

Initiative, as such initiative is set forth under section 271 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12821).".

## AMENDMENT NO. 2846, AS MODIFIED

On page 137, between lines 17 and 18, insert the following:

SEC. 232. Not later than 90 days after the date of enactment of this Act, the Secretary of Housing and Urban Development may—

(1) develop a formal, structured, and written plan that the Department of Housing and Urban Development shall use when monitoring for compliance with the specific relocation restrictions in—

(A) the Community Development Block Grant entitlement program; and

(B) the Community Development Block Grant State program that receives economic development funds from the Department of Housing and Urban Development; and

(2) submit such plan to the Committee on Appropriations of both the Senate and the House of Representatives.

## AMENDMENT NO. 2848, AS MODIFIED

On page 137, between lines 17 and 18, insert the following:

SEC. 232. (a) REQUIRED SUBMISSIONS FOR FISCAL YEARS 2007 AND 2008.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Housing and Urban Development may submit to the relevant authorizing committees and to the Committees on Appropriations of the Senate and the House of Representatives for fiscal year 2007 and 2008—

(A) a complete and accurate accounting of the actual project-based renewal costs for project-based assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f);

(B) revised estimates of the funding needed to fully fund all 12 months of all project-based contracts under such section 8, including project-based contracts that expire in fiscal year 2007 and fiscal year 2008; and

(C) all sources of funding that will be used to fully fund all 12 months of the project-based contracts for fiscal years 2007 and 2008.

(2) UPDATED INFORMATION.—At any time after the expiration of the 60-day period described in paragraph (1), the Secretary may submit corrections or updates to the information required under paragraph (1), if upon completion of an audit of the project-based assistance program under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), such audit reveals additional information that may provide Congress a more complete understanding of the Secretary's implementation of the project-based assistance program under such section 8.

(b) REQUIRED SUBMISSIONS FOR FISCAL YEAR 2009.—As part of the Department of Housing and Urban Development's budget request for fiscal year 2009, the Secretary of Housing and Urban Development shall submit to the relevant authorizing committees and to the Committees on Appropriations of the Senate and the House of Representatives complete and detailed information, including a project-by-project analysis, that verifies that such budget request will fully fund all project-based contracts under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) in fiscal year 2009, including expiring project-based contracts.

## AMENDMENT NO. 2857

Purpose: To prohibit the Federal Transit Administration from using funds appropriated under this Act to promulgate regulations to carry out section 5309 of title 49, United States Code)

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. None of the funds provided or limited under this Act may be used to issue a final regulation under section 5309 of title 49, United States Code.

## AMENDMENT NO. 2859

Purpose: To limit the amount available for the Urban Partnership Congestion Initiative under section 5309 of title 49, United States Code)

On page 50, line 21, insert “*Provided further*, That of the funds available to carry out the bus program under section 5309 of title 49, United States Code, which are not otherwise allocated under this Act or under SAFETEA-LU (Public Law 109-59), not more than 10 percent may be expended to carry out the Urban Partnership Congestion Initiative:” after “5309(b)(3):”.

## AMENDMENT NO. 2825, AS MODIFIED

At the end of the sections under the heading “GENERAL PROVISIONS” at the end of title I, add the following:

## SEC. 1. PROHIBITION ON IMPOSITION AND COLLECTION OF TOLLS ON CERTAIN HIGHWAYS CONSTRUCTED USING FEDERAL FUNDS.

(a) DEFINITIONS.—In this section:

(1) FEDERAL HIGHWAY FACILITY.—

(A) IN GENERAL.—The term “Federal highway facility” means—

(i) any highway, bridge, or tunnel on the Interstate System that is constructed using Federal funds; or

(ii) any United States highway.

(B) EXCLUSION.—The term “Federal highway facility” does not include any right-of-way for any highway, bridge, or tunnel described in subparagraph (A).

(2) TOLLING PROVISION.—The term “tolling provision” means section 1216(b) of the Transportation Equity Act for the 21st Century (23 U.S.C. 129 note; 112 Stat. 212);

(b) PROHIBITION.—

(1) IN GENERAL.—None of the funds made available by this Act shall be used to consider or approve an application to permit the imposition or collection of any toll on any portion of a Federal highway facility in the State of Texas—

(A)(i) that is in existence on the date of enactment of this Act; and

(ii) on which no toll is imposed or collected under a tolling provision on that date of enactment; or

(B) that would result in the Federal highway facility having fewer non-toll lanes than before the date on which the toll was first imposed or collected.

(2) EXEMPTION.—Paragraph (1) shall not apply to the imposition or collection of a toll on a Federal highway facility—

(A) on which a toll is imposed or collected under a tolling provision on the date of enactment of this Act; or

(B) that is constructed, under construction, or the subject of an application for construction submitted to the Secretary, after the date of enactment of this Act.

(c) STATE BUY-BACK.—None of the funds made available by this Act shall be used to impose or collect a toll on a Federal highway facility in the State of Texas that is purchased by the State of Texas on or after the date of enactment of this Act.

## AMENDMENT NO. 2837, AS MODIFIED

On page 70, between lines 20 and 21, insert the following:

SEC. \_\_\_\_\_. The Secretary of Transportation may conduct a study of the use of non-hazardous recycled aggregates and other materials, including reused concrete and asphalt, in highway projects, to the maximum extent practicable and whenever economically feasible and consistent with public health and environmental laws.

## AMENDMENT NO. 2856

Purpose: To strike the prohibition on the use of appropriations by Amtrak to support routes on which deep discounts are available)

On page 44, strike lines 6 through 13 and insert “of this Act.”.

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

The motion to lay on the table was agreed to.

## AMENDMENT NO. 2826 WITHDRAWN

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Menendez amendment that was previously agreed to be voted on in the morning be withdrawn; that is, Menendez amendment No. 2826.

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

## MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business.

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

## MONTANA'S 819TH RED HORSE SQUADRON

Mr. TESTER. Mr. President, I know that over the last 6 years every Senator has had to send some of their sons and daughters in their State off to war, but today is the first time as a Member of this body I have had to see so many members of a squadron in my State deployed. So it is with great pride that I rise to honor the 400 air men and women of the Air Force's 819th RED HORSE Squadron. About one-half of this squadron is deploying today for training in Wisconsin before going to Iraq later this year.

Over the last decade, Malmstrom Air Force Base in Great Falls, MT, has been the home of the 819th RED HORSE Squadron. For the uninitiated, RED HORSE stands for rapid engineer deployable heavy operation repair squadron engineer. Basically, these are the men and women who rebuild Air Force facilities overseas, such as runways. They also have spent considerable time in Iraq rebuilding schools and homes. These are men and women who do some truly wonderful work.

In a previous deployment to Iraq in 2005, the squadron was involved in 130 construction projects on 12 different bases in Iraq. The 819th has served in Afghanistan and Qatar. In every place they have taken on complicated engineering projects for the U.S. Government but have also done outstanding work with locals to rehabilitate housing and provide residents with everything from coloring books for kids to new washing machines.

It is a combination of accomplishment, strength, and generosity that represents the best of our Nation.

This afternoon, as the men and women of the 819th begin to train for

the mission that will send them to Iraq, they leave behind spouses, children, and other family members. We know that piano recitals and football games will be missed this fall. There will be an empty chair at too many holiday meals.

The 819th is an Active Associate unit, meaning that it is compromised of both Active-Duty airmen and Air National Guardsmen. For the citizen soldiers of our Air Guard, these deployments can be especially difficult, and I hope all Montanans will keep these airmen and their families in their thoughts and prayers.

And when they return home, we have a moral responsibility to care for the folks who have worn the uniform of our country. Whether they return to Active Duty or reenter civilian life, the Federal Government must support them. Congress has taken numerous steps this year to provide more resources for the VA and to improve the quality of life for our troops. I hope we will continue to make progress in these areas so that when the 819th comes home we are able to welcome these airmen back home with our deeds and not just our words.

#### COST ESTIMATE OF S. 966

Mr. BIDEN. Mr. President, on June 27, 2007, the Committee on Foreign Relations ordered reported S. 966, the Passport Backlog Reduction Act of 2007. On July 30, the President signed the bill into law, Public Law 110-50.

At the time the committee filed its report, the cost estimate prepared by the Congressional Budget Office, CBO, was not available. It was recently provided to the committee by CBO. Therefore, I ask unanimous consent that a copy of the CBO estimate be printed in the RECORD.

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

CONGRESSIONAL BUDGET OFFICE COST  
ESTIMATE  
PUBLIC LAW 110-50—PASSPORT BACKLOG  
REDUCTION ACT OF 2007

Public Law 110-50 (formerly S. 966) grants the Department of State additional flexibility in rehiring Foreign Service annuitants on a temporary basis to reduce backlogs in visa and passport processing. The new authority will expire in 2008 for visa backlogs and in 2009 for passport backlogs. CBO estimates Public Law 110-50 will cost \$2 million in 2008 and \$3 million over the 2008-2012 period, assuming the availability of appropriated funds. The law does not affect direct spending or receipts.

Under previous law, Foreign Service retirees could work for the department for up to six months, provided they didn't reach a certain salary cap. According to information provided by the department, about half the retirees hit the salary cap before six months (at four months, on average). The department is already in the process of hiring 55 retirees and plans to hire an additional 250 retirees to work on visa and passport backlogs. By providing a waiver for the salary cap, Public Law 110-50 allows the department to retain some of those retirees for an addi-

tional two months. Under this law, CBO estimates that about 150 retirees will work an additional two months in 2008 at a cost of \$2 million, and about 65 retirees will work an additional two months in 2009 at a cost of \$1 million.

Public Law 110-50 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Sunita D'Monte. This estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.

#### HONORING OUR ARMED FORCES

SERGEANT KEVIN GILBERTSON

Mr. GRASSLEY. Mr. President, it is with great sorrow, on this day of the 6th Anniversary of the September 11th attacks, that I speak in honor of a fallen American hero. Army Sgt. Kevin Gilbertson died August 31st at the Landstuhl Medical Center in Landstuhl, Germany, after losing a 2-day battle with injuries suffered after insurgents attacked his unit in Ramadi, Iraq. His courage and patriotism will be remembered. My thoughts and prayers go out to his friends and family, especially his parents, Keeley Peters and Don Gilbertson, as well as his wife, Nina, and sons, Timothy and Nickolas.

Sergeant Gilbertson was an independent, complex, and highly involved individual. He loved his family, he loved his country, and he loved being a U.S. Army soldier. Kevin Gilbertson's service to this country is greatly appreciated, and he will be sorely missed.

Kevin was a native of Cedar Rapids, IA. His father, Don Gilbertson, remembers him as "the greatest kid in the world" who "joined the Army right out of high school to get a college education when he got out . . . His dream was getting a degree and supporting his family." Kevin Gilbertson will always be remembered as someone who gave everything he had for his country and who thought more about others than himself. For that we are eternally grateful.

#### DEATH OF SENATOR DANIEL BREWSTER

Ms. MIKULSKI. Mr. President, today I pay tribute to the life and legacy of Senator Daniel Baugh Brewster. I was a great admirer of Senator Brewster, and I hold the Brewster seat in the U.S. Senate.

Senator Brewster was a true patriot. He was a hero at the age of 19 when he volunteered for the Marine Corps and was sent to the front lines of the war in the Pacific. There he served bravely—leading the 1944 assault on Guam and the 1945 assault on Okinawa. He bore the wounds of war like so many of our heroic veterans. He was wounded seven times and had a permanent scar on his forehead from a bullet that lifted his helmet and grazed his scalp while battling for Sugar Loaf Hill on Okinawa.

For his bravery, he was awarded a Purple Heart, two Gold Stars, and two Bronze Stars.

As with many World War II veterans, Senator Brewster came back a changed man. He was disappointed when some of his neighbors in Green Spring Valley voiced outrage at him for inviting African-American friends he had served with during the war to his home. This experience further fueled both his desire to run for office and his lifetime commitment to civil rights.

Senator Brewster graduated from University of Maryland School of Law in 1949, and was elected to the Maryland House of Delegates in 1950. After serving two terms, Senator Brewster ran for and was elected to represent Maryland's Second District in Congress in 1958. In 1962, Mr. Brewster was elected to the Senate. He was just 39 years old.

In the Senate, Brewster was a champion for civil rights. He cosponsored the landmark Civil Rights Act of 1964 and served as the stand-in candidate for President Lyndon Johnson's 1964 Presidential primary campaign in Maryland against segregationist candidate George Wallace of Alabama. The contest was seen as a crucial battle in the fight for civil rights. Despite threats to his family, he campaigned vigorously and won the primary for President Johnson.

Senator Brewster served as a member of the Senate Armed Services Committee at the time the war in Vietnam was escalating. Publicly, he took a hawkish position on the war, but privately he expressed concerns about the war and shared those concerns with President Johnson.

After leaving the Senate, Senator Brewster devoted his time to his family, farming, and volunteering. He was an original director and former president of the Maryland State Fair and chaired the Governor's Commission on Alcoholism and the Governor's Commission on AIDS.

Senator Brewster's congressional legacy lives on today as two of his Senate interns from Maryland, NANCY D'ALESANDRO PELOSI and STENY HOYER, went on to prestigious political careers of their own.

I offer my heartfelt condolences to Senator Brewster's family and to his friends and to all those whose lives he touched. Senator Brewster's family is in my thoughts and prayers.

#### FOREIGN OPERATIONS APPROPRIATIONS

Mr. KYL. Mr. President, in the 2 months since Hamas took control of Gaza, 40 tons of explosives have been smuggled from Egypt into Gaza. It is estimated that 80 tons have been smuggled in the last 2 years. Rafah, in southern Gaza, has long been a key conduit for smuggling assault rifles, pistols, ammunition, explosive materials, grenade launchers and other munitions. While smuggling has long been