember when President Clinton did the right thing by repealing the Mexico City policy. When he did that, a Republican Congress responded by sharply cutting funding for voluntary family planning—not funding for abortions but for voluntary family planning. President Bush's fiscal year 2008 budget request for family planning does the same thing. His budget would cut it drastically, contrary to what he said he would do back in 2001.

The predictable, tragic result would be an increase in the number of abortions and of deaths of women from botched abortions.

Again, the evidence is indisputable that when family planning services are available, the number of abortions goes down.

I have traveled to many parts of the world. My wife is a registered nurse. She has traveled with me. We have seen how bad the situation is. We have seen how a little help can move women in many parts of the world generations ahead of where they are today.

That is what the Boxer amendment would do. It would restore U.S. credibility and leadership on an issue of great importance to global health, to population growth, to global warming, and to the work of private organizations to make lifesaving services available to the world's poorest women.

The PRESIDING OFFICER. All time has expired.

The question is on agreeing to the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 41, nays 53, as follows:

[Rollcall Vote No. 320 Leg.]

YEAS—41

Alexander	Cornyn	Isakson
Allard	Crapo	Kyl
Barrasso	DeMint	Lott
Bennett	Dole	Martinez
Bond	Domenici	McConnell
Brownback	Ensign	Nelson (NE)
Bunning	Enzi	Roberts
Burr	Graham	Sessions
Casey	Grassley	Shelby
Chambliss	Gregg	Sununu
Coburn	Hagel	Thune
Cochran	Hatch	Vitter
Coleman	Hutchison	Voivovich
Corker	Inhofe	

NAYS—53

Akaka	Brown	Collins
Baucus	Byrd	Conrad
Bayh	Cantwell	Dodd
Bingaman	Cardin	Dorgan
Boxer	Carper	Durbin

Feingold	Lieberman	Sanders
Feinstein	Lugar	Schumer
Harkin	McCaskill	Smith
Inouye	Menendez	Snowe
Johnson	Mikulski	Specter
Kennedy	Murkowski	Stabenow
Kerry	Murray	Stevens
Klobuchar	Nelson (FL)	Tester
Kohl	Pryor	Warner
Landrieu	Reed	Webb
Lautenberg	Reid	Whitehouse
Leahy	Rockefeller	Wyden
Levin	Salazar	

NOT VOTING—6

Biden	Craig	McCain
Clinton	Lincoln	Obama

The amendment (No. 2708) was rejected.

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

The PRESIDING OFFICER (Mr. SANDERS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I would advise all Senators here that the majority and minority staffs are working on a unanimous consent agreement to get us to the end of tonight, which they will get to. In the meantime, I have something that will alert everyone as to what is going to happen tomorrow.

UNANIMOUS CONSENT AGREEMENT—H.R. 2669

Mr. REID. Mr. President, I ask unanimous consent that when the Senate resumes consideration of the conference report on H.R. 2669—that is the Education reconciliation—tomorrow at 9 a.m., there be 75 minutes for debate equally divided between the chairman and ranking member, and the Senate vote on the conference report at 10:15 a.m. with no intervening action or debate.

I would say to everyone here that I have talked in some detail to Senators KENNEDY and ENZI about this. When we finish the work on the Foreign Operations appropriations bill tonight, anyone who wants to talk about this tonight—that is this, the Education reconciliation bill—can do that, up to 8 hours and 45 minutes. It will not take that much time. When we finish the proceedings for this evening, there will be 75 minutes left tomorrow for debate equally divided between Senators ENZI and KENNEDY on the Education reconciliation bill.

I have had a number of Senators on both sides ask what the schedule is in the morning. That is it. I ask that this be confirmed.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. REID. Mr. President, I would say that Senators LEAHY and GREGG and their valiant staff are working on something to complete the Foreign Operations bill. We should have that momentarily. So if everyone would be patient, we should have that shortly.

Mr. LEAHY. Will the Senator from Nevada yield to me?

Mr. REID. Yes.

Mr. LEAHY. I hope we will do that. In a few minutes, it will be our intent to begin a series of rollcalls. Apparently, there are a number of amendments Senator GREGG and I were willing to accept, but the Senator said he would prefer having rollcalls. That means we will be here for a few more hours than we needed to be.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

Mr. REID. I object.

The PRESIDING OFFICER. Objection is heard. The clerk will continue with the call of the roll.

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

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. GREGG. Will the Senator yield?

Mr. VITTER. Yes.

Mr. GREGG. I understand the Senator will speak for 5 minutes on an amendment he intends to offer. Senator FEINSTEIN may come to speak for 5 to 10 minutes on an amendment she wishes to offer on behalf of Senator DODD. Then Senator DOLE will speak for 5 to 10 minutes on an amendment she wishes to offer. Hopefully, we can proceed then to vote on the pending amendments, including the four of the Senator from Oklahoma, Senator COBURN. That is not a formal unanimous consent request. It is a hoped-for scenario.

AMENDMENT NO. 2774

Mr. VITTER. Mr. President, I ask unanimous consent to set aside the pending amendment and I call up amendment No. 2774 and I will speak on that for 5 minutes.

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

The assistant legislative clerk read as follows:

The Senator from Louisiana [Mr. VITTER] proposes an amendment numbered 2774.

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

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

The amendment is as follows:

(Purpose: To prohibit the use of funds by international organizations, agencies, and entities that require the registration of, or tax guns owned by citizens of the United States)

On page 410, between lines 15 and 16, insert the following:

RIGHT TO BEAR ARMS

SEC. 699B. None of the funds made available under this Act may be made available to any international organization, agency, or entity (including the United Nations) that requires the registration of, or taxes a gun owned by a citizen of the United States.

Mr. VITTER. Mr. President, this amendment is very simple and straightforward. In fact, perhaps I should not have waived reading of it. It is a few sentences. So I will do it myself:

None of the funds made available under this Act may be made available to any international organization, agency, or entity (including the United Nations) that requires the registration of, or taxes a gun owned by a citizen of the United States.

That is the entire amendment, the entire sum and substance of the amendment. As such, it is a straight funding limitation amendment, which has been ruled by the Parliamentarian as completely germane. This is a version of a full-blown, freestanding bill that I have filed in the past, specifically last Congress. It was S. 1488. I filed that bill and had 17 cosponsors.

Many folks who haven't followed the proceedings on this in the U.N. may ask: What is this all about? Why is this necessary? Unfortunately, it is about an effort in the United Nations to bring gun control to various countries through that international organization. Unfortunately, that has been an ongoing effort which poses a real threat. This goes back to 1995, when this issue of international gun control was first put before the U.N. General Assembly. Then, in 2001, the General Assembly adopted a program of action designed to infringe on second amendment rights. In fact, from July 11 to 15 they met at the U.N. in New York City to finalize some agreements on that.

It is of significance that Dr. Rebecca Peters is the new head of that effort in the U.N. and, in particular, the entity within the U.N. that leads that International Action Network on Small Arms. That may not be a household name but perhaps it should be, particularly to second amendment advocates, because Dr. Peters is the person who led Australia's massive effort at far-reaching gun control. She has been very vocal on the subject, debating, for instance, Wayne LaPierre of the NRA on numerous occasions. Other pro-gun control advocates would help facilitate procedures within the U.N. program of action that could very well impact and infringe U.S. citizens' second amendment rights.

Therefore, again, that gets back to the Vitter amendment, which simply says we are not going to support any international organization that does that; that requires a registration of U.S. citizens' guns or taxes U.S. citizens' guns. If other folks in this Chamber think that is not happening, that it is never going to happen, my reply is simple and straightforward: Great, then this language has no effect. It is no harm to pass it as a failsafe. It has no impact. But, in fact, related efforts have been going on in the U.N. since at least 1995. I hope this can get very wide, bipartisan support, and I urge all my colleagues to support this very fundamental, straightforward amendment.

I yield back my time.

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

The Senator from North Carolina is recognized.

Mrs. DOLE. Mr. President, I ask unanimous consent that the pending amendment be set aside so I may offer an amendment.

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

AMENDMENT NO. 2772

Mrs. DOLE. Mr. President, I call up amendment No. 2772, pending at the desk, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The Senator from North Carolina [Mrs. DOLE] proposes an amendment numbered 2772.

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

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

The amendment is as follows:

(Purpose: To prohibit funds appropriated under this Act from being expended in violation of section 243(d) of the Immigration and Nationality Act)

On page 410, between lines 15 and 16, insert the following:

SEC. 699B. None of the funds made available in this Act may be expended in violation of section 243(d) of the Immigration and Nationality Act (8 U.S.C. 1253(d)) (relating to discontinuing granting visas to nationals of countries that are denying or delaying accepting aliens removed from the United States).

Mrs. DOLE. Mr. President, when I visited with sheriffs across North Carolina over August, one of their main concerns was the lack of detention space to hold criminal aliens when they are apprehended. It is unconscionable that our State and local authorities have to struggle with resources because uncooperative countries fail to take back their nationals who have been ordered by the courts to be removed from the United States.

This amendment is simple and is consistent with current law. It prohibits funds from being expended in violation of section 243(d) of the Immigration and Nationality Act. In other words, it prevents the State Department from issuing visas to citizens of countries that refuse to accept these court-ordered-removed illegal aliens.

During fiscal year 2003, the year for which we have the latest information, the detention of criminal and non-criminal aliens from the top eight uncooperative countries that blocked or inhibited their removal cost the United States over 981,000 detention days and \$83 million. The status quo is unacceptable—it is costing much needed detention space and resources.

I ask unanimous consent that my amendment be laid aside, with the understanding that the managers will examine my amendment and we will return to it at a later time.

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

Mrs. DOLE. Yes.

Mr. LEAHY. We are willing to have a voice vote on it right now.

Mr. GREGG. I ask unanimous consent for that.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Is there further debate on the amendment?

The question is on agreeing to the amendment.

The amendment (No. 2772) was agreed to.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2721

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that amendment No. 2774 be set aside and that amendment No. 2721 be called up.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside, and the clerk will report.

The assistant legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for Mr. DODD, for himself, Mrs. FEINSTEIN, and Mr. CORKER, proposes an amendment numbered 2721.

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

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

The amendment is as follows:

(Purpose: To increase by \$10,000,000 the amount appropriated or otherwise made available by this Act for the Peace Corps, and to provide an offset)

On page 410, between lines 15 and 16, insert the following:

ADDITIONAL PEACE CORPS FUNDING

SEC. 699B. (a) The amount appropriated or otherwise made available by title III under the heading "PEACE CORPS" is hereby increased by \$10,000,000.

(b) The amount appropriated or otherwise made available by title IV under the heading "FOREIGN MILITARY FINANCING PROGRAM" is hereby reduced by \$10,000,000.

Mrs. FEINSTEIN. Mr. President, this amendment by Senator DODD and myself increases the funding for the Peace Corps by \$10 million for a total of \$333.5 million. This matches the President's request and the funding level in the House bill. The offset comes from unobligated foreign military financing funds.

The Peace Corps is one of our most effective and successful foreign aid programs. Since 1961, over 190,000 Americans, including 25,000 from my home

State of California, have served as Peace Corps volunteers in 139 countries. Currently, there are 7,749 volunteers serving in 73 countries.

I am a big fan of the Peace Corps. They are diplomats, and they restore people's confidence in this country. The Peace Corps also provides critical education. In fact, approximately 20 percent of the Peace Corps volunteers today are serving in predominantly Muslim countries. And at a time when United States prestige is at an all-time low, Peace Corps volunteers provide a different face of America—one of compassion, one of care, and one of understanding. This amendment matches the President's request in the budget. It matches the funding level in the House. It is offset by unobligated balances. I urge that the amendment be adopted today.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. GREGG. Mr. President, I am certainly in sympathy with the purposes of the amendment. The Peace Corps is an extraordinary organization filled with very dedicated and special people who give of their life, willing to go into the countryside in parts of this world and help people out, out of their concern for social well-being and the betterment of others. They are very admirable people. So I support the number. But the offset is an issue.

I have discussed this issue with Senator DODD. I have not had a chance to discuss it with Senator FEINSTEIN. Senator DODD and I reached an understanding that we would try to find a better offset in conference.

With that understanding, I certainly have no objection to this amendment. I ask that it be approved.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to amendment No. 2721.

The amendment (No. 2721) was agreed to.

Mr. LEAHY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, Senator GREGG and I are trying again to get a finite number of amendments. I appreciate that we have had two amendments that could have gone to rollcall votes. We accepted them and saved time. We have a number of other amendments that fall into that same category. But I guess as the hour goes on, people want to demonstrate how good they are, and if we want to accept it, they want a rollcall vote. I have never been able to figure that out, but that is their right. Of course, it keeps everybody here beyond the time we otherwise would have to be here.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. GREGG. Mr. President, while we are waiting to do some housecleaning and get business in order, I rise to thank the staff of the majority and the Republican staff on the Foreign Operations Subcommittee. These folks work very hard. They are totally dedicated to making sure these funds are effectively used.

The majority staff is led by Tim Rieser, who does an excellent job, and the Republican staff is led by Paul Grove, who does an equally excellent job. The Republican team of Michele Wymer and LaShawnda Smith is a small group, but they are very effective. I know the majority staff has the same sort of lean organization, and they are very effective.

Our ability to accomplish our business around here is clearly staff driven. We depend immensely on them, their abilities, and their expertise. I thank them all for the great job they do and specifically thank them for the job they have been doing on this appropriations bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, I ask unanimous consent that the only amendments remaining in order to H.R. 2764 be the following, and a managers' amendment which has been cleared by the managers and the leaders; that there be 2 minutes of debate prior to a vote in relation to each amendment equally divided and controlled in the usual form; that no second-degree amendment be in order prior to the vote; and that after the first vote in the sequence, the vote time be limited to 10 minutes each: Coburn amendment No. 2773; Coburn amendment No. 2716; Coburn amendment No. 2706; Coburn amendment No. 2704; Cardin amendment No. 2689; Brown amendment No. 2701; Vitter amendment No. 2774; a Levin sense of the Senate on Iraq refugees; a Kyl amendment on material support; a Coleman amendment on UNDP; Obama amendment No. 2692, with a modification; a Kyl-Leahy sense of the Senate on UNFPA; that upon disposition of all amendments, the bill be read a third time, and without further intervening action or debate, the Senate proceed to vote on passage of the bill.

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

Mr. LEAHY. Mr. President, I ask unanimous consent to amend my previous consent request to reflect, where I said Kyl material support; and where I

said Kyl-Leahy sense of the Senate, Egypt, it is Kyl-Lieberman.

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

Mr. LEAHY. The first one in order will be Coburn No. 2773.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2774

Mr. VITTER. Mr. President, I ask unanimous consent that Vitter amendment No. 2774 be taken up for a short debate and voted out of order at this time.

The PRESIDING OFFICER. Is there objection?

Mr. GREGG. Reserving the right to object, I ask unanimous consent that the debate time be 2 minutes equally divided.

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

The Senator from Louisiana.

Mr. VITTER. Mr. President, this amendment is very straightforward, and I will read it word for word.

None of the funds made available under this Act may be made available to any international organization, agency, or entity (including the United Nations) that requires the registration of or taxes a gun owned by a citizen of the United States.

Unfortunately, Mr. President, this amendment is necessary because of efforts within the United Nations that have been ongoing to push gun control on the world stage through the U.N. This has been going on initially since 1995 but in all seriousness particularly since 2001. Many folks within the United Nations have pushed very hard for their so-called program of action. Specifically, Dr. Rebecca Peters has been head of that effort. She became very well known for spearheading the massive gun control effort in Australia.

Mr. President, I urge a very strong bipartisan vote on this measure so we send a clear message to the U.N. that we will not tolerate this sort of movement and we will not send any U.S. taxpayer dollars to any entity, including the U.N., that does this.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Who yields time in opposition?

Mr. LEAHY. Mr. President, I ask unanimous consent that all votes after the first vote be 10-minute votes.

The PRESIDING OFFICER. That is already part of the order.

Does anybody want time?

Mr. LEAHY. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to amendment No. 2774.

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

The PRESIDING OFFICER. Is there a sufficient second?

At this moment there is not a sufficient second.

The question is on agreeing to the amendment.

Mr. VITTER. Mr. President, I ask for the yeas and nays again.

The PRESIDING OFFICER. Is there a sufficient second?

At this moment there is not a sufficient second.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. LEAHY. Mr. President, I ask for the yeas and nays on the Vitter amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 81, nays 10, as follows:

[Rollcall Vote No. 321 Leg.]  
YEAS—81

Akaka	Cornyn	Leahy
Alexander	Crapo	Lieberman
Allard	DeMint	Lott
Barrasso	Dole	Lugar
Baucus	Domenici	Martinez
Bayh	Dorgan	McCaskill
Bennett	Ensign	McConnell
Bingaman	Enzi	Mikulski
Bond	Feingold	Murkowski
Brownback	Graham	Murray
Bunning	Grassley	Nelson (FL)
Burr	Gregg	Nelson (NE)
Byrd	Hagel	Pryor
Cantwell	Hatch	Reid
Cardin	Hutchison	Roberts
Carper	Inhofe	Rockefeller
Casey	Inouye	Salazar
Chambliss	Isakson	Sanders
Coburn	Johnson	Sessions
Cochran	Kerry	Shelby
Coleman	Klobuchar	Smith
Collins	Kohl	Snowe
Conrad	Kyl	Specter
Corker	Landrieu	Stabenow

Stevens	Thune	Warner
Sununu	Vitter	Webb
Tester	Voinovich	Wyden
NAYS—10		
Durbin	Lautenberg	Schumer
Feinstein	Levin	Whitehouse
Harkin	Menendez	
Kennedy	Reed	
NOT VOTING—9		
Biden	Clinton	Lincoln
Boxer	Craig	McCain
Brown	Dodd	Obama

The amendment (No. 2774) was agreed to.

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

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2773

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on amendment No. 2773 offered by the Senator from Oklahoma, Mr. COBURN.

Mr. GREGG. Mr. President, I ask unanimous consent that all time be yielded back on both sides.

Mr. LEAHY. Mr. President, I would yield back time on this. Again, I will always protect any Senator to have the right to vote for whatever reason they want to hold up the Senate at this time of the night, but this one is something everybody is going to vote for, and it could have easily been a voice vote. But if we want to waste time at this time of the night and have a rollcall vote, of course that is a Senator's absolute right, to waste as much time as they may want.

Mr. GREGG. On behalf of Senator COBURN, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing on the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

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

[Rollcall Vote No. 322 Leg.]  
YEAS—92

Akaka	Bunning	Conrad
Alexander	Burr	Corker
Allard	Byrd	Cornyn
Barrasso	Cantwell	Crapo
Baucus	Cardin	DeMint
Bayh	Carper	Dole
Bennett	Casey	Domenici
Bingaman	Chambliss	Dorgan
Bond	Coburn	Durbin
Boxer	Cochran	Ensign
Brown	Coleman	Enzi
Brownback	Collins	Feingold

Feinstein	Leahy	Sanders
Graham	Levin	Schumer
Grassley	Lieberman	Sessions
Gregg	Lott	Shelby
Hagel	Martinez	Smith
Harkin	McCaskill	Snowe
Hatch	McConnell	Specter
Hutchison	Menendez	Stabenow
Inhofe	Mikulski	Stevens
Inouye	Murkowski	Sununu
Isakson	Murray	Tester
Johnson	Nelson (FL)	Thune
Kennedy	Nelson (NE)	Vitter
Kerry	Pryor	Voinovich
Klobuchar	Reed	Warner
Kohl	Reid	Webb
Kyl	Roberts	Whitehouse
Landrieu	Rockefeller	Wyden
Lautenberg	Salazar	

NAYS—1

Lugar

NOT VOTING—7

Biden	Dodd	Obama
Clinton	Lincoln	
Craig	McCain	

The amendment (No. 2773) was agreed to.

AMENDMENT NO. 2716

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided on amendment No. 2716 offered by the Senator from Oklahoma, Mr. COBURN.

Mr. LEAHY. Mr. President, of all programs to cut funding for, it would be hard to think of anything more shortsighted than to cut funding for the Global Environment Facility. Unless, I guess, you are among the dwindling few who still believes global warming is a hoax, that the pollution of the Earth's rivers and sources of drinking water is of no concern, that the destruction of the remaining areas of tropical forests and endangered species does not matter, and that we don't need the ozone layer.

Because that is what the GEF works to protect or prevent, and the United States has been a leader in the GEF and the President has requested the funding in the bill for it.

Mr. COBURN. I yield back my time.

Mr. LEAHY. I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2716.

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

The PRESIDING OFFICER. Is there a sufficient second?

At the moment, there is not a sufficient second.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to amendment No. 2716.

The clerk will call the roll.

The assistant legislative clerk called the roll.

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

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 46, nays 47, as follows:

[Rollcall Vote No. 323 Leg.]

YEAS—46

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

NAYS—47

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

NOT VOTING—7

Biden	Dodd	Obama
Clinton	Lincoln	
Craig	McCain	

The amendment (No. 2716) was rejected.

Mr. LEAHY. I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2706

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on amendment No. 2706, offered by the Senator from Oklahoma, Mr. COBURN.

Mr. COBURN. Mr. President, I yield back.

Mr. LEAHY. Mr. President, I yield back.

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

The amendment (No. 2706) was agreed to.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 2704

The PRESIDING OFFICER. There will now be 2 minutes of debate equally divided on amendment No. 2704, offered by the Senator from Oklahoma, Mr. COBURN.

Mr. COBURN. Mr. President, I yield back.

Mr. LEAHY. Mr. President, I would hope people would vote against this amendment. It would completely prohibit the World Bank from supporting programs to combat malaria.

We have \$1 billion in this bill for the U.S. contribution to the World Bank—money the United States has pledged and President Bush has requested.

Malaria kills a million children a year and infects half a billion people, 95 percent of whom are in Africa. We should do everything we can to combat malaria.

I agree with the administration on this request. I agree with President Bush, who has stated throughout the world his support for these antimalaria matters. I would hope that all people, all Senators of good will and good conscience, would vote no on this amendment.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG) and the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 33, nays 60, as follows:

[Rollcall Vote No. 324 Leg.]

YEAS—33

Alexander	Cochran	Inhofe
Allard	Corker	Isakson
Barrasso	Cornyn	Kyl
Bond	Crapo	Lott
Brown	DeMint	McCaskill
Bunning	Domenici	Nelson (FL)
Burr	Ensign	Roberts
Casey	Enzi	
Chambliss	Graham	
Coburn	Grassley	

Sessions	Thune	Warner
Shelby	Vitter	Webb

NAYS—60

Akaka	Hagel	Murkowski
Baucus	Harkin	Murray
Bayh	Hatch	Nelson (NE)
Bennett	Hutchison	Pryor
Bingaman	Inouye	Reed
Boxer	Johnson	Reid
Brownback	Kennedy	Rockefeller
Byrd	Kerry	Salazar
Cantwell	Klobuchar	Sanders
Cardin	Kohl	Schumer
Carper	Landrieu	Smith
Coleman	Lautenberg	Snowe
Collins	Leahy	Specter
Conrad	Levin	Stabenow
Dole	Lieberman	Stevens
Dorgan	Lugar	Sununu
Durbin	Martinez	Tester
Feingold	McConnell	Voinovich
Feinstein	Menendez	Whitehouse
Gregg	Mikulski	Wyden

NOT VOTING—7

Biden	Dodd	Obama
Clinton	Lincoln	
Craig	McCain	

The amendment (No. 2704) was rejected.

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

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER (Mr. MENENDEZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Mr. President, I have spoken to the managers of the bill. I have conferred with the Republican leader. If everybody will be patient, we should be completed—all work—in about 10 minutes. They are working on the Budget Committee with some final numbers. There are no problems, but they want to make sure. Senator GREGG and Senator LEAHY said do it right; we don't want problems popping up later. We should be finished in about 10 minutes. During that 10 minutes, if somebody wants to give a speech as in morning business, they are welcome to do that. So cool your heels, we will be done soon.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 2779, AMENDMENT NO. 2712, AS MODIFIED, AMENDMENT NO. 2701, AS MODIFIED, AMENDMENT NO. 2782, AS MODIFIED, AMENDMENT NO. 2689, AMENDMENT NO. 2718, AMENDMENT NO. 2693, AS MODIFIED, AMENDMENT NO. 2781, AS MODIFIED, AMENDMENT NO. 2710, AS MODIFIED, AMENDMENT NO. 2713, AS MODIFIED, AMENDMENT NO. 2771, AMENDMENT NO. 2709, AS MODIFIED, AMENDMENT NO. 2703, AMENDMENT NO. 2723, AMENDMENT NO. 2727, AMENDMENT NO. 2726, AMENDMENT NO. 2725, AMENDMENT NO. 2728, AMENDMENT NO. 2730, AMENDMENT NO. 2731, AMENDMENT NO. 2733, AS MODIFIED, AMENDMENT NO. 2734, AMENDMENT NO. 2735, AMENDMENT NO. 2736, AMENDMENT NO. 2737, AMENDMENT NO. 2738, AMENDMENT NO. 2740, AMENDMENT NO. 2741, AMENDMENT NO. 2742, AMENDMENT NO. 2743, AMENDMENT NO. 2744, AMENDMENT NO. 2746, AMENDMENT NO. 2747, AMENDMENT NO. 2748, AMENDMENT NO. 2749, AMENDMENT NO. 2750, AMENDMENT NO. 2751, AMENDMENT NO. 2752, AMENDMENT NO. 2753, AMENDMENT NO. 2754, AS MODIFIED, AMENDMENT NO. 2755, AMENDMENT NO. 2756, AMENDMENT NO. 2757, AMENDMENT NO. 2758, AMENDMENT NO. 2759, AMENDMENT NO. 2760, AMENDMENT NO. 2761, AMENDMENT NO. 2762, AS MODIFIED, AMENDMENT NO. 2764, AMENDMENT NO. 2765, AMENDMENT NO. 2766, AMENDMENT NO. 2767, AS MODIFIED, AMENDMENT NO. 2769, AS MODIFIED, AMENDMENT NO. 2692, AS MODIFIED, AMENDMENT NO. 2784, AMENDMENT NO. 2785, AMENDMENT NO. 2786, AMENDMENT NO. 2787, AMENDMENT NO. 2788, AND AMENDMENT NO. 2789

Mr. LEAHY. Mr. President, I send a package of amendments, that are agreed to, to the desk and ask for its immediate consideration en bloc and ask that the amendments be deemed to be read en bloc and agreed to en bloc. The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments were agreed to, as follows:

AMENDMENT NO. 2779

(Purpose: To modify the obligation of funds requirement related to Millennium Challenge Compacts)

On page 260, line 1, insert after "obligates" the following: "not more than 50 percent of the entire amount of the United States Government funding anticipated for the duration of the Compact".

On page 260, line 4, delete the comma after "proceed".

AMENDMENT NO. 2712, AS MODIFIED

On page 410, between line 15 and 16, insert the following:

WITHHOLDING OF UNITED STATES CONTRIBUTIONS TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL

SEC. 699B. (a)(1) No funds appropriated or otherwise made available by this Act for contributions to international organizations may be made available to support the United Nations Human Rights Council.

(2) The prohibition under paragraph (1) shall not apply—

(A) The President determines and certifies to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives that the provision of funds to support the United Nations Human Rights Council is in the national interest of the United States; or

(B) The United States is a member of the Human Rights Council.

AMENDMENT NO. 2701, AS MODIFIED

On page 210, line 24, strike "\$3,885,375,000" and insert "\$3,820,375,000".

On page 238, line 18, strike "\$6,531,425,000" and insert "\$6,621,425,000".

On page 239, line 17, strike "\$634,675,000 for other infectious diseases;" and insert "\$724,675,000 for other infectious diseases, including \$200,000,000 for tuberculosis control, of which \$15,000,000 shall be used for the Global TB Drug Facility;".

On page 282, line 13, strike "\$90,000,000" and insert "\$65,000,000".

AMENDMENT NO. 2782, AS MODIFIED

At the appropriate place, insert the following:

SEC. \_\_\_\_ STUDY OF WORLD BANK'S EFFORTS TO MEASURE THE SUCCESS OF THE PROJECTS IT FINANCES.

SENSE OF CONGRESS.—It is the sense of Congress that the World Bank should increase its focus on performance requirements and measurable results.

(b) STUDY.—The Comptroller General of the United States should conduct a study on the actions taken by the World Bank to—

(1) measure the success of the projects financed by IDA;

(2) employ accurate means to measure the effectiveness of projects financed by IDA

(3) combat corruption in governments that receive IDA funding;

(4) establish clear objectives for IDA projects and tangible means of assessing the success of such projects; and

(5) use World Bank processes and procedures for procurement of goods and services on projects receiving financial assistance from the World Bank.

AMENDMENT NO. 2689

(Purpose: To increase by \$333,000 the amount appropriated or otherwise made available for the Commission on Security and Cooperation in Europe, and to provide an offset)

On page 232, between lines 16 and 17, insert the following:

COMMISSION ON SECURITY AND COOPERATION IN EUROPE

SEC. 117. (a) The amount appropriated or otherwise made available by this title under the heading "COMMISSION ON SECURITY AND COOPERATION IN EUROPE" is hereby increased by \$333,000.

(b) The amount appropriated or otherwise made available by this title for the Department of State under the heading "DIPLOMATIC AND CONSULAR PROGRAMS" is hereby reduced by \$333,000.

AMENDMENT NO. 2718

(Purpose: To set aside funds to repair, relocate, or replace fencing along the international border between the United States and Mexico)

On page 219, line 26, insert after "authorized" the following: ", of which, \$100,000 may be made available to repair, relocate, or replace fencing along the international border between the United States and Mexico".

AMENDMENT NO. 2693, AS MODIFIED

At the appropriate place, insert the following:

SEC. \_\_\_\_ COOPERATION WITH THE GOVERNMENT OF MEXICO.

(a) COOPERATION REGARDING BORDER SECURITY.—The Secretary of State, in cooperation with the Secretary of Homeland Security and representatives of Federal, State, and local law enforcement agencies that are involved in border security and immigration enforcement efforts, should work with the appropriate officials from the Government of Mexico to improve coordination between the United States and Mexico regarding—

(1) improved border security along the international border between the United States and Mexico;

(2) the reduction of human trafficking and smuggling between the United States and Mexico;

(3) the reduction of drug trafficking and smuggling between the United States and Mexico;

(4) the reduction of gang membership in the United States and Mexico;

(5) the reduction of violence against women in the United States and Mexico; and

(6) the reduction of other violence and criminal activity.

(b) COOPERATION REGARDING EDUCATION ON IMMIGRATION LAWS.—The Secretary of State, in cooperation with other appropriate Federal officials, should work with the appropriate officials from the Government of Mexico to carry out activities to educate citizens and nationals of Mexico regarding eligibility for status as a nonimmigrant under Federal law to ensure that the citizens and nationals are not exploited while working in the United States.

(c) COOPERATION REGARDING CIRCULAR MIGRATION.—The Secretary of State, in cooperation with the Secretary of Labor and other appropriate Federal officials, should work with the appropriate officials from the Government of Mexico to improve coordination between the United States and Mexico on the development of economic opportunities and providing job training for citizens and nationals in Mexico.

(d) ANNUAL REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a report to Committees on Appropriation describing the actions taken by the United States and Mexico pursuant to this section.

AMENDMENT NO. 2781, AS MODIFIED

At the appropriate place, insert the following:

SEC. \_\_\_\_ SENSE OF THE SENATE REGARDING IRAQ REFUGEE CRISIS.

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

(1) The annual United States worldwide ceiling for refugees has been 70,000 since 2002.

(2) The Department of State has yet to use all of the available allocation that could be used for Iraqi refugees.

(3) Since 2003, more than 2,000,000 Iraqis have fled their country and over 2,000,000 Iraqis are also displaced within Iraq.

(4) It has become increasingly clear that people who have assisted the United States, Iraqi Christians and other religious minorities cannot safely return to Iraq.

(5) The United States Government has an obligation to help these refugees and should act swiftly to do so.

(6) The United States Government should increase the allocation of refugee slots for Iraqi refugees for resettlement in the United States.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the President should act swiftly to respond to the deepening humanitarian and refugee crisis in Iraq by using the entire United States refugee allocation for the Near East/South Asia region and any unused portion of the worldwide allocation for Iraqi refugees, particularly people who have assisted the United States and religious minorities.

(6) The United States Government should increase the allocation of refugee slots for Iraqi refugees for resettlement in the United States.

AMENDMENT NO. 2710, AS MODIFIED

On page 367, on line 20, strike "are".

On page 367, line 22, strike the period and, insert "; and (3) implementing the whistleblower protection policy established by the United Nations Secretariat in December 2005."

AMENDMENT NO. 2713, AS MODIFIED

At the appropriate place in title III, insert the following:

SUPPORT OF FOREIGN LAW ENFORCEMENT EFFORTS TO LOCATE UNITED STATES CITIZENS KIDNAPPED IN AREAS AFFECTED BY VIOLENT DRUG TRAFFICKING

SEC. \_\_\_\_\_. Funds appropriated or otherwise made available by this title under the heading "INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT" should be available for the support of efforts of foreign law enforcement authorities to locate United States citizens who have been kidnapped in, or are otherwise missing from, areas affected by violent drug trafficking.

AMENDMENT NO. 2771

(Purpose: To require a report regarding the use by U.S. Customs and Border Protection of flood control levees under the control of the International Boundary and Water Commission)

On page 232, between lines 16 and 17, insert the following:

REPORT REGARDING USE OF LEVEES

SEC. 117. Not later than 90 days after the date of enactment of this Act, the United States Commissioner of the International Boundary and Water Commission, in cooperation and coordination with the Secretary of Homeland Security and the Chief of Engineers of the United States Army Corps of Engineers, shall submit to Congress a report regarding the use by U.S. Customs and Border Protection of flood control levees under the control of the International Boundary and Water Commission, which shall—

- (1) discuss the purpose and importance of—
  - (A) any such use of such levees ongoing on the date of enactment of this Act; and
  - (B) any anticipated such use of such levees after the date of enactment of this Act;
- (2) describe the frequency and means of, and approximate number of officers and employees of the U.S. Customs and Border Protection who, access such levees;
- (3) describe the level of degradation of such levees as a result of such use; and
- (4) identify any formal agreements that may be needed between the Department of Homeland Security and the International Boundary and Water Commission or the Department of State to ensure needed access to such levees.

AMENDMENT NO. 2709, AS MODIFIED

At the appropriate place in title I, insert the following:

DEPARTMENT OF STATE INSPECTOR GENERAL

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

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

AMENDMENT NO. 2703

(Purpose: To increase by \$8,000,000 the amount appropriated or otherwise made available for the Overseas Private Investment Corporation under the heading "Program Account", and to provide an offset)

On page 410, between lines 15 and 16, insert the following:

OVERSEAS PRIVATE INVESTMENT CORPORATION

SEC. 699B. (a) The amount appropriated or otherwise made available by title II for the

Overseas Private Investment Corporation under the heading "PROGRAM ACCOUNT" is hereby increased by \$8,000,000.

(b) The amount appropriated or otherwise made available by title V for "CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION" is hereby reduced by \$8,000,000.

AMENDMENT NO. 2723

(Purpose: To provide funds for the repair or replacement of the Nogales Wash Flood Control Project and the International Outfall Interceptor)

On page 219, line 26, before the period insert the following: Provided further, that of the funds appropriated under this heading, up to \$400,000 should be made available for the repair or replacement of the Nogales Wash Flood Control Project and International Outfall Interceptor.

AMENDMENT NO. 2727

(Purpose: To require increased transparency and accountability at the World Bank)

On page 368, beginning on line 16 strike "and (4)" and insert in lieu thereof

(4) the World Bank has made publicly available the Department of Institutional Integrity's November 23, 2005 "Report of Investigation into Reproductive and Child Health I Project Credit N0180 India" and any subsequent detailed implementation review, and is implementing the recommendations of the Department of Institutional Integrity regarding this project, including recommendations concerning the prosecution of individuals engaged in corrupt practices; and

AMENDMENT NO. 2726

(Purpose: Regarding the establishment of a United States-Egypt Friendship Endowment, and for other purposes)

Insert where appropriate:

UNITED STATES-EGYPT FRIENDSHIP ENDOWMENT

SEC. \_\_\_\_\_. Of the funds appropriated by this Act and prior Acts making appropriations for foreign operations, export financing, and related programs under the heading "Economic Support Fund" that are available for assistance for Egypt, up to \$500,000,000 may be made available for an endowment to further social, economic and political reforms in Egypt: Provided, That the Secretary of State shall consult with the Committees on Appropriations on the establishment of such an endowment and appropriate benchmarks for the uses of these funds.

AMENDMENT NO. 2725

(Purpose: To require increased transparency and accountability regarding foreign assistance)

On page 369, line 8 after the period, insert the following:

(d) NATIONAL BUDGET TRANSPARENCY.—(1) None of the funds appropriated by this Act may be made available for assistance for the central government of any country that fails to make publicly available on an annual basis its national budget, to include income and expenditures.

(2) The Secretary of State may waive subsection(d)(1) on a country-by-country basis if the Secretary reports to the Committees on Appropriations that to do so is important to the national interests of the United States.

(3) The reporting requirement pursuant to section 585(b) of Public Law 108-7 regarding fiscal transparency and accountability in countries whose central governments receive United States foreign assistance shall apply to this Act.

AMENDMENT NO. 2728

(Purpose: To prohibit assistance for Iraq, and to require a report on the extent that the Government of Iraq is committed to combating corruption in Iraq, and for other purposes)

Insert where appropriate:

IRAQ

SEC. \_\_\_\_\_. (a) None of the funds appropriated or otherwise made available by this Act may be made available for assistance for Iraq.

(b) Not later than 30 days after enactment of this Act the Secretary of State shall submit a report to the Committees on Appropriations detailing the extent to which the Government of Iraq is committed to combating corruption in Iraq and the specific actions and achievements of the Government of Iraq in combating corruption, to include a list of those senior Iraqi leaders who have been credibly alleged to be engaged in corrupt practices and activities.

(c) Notwithstanding any other provision of law, policy, or regulation, none of the funds made available in this Act or any other Act making appropriations for foreign operations export financing and related programs assistance for Iraq may be made available for unless the Secretary of State, in consultation with the Secretary of Defense, certifies to the Committees on Appropriations that the Departments of State and Defense are providing the Committees on Appropriations, including relevant staff, regular, full and unfettered access to programs in Iraq for the purposes of conducting oversight.

(d) Subsections (a) and (c) shall not apply to the ninth and thirteenth provisions under the heading "Economic Support Fund" in this Act.

AMENDMENT NO. 2730

(Purpose: To require the Department of State to establish visa processing operations in Iraq)

"CONSULAR OPERATIONS

SEC. \_\_\_\_\_. (a) The Secretary of State shall establish visa processing facilities in Iraq within 180 days of enactment of this Act in which aliens may apply and interview for admission to the United States.

(b) The Secretary of State shall report to the Congress no later than 30 days after enactment of this Act on funding and security requirements for consular operations in Iraq in fiscal year 2008."

AMENDMENT NO. 2731

(Purpose: Technical amendment relating to the health work force in developing countries)

AMENDMENT NO. 2733, AS MODIFIED

On page 255, after the period, insert the following:

Provided further, That of the funds appropriated under this heading, not less than \$10,000,000 should be made available for (1) programs to locate and identify persons missing as a result of armed conflict, violations of human rights, or natural disasters; (2) to assist governments in meeting their obligations regarding missing persons; and (3) to support investigations and prosecutions related to war crimes, crimes against humanity, genocide and other crimes under international law

AMENDMENT NO. 2734

(Purpose: To provide a United States contribution to the International Commission Against Impunity in Guatemala)

On page 254, line 16, after the comma insert the following:

"not less than \$4,000,000 should be made available for a United States contribution to the International Commission Against Impunity in Guatemala,"

AMENDMENT NO. 2735

(Purpose: To provide flexibility for the use of aircraft provided to Colombia, and for other purposes)

On page 266, line 14, strike "feasible" and insert in lieu thereof "practicable and that aerial eradication will not contribute to a significant loss of biodiversity".

On page 267, line 17 delete “determines” and insert in lieu thereof “certifies to the Committees on Appropriations”.

On page 267, line 18, strike “feasible” and insert in lieu thereof “practicable”.

On page 268, line 10, after the period insert the following:

“(f) Rotary and fixed wing aircraft supported with funds appropriated under this heading for assistance for Colombia should be used for drug eradication and interdiction including to transport personnel in connection with manual eradication programs, and to provide transport in support of alternative development programs and investigations of cases under the jurisdiction of the Attorney General, the Procuraduria General de la Nacion, and the Defensoria del Pueblo.

On page 268, line 11, strike “(f)” and insert in lieu thereof “(g), and on page 268, line 19, strike “(g)” and insert in lieu thereof “(h)”.

On page 268, line 14, after “certifies” insert “to the Committees on Appropriations”.

## AMENDMENT NO. 2736

(Purpose: To limit contamination of natural water sources and protect food security)

On page 268, line 4, strike “or” and insert in lieu thereof the following:

“, disrupt or contaminate natural water sources, reduce local food security, or cause”

## AMENDMENT NO. 2737

(Purpose: To expand the existing human rights certification to assistance for the Bolivian police)

On page 268, line 12, after “military” insert “and police”.

On page 268, line 14, strike “military is” and insert in lieu thereof “military and police are”.

On page 268, line 16, strike “military’s”.

On page 268, line 17, after “in” insert “of the military and police”.

On page 268, line 17, after “military” and before “personnel” insert “and police”.

## AMENDMENT NO. 2738

(Purpose: To condition assistance relating to the Western Sahara)

On page 277, line 17, after the colon, insert the following:

*Provided further*, that of the funds appropriated under this heading that are available for assistance for Morocco, not more than \$2,000,000 may be obligated until the Secretary of State certifies and reports to the Committees on Appropriations that Moroccan Government authorities in the territory of the Western Sahara have (1) ceased to persecute, detain, and prosecute individuals for peacefully expressing their opinions regarding the status and future of the Western Sahara and for documenting violations of human rights; and (2) provided unimpeded access to internationally recognized human rights organizations, journalists, and representatives of foreign governments to the Western Sahara:

## AMENDMENT NO. 2740

(Purpose: Technical amendment relating to unobligated balances)

On page 286, line 14, strike “REPORT”.

## AMENDMENT NO. 2741

(Purpose: To increase the limitation on representational expenses for the Inter-American Foundation)

On page 287, line 19, strike “\$2,000” and insert in lieu thereof “\$4,000”.

## AMENDMENT NO. 2742

(Purpose: Technical amendment relating to Nepal)

On page 306, line 20, after “Mexico” insert “, Nepal”.

## AMENDMENT NO. 2743

(Purpose: To provide a United States contribution for assistance for civilian victims in Afghanistan)

On page 309, line 23, after the comma insert the following: “\$2,000,000 should be made available for a United States contribution to the North Atlantic Treaty Organization/International Security Assistance Force Post-Operations Humanitarian Relief Fund,”

## AMENDMENT NO. 2744

(Purpose: To prohibit assistance for countries that the President determines grant sanctuary to any individual or group which has committed a gross violation of human rights)

On page 312, line 11, after “terrorism” insert “or other gross violation of human rights”.

## AMENDMENT NO. 2746

(Purpose: To provide authority for assistance to former combatants)

On page 326, line 18, after the period insert the following:

“(o) DEMOBILIZATION, DISARMAMENT, AND REINTEGRATION ASSISTANCE.—Notwithstanding any other provision of law, policy or regulation, funds appropriated by this Act and prior acts making appropriations for foreign operations, export financing, and related programs may be made available to support programs to demobilize, disarm, and reintegrate into civilian society former combatants of foreign governments or organizations who have renounced involvement or participation in such organizations.

## AMENDMENT NO. 2747

(Purpose: To prohibit prior approval of foreign governments relating to assistance for democracy, human rights and governance activities)

On page 326, line 18, insert the following:  
(o) NONGOVERNMENTAL ORGANIZATIONS.—With respect to the provisions of assistance for democracy, human rights and governance activities, the organizations implementing such assistance and the specific nature of that assistance shall not be subject to the prior approval by the government of any foreign country.

## AMENDMENT NO. 2748

(Purpose: Technical amendment relating to Presidential discretion)

On page 335, line 7, strike “the waiver authority of subsection (b) is exercised” and insert in lieu thereof “the President makes a determination pursuant to subsection (b)”.

## AMENDMENT NO. 2749

(Purpose: Clarification relating to assistance for Central and South America)

On page 341, line 9, strike “and Brazil” and insert in lieu thereof the following:

“Brazil, Latin America and Caribbean Regional, Central America Regional, and South America Regional”

## AMENDMENT NO. 2750

(Purpose: Technical amendment relating to a certification for assistance for Colombia)

On page 348, line 3, after “and” insert “subsequently certifies and”

On page 348, line 3, strike “certification and”.

On page 348, line 8, after “Defense” insert “, the Attorney General”.

On page 350, line 12, strike “Colombian Government is ensuring that the”.

On page 350, line 16, strike “the Colombian Armed Forces”.

On page 350, line 21, after “and” insert “subsequently certifies and”.

On page 350, line 21, strike “certification and”.

## AMENDMENT NO. 2751

(Purpose: Technical amendment relating to illegal armed groups)

On page 353, line 2, strike “determines and”.

On page 353, line 2, after “certifies” insert “and reports”.

## AMENDMENT NO. 2752

(Purpose: Technical amendment relating to Sudan)

On page 366, line 4, after “certifies” insert “and reports”.

## AMENDMENT NO. 2753

(Purpose: Technical amendment relating to monitoring of assistance)

On page 371, line 26, strike “describing” and insert in lieu thereof “detailing”.

## AMENDMENT NO. 2754, AS MODIFIED

On page 377, line 6, after the comma insert “not less than \$2,000,000 should be made available for wildlife conservation and protected area management in the Boma-Jonglei landscape of Southern Sudan, and”

## AMENDMENT NO. 2755

(Purpose: Technical amendment relating to Uzbekistan)

On page 380, line 26, strike “have been credibly alleged to” and insert in lieu thereof “the Secretary has credible evidence to believe”

## AMENDMENT NO. 2756

(Purpose: Technical amendment relating to assistance for the countries of Central Asia)

On page 383, line 4, strike “he” and insert in lieu thereof “the Secretary”.

On page 383, line 14, strike “6” and insert in lieu thereof “12”.

## AMENDMENT NO. 2757

(Purpose: Technical amendment relating to a coordinator of activities relating to indigenous peoples internationally)

On page 388, line 11, strike “, guidelines”.

On page 388, line 11, after “goals,” insert “guidelines”.

On page 388, line 16, strike “executing” and insert in lieu thereof “implementing”.

## AMENDMENT NO. 2758

(Purpose: Technical amendment relating to demobilization assistance for Colombia)

On page 390, line 20, strike “against human rights defenders”.

## AMENDMENT NO. 2759

(Purpose: To clarify conditions on assistance for Indonesia)

On page 393, line 1, strike “provided a copy of its written plans to effectively address the following, and a copy of each plan has been provided with the report”, and insert in lieu thereof “written plans to effectively”.

On page 393, line 4, before “accountability” insert “provide”.

On page 393, line 6, “to allow public access to Papua and West Irian Jaya” and insert in lieu thereof “allow public access to West Papua”.

On page 393, line 8, strike “to”.

## AMENDMENT NO. 2760

(Purpose: To clarify conditions on military assistance for Guatemala)

On page 393, line 12, strike everything after “(a)” through the period on page 394, line 15, and insert in lieu thereof the following:

“Funds appropriated by this Act under the heading “International Military Education and Training” that are available for assistance for Guatemala, other than for expanded international military education and training, may be made available only for the Guatemalan Air Force and Navy: Provided, That such funds may be made available only if the

Secretary of State certifies that the Guatemalan Air Force and Navy are respecting human rights and are cooperating with civilian judicial investigations and prosecutions of military personnel who have been credibly alleged to have committed violations of human rights.

(b) Of the funds appropriated by this Act under the heading "Foreign Military Financing Program", not more than \$500,000 may be made available for the Guatemalan Air Force and Navy: Provided, That such funds may be made available only if the Secretary of State certifies that the Guatemalan Air Force and Navy are respecting human rights and are cooperating with civilian judicial investigations and prosecutions of military personnel who have been credibly alleged to have committed violations of human rights, and the Guatemalan Armed Forces are fully cooperating with the International Commission Against Impunity in Guatemala."

## AMENDMENT NO. 2761

(Purpose: To restrict assistance for countries that recruit child soldiers)

On page 395, line 1, strike "security" and insert lieu thereof the following: "governmental armed forces or government-supported armed groups, including paramilitaries, militias, or civil defense forces."

On page 395, line 7, after "to" insert the following: "demobilize children from its forces or from government-supported armed groups and".

## AMENDMENT NO. 2762, AS MODIFIED

On page 395, line 24, after the semi-colon insert "(2) the Philippine Government is implementing a policy of promoting military personnel who demonstrate professionalism and respect for human rights, and is investigating and prosecuting military personnel and others who have been credibly alleged to have committed extrajudicial executions or other violations of human rights."

On page 396, line 1, strike "(2)" and insert in lieu thereof "(3)".

## AMENDMENT NO. 2764

(Purpose: To add conditions relating to assistance for Sri Lanka)

On page 397, line 24, after "that" insert "(1)".

On page 398, line 3, after "soldiers" insert "; (2) the Sri Lankan Government has provided unimpeded access to humanitarian organizations and journalists to Tamil areas of the country; and (3) the Sri Lankan Government has agreed to the establishment of a field presence of the Office of the United Nations High Commissioner for Human Rights in Sri Lanka."

## AMENDMENT NO. 2765

(Purpose: Technical amendment relating to the Millennium Challenge Corporation)

On page 402, line 22, after "the" insert "transparent and".

## AMENDMENT NO. 2766

(Purpose: To deny visas for officials of foreign governments and their families who have been involved in corruption relating to the extraction of natural resources)

At the appropriate place in the bill insert the following:

## ANTI-KLEPTOCRACY

SEC. \_\_\_\_\_. (a) In furtherance of the National Strategy to Internationalize Efforts Against Kleptocracy and Presidential Proclamation 7750, not later than 90 days after the date of enactment of this Act the Secretary of State shall send to the appropriate congressional committees a list of officials of the governments of Angola, Burma, Cambodia, Equatorial Guinea, Democratic Republic of the Congo, and the Republic of the Congo, and their immediate family members,

who the Secretary has credible evidence to believe have been involved in corruption relating to the extraction of natural resources in their countries.

(b) Not later than 10 days after the list described in subsection (a) is submitted to the appropriate congressional committees, the following sanctions shall apply:

(1) Any individual on the list submitted under subsection (a) shall be ineligible for a visa to enter the United States.

(2) No property or interest in property belonging to an individual on the list submitted under subsection (a), or to a member of the immediate family of such individual if the property is effectively under the control of such individual, may be transferred, paid, exported, withdrawn, or otherwise dealt with, if the property is within the United States or within the possession or control of a United States person, including the overseas branch of such person, or after the date of the enactment of this Act comes within the control of such person.

(3) No United States person may engage in financial transactions with an individual on the list submitted under subsection (a), or with a member of the immediate family of such individual if the transaction will benefit an individual on the list submitted under subsection (a).

## AMENDMENT NO. 2767, AS MODIFIED

On page 255, line 5, before the period, insert the following:

"Provided further, That of the funds appropriated under this heading, not more than \$500,000 should be made available for the Department of Energy's National Nuclear Security Administration to support initiatives which bring together public officials and private individuals from nations involved in the Six-Party Talks for informal discussions on resolving the North Korea nuclear issue:"

## AMENDMENT NO. 2769, AS MODIFIED

At the appropriate place in the bill, add the following new section:

## UGANDA

SEC. \_\_\_\_\_. (a) Not later than 90 days after enactment of this Act, the Secretary of State shall submit a report to the Committees on Appropriations detailing a strategy for substantially enhancing United States efforts to resolve the conflict between the Lord's Resistance Army (LRA) and the Government of Uganda (GOU), including—

(1) direct and sustained participation by the United States in confidence-building measures in furtherance of the peace process;

(2) increased diplomatic pressure on the Democratic Republic of the Congo (to eliminate the LRA's current safe haven) and on Sudan;

(3) brokering direct negotiations between the GOU and the leaders of the LRA on personal security arrangements; and

(4) financial support for disarmament, demobilization, and reintegration to provide mid-level LRA commanders incentives to return to civilian life.

(b) Of the funds appropriated by this Act under the heading "Economic Support Fund", not less than \$5,000,000 shall be made available to implement the strategy described in subsection (a).

## AMENDMENT NO. 2692, AS MODIFIED

On page 410, between lines 15 and 16, insert the following:

## COMPREHENSIVE NUCLEAR THREAT REDUCTION AND SECURITY PLAN

SEC. 699B. (a) Not later than 180 days after the date of the enactment of this Act, the President shall submit to Congress a comprehensive nuclear threat reduction and security plan, in classified and unclassified forms—

(1) for ensuring that all nuclear weapons and weapons-usable material at vulnerable sites are secure by 2012 against the threats that terrorists have shown they can pose;

(2) for working with other countries to ensure adequate accounting and security for such materials on an ongoing basis thereafter; and

(3) for making security improvements to ensure, to the maximum extent possible, that the existing U.S. nuclear weapons stockpile and weapons-usable material are protected from the threats terrorists have shown they can pose.

(b) For each element of the accounting and security effort described under subsection (a)(2), the plan shall—

(1) clearly designate agency and departmental responsibility and accountability;

(2) specify program goals, with metrics for measuring progress, estimated schedules, and specified milestones to be achieved;

(3) provide estimates of the program budget requirements and resources to meet the goals for each year;

(4) provide the strategy for diplomacy and related tools and authority to accomplish the program element;

(5) provide a strategy for expanding the financial support and other assistance provided by other countries, particularly Russia, the European Union and its member states, China, and Japan, for the purposes of securing nuclear weapons and weapons-usable material worldwide;

(6) outline the progress in and impediments to securing agreement from all countries that possess nuclear weapons or weapons-usable material on a set of global nuclear security standards, consistent with their obligation to comply with United Nations Security Council Resolution 1540;

(7) describe the steps required to overcome impediments that have been identified; and

(8) describe global efforts to promulgate best practices for securing nuclear materials.

(c) Sense of the Senate. The Administration shall not sign any agreement with the Russian Federation on low enriched uranium that does not include a requirement that a portion of the low enriched uranium be derived from highly enriched uranium.

## AMENDMENT NO. 2784

(Purpose: to exclude aliens who have engaged in or advocated terrorist activity on behalf of or received military-type training from a Tier I or II terrorist organization from eligibility for relief from terrorism-related immigration bars)

Section 694 of the bill is amended to read as follows:

SEC. 694. (a) AMENDMENT TO AUTHORITY TO DETERMINE THE BAR TO ADMISSION INAPPLICABLE.—Section 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)) is amended to read as follows:

"The Secretary of State, after consultation with the Attorney General and the Secretary of Homeland Security, or the Secretary of Homeland Security, after consultation with the Secretary of State and the Attorney General, may determine in such Secretary's sole unreviewable discretion that subsection (a)(3)(B) shall not apply with respect to an alien within the scope of that subsection or that subsection (a)(3)(B)(vi)(III) shall not apply to a group within the scope of that subsection, except that no such waiver may be extended to an alien who is within the scope of subsection (a)(3)(B)(i)(II), no such waiver may be extended to an alien who is a member or representative of, has voluntarily and knowingly engaged in or endorsed or espoused or persuaded others to endorse or espouse or support terrorist activity on behalf of, or has

voluntarily and knowingly received military-type training from a terrorist organization that is described in subclause (I) or (II) of subsection (a)(3)(B)(vi), and no such waiver may be extended to a group that has engaged terrorist activity against the United States or another democratic country or that has purposefully engaged in a pattern or practice of terrorist activity that is directed at civilians. Such a determination shall neither prejudice the ability of the United States Government to commence criminal or civil proceedings involving a beneficiary of such a determination or any other person, nor create any substantive or procedural right or benefit for a beneficiary of such a determination or any other person. Notwithstanding any other provision of law (statutory or nonstatutory), including section 2241 of Title 28, or any other habeas corpus provision, and sections 1361 and 1651 of such title, no court shall have jurisdiction to review such a determination or revocation except in a proceeding for review of a final order of removal pursuant to section 1252 of this title, and review shall be limited to the extent provided in section 1252(a)(2)(D). The Secretary of State may not exercise the discretion provided in this clause with respect to an alien at any time during which the alien is the subject of pending removal proceedings under section 1229a of this title.”

(b) **AUTOMATIC RELIEF FOR THE HMONG AND OTHER GROUPS THAT DO NOT POSE A THREAT TO THE UNITED STATES.**—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)), the Karen National Union/Karen Liberation Army (KNU/KNLA), the Chin National Front/Chin National Army (CNF/CNA), the Chin National League for Democracy (CNLD), the Kayan New Land Party (KNLP), the Arakan Liberation Party (ALP), the Mustangs, the Alzados, the Karenni National Progressive Party, and appropriate groups affiliated with the Hmong and the Montagnards shall not be considered to be a terrorist organization on the basis of any act or event occurring before the date of enactment of this section. Nothing in this subsection may be construed to alter or limit the authority of the Secretary of State or the Secretary of Homeland Security to exercise his discretionary authority pursuant to 212(d)(3)(B)(i) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(3)(B)(i)).”

(c) **TECHNICAL CORRECTION.**—(1) **IN GENERAL.**—Section 212(a)(3)(B)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)(ii)) is amended by striking “Subclause (VII)” and replacing it with “Subclause (IX)”.

(d) **DESIGNATION OF THE TALIBAN AS A TERRORIST ORGANIZATION.**—For purposes of section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)), the Taliban shall be considered to be a terrorist organization described in subclause (I) of clause (vi) of that section.

(e) **REPORT ON DURESS WAIVERS.**

The Secretary of Homeland Security shall provide to the Committees on the Judiciary of the United States Senate and House of Representatives a report, not less than 180 days after the enactment of this Act and every year thereafter, which may include a classified annex if appropriate, describing—

(1) the number of individuals subject to removal from the United States for having provided material support to a terrorist group who allege that such support was provided under duress;

(2) a breakdown of the types of terrorist organizations to which the individuals described in paragraph (1) have provided material support;

(3) a description of the factors that the Department of Homeland Security considers when evaluating duress waivers; and

(4) any other information that the Secretary believes that the Congress should consider while overseeing the Department’s application of duress waivers.

(f) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of enactment of this section, and these amendments and sections 212(a)(3)(B) and 212(d)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B) and 1182(d)(3)(B)), as amended by these sections, shall apply to—

(A) removal proceedings instituted before, on, or after the date of enactment of this section; and

(B) acts and conditions constituting a ground for inadmissibility, excludability, deportation, or removal occurring or existing before, on, or after such date.

AMENDMENT NO. 2785

(Purpose: To provide funding for secondary wastewater treatment, consistent with the Committee report)

On page 219, line 26, before the period insert: “.of which up to \$66,000,000 shall be made available only for construction in the United States of secondary wastewater treatment capability.”

AMENDMENT NO. 2786

(Purpose: To express the sense of the Senate regarding actions needed on the part of the Government of Egypt to promote the rule of law and reduce the smuggling of weapons into Gaza)

On page 410, between lines 15 and 16, insert the following:

**RULE OF LAW AND BORDER SECURITY IN EGYPT**

SEC. 699B. (a) The Senate makes the following findings:

(1) Fighting in Gaza during the summer of 2007 demonstrated that the terrorist organization Hamas, which unlawfully seized control over Gaza in June 2007, has been able to achieve a dramatic increase in the quantity and sophistication of arms at its disposal.

(2) Without these arms, the terrorist organization would not have been able to seize control over the Gaza territory.

(3) There is substantial evidence that a significant proportion of these arms were smuggled across the border between Gaza and Egypt.

(4) The Egyptian military is a capable force, made possible in substantial part by a close relationship with the United States.

(5) Concurrent with the escalation of dangerous arms smuggling across the border between Egypt and Gaza has been a retrogression in the rule of law in Egypt.

(6) This loss of hard-earned ground has been characterized by reports of harsh reaction by the Government of Egypt to dissent, including the jailing of political opponents.

(7) The United States has provided aid to Egypt in excess of \$28,000,000,000 over the past three decades.

(b) The Senate—

(1) reaffirms its long-standing friendship with the people of Egypt;

(2) believes that our friendship with Egypt requires the Senate to address such vital policy concerns;

(3) urges the Government of Egypt to make concrete and measurable progress on restoring the rule of law, including improving the independence of the judiciary and improving criminal procedures and due process rights and halting the cross-border flow of arms to Gaza;

(4) believes it is the best interest of Egypt, the region, and the United States that Egypt takes prompt action to demonstrate progress on these matters; and

(5) urges the Department of State to work vigorously and expeditiously with the Government of Egypt and the Government of

Israel to bring the border between Egypt and Gaza border under effective control.

AMENDMENT NO. 2787

(Purpose: Technical amendment relating to the office of Private and Voluntary Cooperation)

On page 245, line 17, strike “may” and insert in lieu thereof “should”.

AMENDMENT NO. 2788

(Purpose: Technical amendment relating to the Democracy Fund)

On page 262, line 16, before “institutions” insert “organizations and”.

AMENDMENT NO. 2789

(Purpose: To enable the Department of State to respond to a critical shortage of passport processing personnel)

On page 211, line 20, insert after “purposes:” the following: “*Provided further*, That during fiscal year 2008, foreign service annuitants may be employed, notwithstanding section 316.401 of title 5, Code of Federal Regulations, pursuant to waivers under section 824(g)(1)(C)(ii) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)(1)(C)(ii)).”

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

The motion to lay on the table was agreed to.

Mr. LEAHY. Mr. President, before we go to third reading, I wish to thank Senator GREGG for his tireless efforts on this bill and the Members of the Appropriations Committee which passed this bill originally 28 to 1. I will say more about Senator GREGG’s staff and my staff tomorrow so as not to hold up third reading.

Mr. GREGG. Mr. President, I join with Senator LEAHY and thank him for the fair and open way he has pursued this bill. I thank his staff again, as I did earlier, for their great work, and my staff, obviously, also. It has been a very fair and open process, and I very much appreciate his treatment of the Republican membership in this exercise.

ACCELERATING RFA FOR SOILS, WATER, AND ECOSYSTEM SERVICES CRSP

Mr. INOUE. Mr. President, I would like to discuss with the Senator from Vermont an issue that has major implications for food security and environmental protection in developing countries and the United States.

Over the last decade, the Soils Management CRSP has performed admirably with the University of Hawaii serving as the management entity. It is through my relationship with the University of Hawaii that I have learned that this program has successfully developed globally applicable science-based principles and tested them on a site-specific basis in more than 22 developing countries in Africa, Asia, and Latin America. This has enabled users to access decision support tools to diagnose problems at specific locations in any country, and prescribe alternative solutions to correct them.

While the Soils Management CRSP has been successful during its planned 10-year life, I am pleased that the U.S. Agency for International Development will build on the accomplishments of this program and seek a broader scope

for a succeeding CRSP. The Agency correctly perceives that, while sound soil management is critical to food security, sustainable natural resources management, and economic growth and progress in the developing world, soil resources must be managed in the context of all resources in the ecosystem. I support the establishment and operation of the Soil, Water, and Ecosystem Services CRSP.

My concern is that the Agency does not plan to compete the new Soil, Water, and Ecosystem Services CRSP until 2009. With a likely 2-year interruption of research activity, the useful elements of expiring CRSPs are likely to be compromised and continuity of resource management research will not be forthcoming.

To circumvent these problems, I ask your support in encouraging the Agency to accelerate a request for applications, RFA, for a Soil, Water, and Ecosystem Services CRSP through established competitive processes. Conducting the RFA in fiscal year 2008 will minimize the loss in program continuity associated with recently expired CRSPs such as the Soils Management CRSP. Acceleration will minimize risks to food security and protection of the environment in developing countries and in the United States. An earlier competition for the new CRSP will go a long way toward preserving the momentum and expertise of the collaborative network of researchers involved in recently completed CRSPs.

I believe that the committee recommendation for funds for Collaborative Research Support Programs in 2008 is sufficient to accommodate a request for applications—RFA—for a Soil, Water, and Ecosystem Services CRSP in 2008. I also emphasize that my interest is in a more comprehensive resource management CRSP solicited through established competitive processes based solely on merit and abilities to deliver science-based recommendations.

Mr. LEAHY. I thank the Senator from Hawaii for bringing this issue to my attention. I agree about the importance of continuity and momentum in natural resource management research. I will work to ensure that your concerns are communicated to the Administrator of the U.S. Agency for International Development and that the Agency is encouraged to utilize funds appropriated for 2008 to accelerate the RFA process for a Soil, Water, and Ecosystems Services CRSP in 2008.

Mr. INOUE. I thank my colleague for his consideration and support of the Soil, Water, and Ecosystem Services CRSP.

#### PASSPORT SERVICES OFFICES

Mr. PRYOR. Mr. President, I would like to engage the chairman of the Senate Appropriations State, Foreign Operations Subcommittee in a brief colloquy regarding the situation at the State Department's Passport Services Offices. Like many Members on both

sides of the Hill, my office in recent months has been deluged by constituents who have had tremendous difficulties getting passports in time for trips they have planned, often many months in advance. I appreciate the fact that the subcommittee has responded to this situation by providing additional resources to the Department to address the passport backlog.

Freedom and ease of travel to foreign destinations is extremely important to the competitiveness of American business as well as for individual recreational and family needs. Many American businesses, including a significant part of the American travel industry, depend on passport services companies to obtain necessary travel documents for their employees and customers in an expedited fashion so they can travel not just when they want to but when they need to. Passport services firms also assist individual citizens when they are not located near one of the regional passport offices, have physical disabilities, or simply cannot get off work to make a personal visit to the passport office.

The number of passport issuances nationally has grown by more than 130 percent in recent years. At the same time, the demand of U.S. citizens and corporations for the expedited services of passport services companies has never been greater. However, in recent years regional Passport Services Offices have limited the number of "slots," or applications, that individual passport services companies can submit on a daily basis. The reductions at all the regional offices collectively have reduced nationally the number of applications individual companies can submit by over 40 percent. It is now clear that the recent problems with passport delays faced by the traveling public as a whole are related to the problems faced by passport services companies in the last few years: lack of resources and improper allocation of resources by the Department.

Instead of creating more work, passport services companies assist passport services' adjudicators by using barcode computer technology, ensuring application forms and supporting documents are filled out accurately and completely, and improving efficiency and decreasing confusion at passport acceptance facilities nationwide by thoroughly preparing applicants before acceptance agents.

Leading travel industry representatives have formally expressed strong support for efforts to allow passport services companies to submit more applications. The American Society of Travel Agents, Cruise Lines International Association, the National Business Travel Association, the Travel Business Roundtable, and the Travel Industry Association of America have all written the Department of State expressing unqualified support for the industry's request for more slots for individual companies.

I would like to ask the distinguished chairman of the subcommittee, is it

true that the committee has provided the Department \$40 million over the President's budget request to enhance passport operations?

Mr. LEAHY. That is true. I would say to my colleague from Arkansas that this subcommittee is not satisfied with the performance of the Department in the last few months with respect to the adjudication and distribution of passports in a timely fashion. We recognize that a tremendous number of dedicated public servants at all levels of the State Department have been putting in long hours trying to get rid of the backlog in passports. We think it is very important, however, especially as the deadline for implementation of the Western Hemisphere Travel Initiative gets closer, that the Department be better prepared to handle spikes in demand for passports and to disseminate better information about the procedures and options available for getting expedited passports.

Mr. PRYOR. Increasing the number of daily applications individual passport service companies can submit is an essential component of meeting the personal and business travel needs of American citizens who require special assistance. Because these companies submit applications to the exact specifications of Passport Services, allowing individual firms to submit more applications daily would enable Passport Services to adjudicate a greater number of applications more efficiently.

As the chairman may know, Arkansas is now home to a passport processing facility that is working on all cylinders helping to eliminate the backlog. The Washington Regional Agency of Passport Services already has staff dedicated exclusively to processing applications submitted by passport services companies. Does the chairman/ranking member of the subcommittee agree that we should encourage the consideration of a similar approach in all regional offices to facilitate the daily increase in applications for passport services firms and recommend Passport Services expand one of its regional offices to provide significantly expanded dedicated services to passport service companies?

Mr. LEAHY. I agree that we should encourage the Department to consider providing such dedicated infrastructure, especially if it will help to alleviate the backlogs that have occurred all over the country.

Mr. PRYOR. I thank the chairman of the subcommittee for his attention to this issue.

#### EXTRAJUDICIAL KILLINGS IN THE PHILIPPINES

Mrs. BOXER. Mr. President, as chair of the Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs, I remain deeply concerned about reports of extrajudicial killings in the Philippines.

The people of the United States and the Philippines enjoy a close friendship that is deeply valued on both sides. Our nations have a strong bond that is supported and celebrated by the 3 million

Americans of Philippine ancestry that live in the United States today. California alone is home to more than 1 million Filipino Americans.

Because of the close ties between our two nations and our two militaries, it is essential that the government of Gloria Arroyo take strong action to end the killings and punish those who have committed abuses.

Over the past 6 years, hundreds of extrajudicial killings have taken place throughout the Philippines. Those targeted have included journalists, religious leaders, political figures, human rights activists, and union leaders.

For too long, the Government of the Philippines has not taken sufficient action to address extrajudicial killings and bring those responsible to justice.

Last year, pressure from international human rights groups, foreign governments, and political leaders forced the government of President Arroyo to launch an investigation into the killings that was headed by retired Supreme Court Justice Jose Melo. The Melo Commission report, which was made public early this year, found that the killings of activists appear to be part of an "orchestrated plan" and that the Philippine National Police has made little progress in investigating or prosecuting cases.

Philip Alston, the U.N. Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions has stated that the Philippine Armed Forces were in "a state of almost total denial" on the need to address "the significant number of killings which have been convincingly attributed to them" and that a "culture of impunity" exists within the Philippine justice system.

In response, the Philippine Government has announced that it is taking steps to address these abuses. President Arroyo has said herself that "these killings will be resolved and the military will continue to be a vanguard for freedom."

Last week in Manila, hundreds of relatives and supporters of those who are missing or killed marched to demand action and justice. One of the marchers carried a picture of her son, an activist who was reportedly abducted from a mall last April by seven armed persons who identified themselves as police officers. The car used in the abduction was traced to a vehicle impounded at a Philippine military base. Despite an order from the Supreme Court, the military has not released the missing activist.

During a hearing I chaired in March on this issue, a bishop from the United Church of Christ in the Philippines testified that, "with such an appalling death toll of extrajudicial killings in our country at this time of the Arroyo administration, nobody could ever claim that she or he is not afraid and is safe. I admit that I have that fear . . ."

I am very pleased that Senator LEAHY has included language in the Senate State Department and Foreign

Operations appropriations bill that fences \$2 million of military assistance on the condition that the Secretary of State certifies that the Philippine Government is implementing the recommendations of the U.N. Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, that the Philippine military is not engaging in acts of intimidation or violence against members of legal organizations that advocate for human rights, and that the Government is investigating and prosecuting those who have committed extrajudicial killings.

This binding legislative language is critical. I hope that Secretary Rice is able to produce a report that states that the Philippine Government is taking real action and the Philippine military is no longer responsible for the deaths of innocent persons.

Senator LEAHY, if the Philippine Government fails to meet the three conditions contained in this act, will you work with me to place additional limitations on future U.S. military assistance to the Philippines?

Mr. LEAHY. I share Senator BOXER's concern about extrajudicial violence in the Philippines and will continue to monitor this situation carefully. I will consider additional limitations on future U.S. military assistance if the Philippine Government fails to adequately address this issue.

Mr. MCCAIN. Mr. President, I support amendment No. 2708 that would prevent contributions to organizations that perform or promote abortion as a method of family planning. I was unable to be in attendance for this vote. However, if I had been present, I would have voted in favor of this amendment. Similarly, I support amendment No. 2707 that would prohibit funding of organizations that support coercive abortion. If I had been present, I would have voted in favor of this amendment.

I oppose amendment No. 2719 that would rescind the "Mexico City Policy" in its entirety, and, had I been present, I would have voted against it.

Life is the most important gift each of us is given, and I believe that abortion unfairly takes the innocent life of an unborn child who deserves protection, morally and legally. For this reason, I oppose abortion, except in the case of rape, incest or when the life of the mother is endangered.

The "Mexico City Policy" denies U.S. population assistance funds to private organizations that campaign to legalize abortion in foreign countries, or which otherwise promote abortion as a method of family planning. I believe that we must be committed to protecting the life of unborn children, and I do not support the expenditure of U.S. taxpayer dollars for the purposes of funding abortions, whether inside or outside the United States. While I understand the need for family planning services, particularly in developing countries, and support efforts to meet these needs, I do not believe that abortion is an appropriate form of birth

control. For this reason, I oppose the allocation of taxpayer money to organizations that promote and provide abortion services.

Mr. CORNYN. Mr. President, the increasing instability along the Texas/Mexico border is of great concern to me. U.S. citizens who live in the border communities of my home State are caught in the crossfire of drug cartels engaged in illegal trafficking of drugs, weapons, cash, and people.

Nuevo Laredo, a city across the river from Laredo, TX, has been caught up in a violent turf war between rival drug gangs fighting for billion-dollar smuggling routes into the United States. This issue is relevant because many people are missing as a result of the violence in Nuevo Laredo, including over 20 U.S. citizens.

One tragic example involves Brenda Cisneros and her friend Yvette Martinez a 27-year-old mother of two young girls. On September 17, 2004, the two women were celebrating Brenda's 23rd birthday at a concert across the border in Nuevo Laredo. Neither has been seen since.

The ongoing drug wars in Nuevo Laredo are spilling over into Laredo and nearby communities in the United States. I fear the threat of violence to our citizens who live and work in border regions will only continue to escalate. This condition is unacceptable and Mexico must act immediately to end this situation.

Federal, state, and local law enforcement officials along the border routinely seize guns, ammunition, drugs, and illegal aliens. Additionally, Border Patrol agents face hundreds of assaults each year ranging from shootings, to rock throwing, to attempts to run them over.

In August 2005, I sent a letter to the Attorney General requesting that additional resources be allocated to remedy this situation. The Attorney General and the administration quickly took action to protect the people of Texas by sending a Violent Crime Impact Team to address the violence, particularly the problem of missing persons.

However, as I noted in a letter to Tony Garza, the U.S. Ambassador to Mexico, "the good work of U.S. law enforcement will never be enough without serious commitment and strong efforts from Mexico."

Since April 2006, I have been working with Ambassador Garza to encourage the Mexican government to help U.S. law enforcement and increase Mexico's efforts in locating the numerous missing persons from the Laredo area. I have also met with other top-level Mexican officials and urged them to allocate more resources toward finding the missing persons, and to coordinate efforts with the United States. It is clear that Mexico must do more to crack down on violence along the border.

This legislation provides funds for international narcotics control and law enforcement. The purpose of this provision is to assist foreign countries in

combating narcotics, gangs, terrorism, and crime. The House has already passed this bipartisan bill, and we must ensure the programs we are funding are focused in the right direction by including explicit language.

According to the House Judiciary Committee report, the committee “continues to support a strong United States counternarcotics assistance program in order to protect United States communities from the ravages of drugs.” Furthermore, the House Judiciary Committee recommendation includes \$27.5 million for programs in Mexico to support the fight against human, drug, and weapon smuggling.

The amendment I am offering today ensures that a portion of this funding will be allocated for locating the many missing Americans who have been lost in the battles between drug cartels. It is simply unacceptable to allow U.S. citizens to become casualties of the violent war being waged by drug gangs in Mexico.

The truth is that, just as the violence and instability on the border is a serious problem for both countries, the solution lies both with the United States and Mexico. It will take all of our efforts and Mexico’s efforts combined to win the battle against border violence.

Any legislation that appropriates funding for programs to combat drug smuggling in Mexico must also allocate resources to combat the fallout of drug trafficking. My amendment simply goes one step further in protecting our communities from the turmoil surrounding the narcotics conflict by facilitating the return of missing Americans to their loved ones.

Mr. CONRAD. Mr. President, I rise to offer for the record, the Budget Committee’s official scoring of H.R. 2764, the Department of State, Foreign Operations, and Related Agencies Appropriations Act for fiscal year 2008.

The bill, as reported by the Senate Committee on Appropriations, provides \$34.2 billion in discretionary budget authority for fiscal year 2008, which will result in new outlays of \$17.1 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the bill will total \$33.5 billion.

The Senate-reported bill is at the subcommittee’s 302(b) allocation for budget authority and is \$5 million below its allocation for outlays.

The reported bill includes provisions that make changes in mandatory programs—CHIMPS—that result in an increase in direct spending over the 9-year period, 2009–2017. These provisions are subject to the point of order established by section 209 of the 2008 budget resolution.

I ask unanimous consent that the table displaying the Budget Committee scoring of the bill be printed in the RECORD.

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

H.R. 2764, DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED AGENCIES APPROPRIATIONS, 2008

[Spending comparisons—Senate Reported Bill (in millions of dollars)]

	General purpose
<b>Senate-Reported Bill:</b>	
Budget Authority .....	34,243
Outlays .....	33,511
<b>Senate 302(b) allocation:</b>	
Budget Authority .....	34,243
Outlays .....	33,516
<b>House-passed bill:</b>	
Budget Authority .....	34,243
Outlays .....	33,201
<b>President’s Request:</b>	
Budget Authority .....	34,943
Outlays .....	32,748
<b>Senate-Reported Bill Compared To</b>	
<b>Senate 302(b) allocation:</b>	
Budget Authority .....	0
Outlays .....	-5
<b>House-passed bill:</b>	
Budget Authority .....	0
Outlays .....	310
<b>President’s Request:</b>	
Budget Authority .....	-700
Outlays .....	763

Mr. MCCONNELL. Mr. President, I would like to reiterate my long-standing opposition to any amendments or modifications to the Mexico City policy, the Kemp-Kasten amendment, or any exceptions on the use of funds as authorized in Public Law 108–25, the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003. Some provisions related to these items are included in the State and Foreign Operations Appropriations bill that the Senate is prepared to pass, and I anticipate that if this language remains part of the final measure, the bill will draw a veto threat from the administration. Although I will support this bill in the spirit of moving this process forward, I look forward to working with my colleagues and Members of the House to ensure that the final version of the bill can be signed by the President and does not undermine these critical pro-life and pro-family provisions.

The PRESIDING OFFICER. The question is on engrossment of the amendment and third reading of the bill.

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

The bill was read the third time.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I had a question of the manager or the ranking member. We have been waiting now a long time, and we have just heard that things are settled. I am not sure anybody knows what that means. I don’t. I hate to ask other Senators if they do.

Might I ask, procedurally, does this mean when we finish this vote tonight we are through?

Mr. LEAHY. Mr. President, if I might answer my friend, the senior Senator from New Mexico, it is my understanding from the leadership that this will be the final vote tonight. I understand the leadership has scheduled something for tomorrow morning, but this will be the final vote tonight.

Mr. GREGG. Mr. President, I would say if the Senator is suggesting we adjourn sine die, I could support that.

Mr. LEAHY. Mr. President, I am advised by the leader there will be one vote tomorrow at 10:15.

Mr. DOMENICI. On a different matter.

Mrs. BOXER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senate insist on its amendment, request a conference with the House, and that the Chair be authorized to appoint conferees.

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

The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

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

Mr. LOTT. The following Senators are necessarily absent: the Senator from Idaho (Mr. CRAIG), and the Senator from Arizona (Mr. MCCAIN).

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

The result was announced—yeas 81, nays 12, as follows:

[Rollcall Vote No. 325 Leg.]

YEAS—81

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

NAYS—12

Barrasso	Corker	Enzi
Brownback	Cornyn	Graham
Chambliss	DeMint	Inhofe
Coburn	Ensign	Isakson

NOT VOTING—7

Biden	Dodd	Obama
Clinton	Lincoln	
Craig	McCain	

The bill (H.R. 2764), as amended, was passed.

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

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate insists on its amendments, requests a conference with the House, and the Chair appoints the following conferees.

The Acting President pro tempore appointed Mr. LEAHY, Mr. INOUE, Mr. HARKIN, Ms. MIKULSKI, Mr. DURBIN, Mr. JOHNSON, Ms. LANDRIEU, Mr. REED, Mr. BYRD, Mr. GREGG, Mr. MCCONNELL, Mr. SPECTER, Mr. BENNETT, Mr. BOND, Mr. BROWNBACK, Mr. ALEXANDER, and Mr. COCHRAN conferees on the part of the Senate.

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

#### COLLEGE COST REDUCTION AND ACCESS ACT—CONFERENCE REPORT

Mr. KENNEDY. Mr. President, I submit a report of the committee of conference on the bill (H.R. 2669) and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The clerk will report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2669), to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment, signed by a majority of the conferees of both Houses.

The ACTING PRESIDENT pro tempore. The Senate will proceed to the consideration of the conference report.

(The conference report is printed in the proceedings of the House in the RECORD of today, September 6, 2007.)

The ACTING PRESIDENT pro tempore. The Senator from Massachusetts.

#### ORDERS FOR FRIDAY, SEPTEMBER 7, 2007

Mr. KENNEDY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 8:55 a.m., Friday, September 7; that on Friday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that the Senate then resume consideration of the conference report to accompany H.R. 2669, as provided for under a previous order.

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

#### ORDER FOR ADJOURNMENT

Mr. KENNEDY. Mr. President, I now ask unanimous consent that following the statement of Senator ENZI—I will make my statement in the morning—the Senate stand adjourned under the previous order.

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

Mr. KENNEDY. I thank the Chair.

#### TRIBUTE TO ED MCGAFFIGAN

Mr. BINGAMAN. Mr. President, let me speak as in morning business about a dear friend who died this last Sunday, and that is Ed McGaffigan. Ed has been a member of the Nuclear Regulatory Commission now for over 10 years. He is the longest serving member of the Nuclear Regulatory Commission in the history of our country. Prior to that, he was a staff member in my office working with me on foreign policy issues, on defense policy issues, on science and technology issues. The country has lost a great public servant, and we have all lost a great friend with the passing of Ed McGaffigan.

When I first came to the Senate in 1983, I was appointed to the Armed Services Committee, and I have remained on that committee for essentially 20 years. When I first got here, I needed the help, obviously, of someone who knew something about foreign policy and defense policy, and I called Professor Joe Nye at the Harvard's Kennedy School to ask if he could recommend anyone. His immediate response to me was: There is a young man working in the White House Science Office named Ed McGaffigan. I would recommend Ed without any reservation. If you could persuade Ed to work for you in this capacity, you would be extremely well served. As it happened, I was able to persuade Ed to do that in 1983.

He worked with me on defense issues and foreign policy issues and science and technology issues for 13½ years. Then he moved on and was appointed by President Clinton to the Nuclear Regulatory Commission. He was appointed to a term on the Nuclear Regulatory Commission and then reappointed to a second term by President Clinton and reappointed once again by President Bush.

I will always be grateful to Professor Nye for his immediate and superb recognition of Ed. Ed had many virtues. He was a man of great faith. He was faithful to his God, of course, his family, his job, and his country. He was known for his love of his family, his wife Peggy, and his children, Eddie and Meggy. He saw his job as public service. He made a decision early in his career to pursue public service. He worked in the State Department, he worked in the White House science office, he worked in the Senate, and he worked as a member of the Nuclear Regulatory Commission. In each position, he demonstrated great ability and uncompromising integrity.

Ed made it his business to understand whatever the issue was at hand better than anybody else. He had the intellectual capacity and the determination to do exactly that. He sought expert advice, but he was not one who

would accept any advice at face value. He was trained as a physicist; he was a physicist. He had an extremely keen mind, and he was in the enviable position of being able to be his own expert, having his own expert views on many subjects.

The second advantage I would cite for Ed in his public service was his courage. He employed that courage time and again when he stepped up to be the teller of truth. One recent column described him as a "debunker of hype." There was another story that was written about Ed this week, where he was referred to as a "feisty advocate for nuclear technology." I can see how someone might interpret his statements and actions that way, but, in fact, Ed saw himself not as an advocate for a particular technology—nuclear or any other—but instead as a person who was unafraid to tell the truth even when that went against the popular view, even when it meant dispelling widely shared myths.

Ed had the intellectual ability and the courage to accomplish a tremendous amount. There was no question or surprise when he chose to use that intellectual ability and courage to face the illness that did finally claim his life. He did all of the reading that was doable on the subject of that illness. He asked hard questions. He took in the answers, and he managed his life for the last 8 years in the best way possible.

As sometimes happens with cancer—which is what ultimately prevailed—there are days of remission and there are also days of illness. Recently, he enjoyed a reprieve from the pain and discomfort that was caused by the disease and the treatment. Bob Simon and Sam Fowler of the Energy Committee and myself were fortunate to have lunch with Ed in the Senate diningroom in June. It was a typical meeting with Ed. He was focused on the future, on how to accomplish the important work of the Nuclear Regulatory Commission. He was a devoted public servant to the end of his days. He achieved an enormous amount. Much of his ability to achieve in these final months and throughout his career, of course, was due to the superb work of his staff at the Nuclear Regulatory Commission. They deserve great credit, as well, for helping him in these final months. Ed must have been one of the few hospice patients in the country who continued to work 4 days a week. As far as I know, he is the only hospice patient to testify before the Senate in July.

Ed made the most of the reprieve he was granted, but this last week his illness came forward and he died on Sunday. He was buried in Arlington, VA, today. The Senate is a poorer place for his passing, and the country has lost a great public servant. We have all lost a very good friend.