

SA 2810. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2811. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2812. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2813. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2814. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2815. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2816. Ms. KLOBUCHAR (for herself and Mr. COLEMAN) proposed an amendment to the bill H.R. 3074, *supra*.

SA 2817. Mr. SANDERS (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2818. Mr. DURBIN (for himself, Ms. SNOWE, Mr. KOHL, Ms. COLLINS, and Mr. KERRY) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2819. Mr. DORGAN (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2820. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 3074, *supra*.

SA 2821. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2822. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table.

SA 2823. Mrs. CLINTON (for herself, Mr. SCHUMER, Mr. MENENDEZ, Mr. LIEBERMAN, Mr. LAUTENBERG, Mr. DODD, and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill H.R. 3074, *supra*.

SA 2824. Mr. GRASSLEY (for himself, Mr. VITTER, Mr. CRAPO, and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2825. Mrs. HUTCHISON (for herself and Mr. CORNYN) submitted an amendment intended to be proposed by her to the bill H.R. 3074, *supra*.

SA 2826. Mr. MENENDEZ (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2827. Mr. MENENDEZ (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2828. Mr. MENENDEZ (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2829. Mr. MENENDEZ (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2830. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 3074, *supra*.

SA 2831. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 3074, *supra*.

SA 2832. Mr. BOND (for himself, Mr. DODD, and Mr. KERRY) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2833. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2834. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2835. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2836. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2837. Ms. SNOWE (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill H.R. 3074, *supra*.

SA 2838. Mr. SPECTER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2839. Mr. MARTINEZ (for himself and Mr. ALLARD) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2840. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2841. Mr. KENNEDY (for himself and Mr. KERRY) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2842. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2843. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2844. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2845. Mr. STEVENS (for himself, Mr. INOUE, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2846. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2847. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2848. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2849. Mr. LAUTENBERG (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2850. Mr. DURBIN (for himself, Mr. SPECTER, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2851. Mr. DURBIN (for himself, Ms. SNOWE, Mr. KOHL, Ms. COLLINS, Mr. KERRY, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2852. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2853. Mr. ALLARD (for himself and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2854. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2855. Mr. SPECTER (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2856. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2857. Mr. DODD (for himself and Mr. SHELBY) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2858. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2859. Mr. SHELBY (for himself and Mr. BOND) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*.

SA 2860. Mr. SCHUMER submitted an amendment intended to be proposed by him to amendment SA 2791 proposed by Mrs. MURRAY to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

SA 2861. Mr. PRYOR (for himself and Mrs. LINCOLN) submitted an amendment intended to be proposed by him to the bill H.R. 3074, *supra*; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2808. Mr. CORNYN (for himself and Mr. INHOFE) proposed an amendment to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) FINDINGS.—The Senate makes the following findings:

(1) The Senate unanimously confirmed General David H. Petraeus as Commanding General, Multi-National Force-Iraq, by a vote of 81-0 on January 26, 2007.

(2) General Petraeus graduated first in his class at the United States Army Command and General Staff College.

(3) General Petraeus earned Masters of Public Administration and Doctoral degrees in international relations from Princeton University.

(4) General Petraeus has served multiple combat tours in Iraq, including command of the 101st Airborne Division (Air Assault) during combat operations throughout the first year of Operation Iraqi Freedom, which tours included both major combat operations and subsequent stability and support operations.

(5) General Petraeus supervised the development and crafting of the United States Army and Marine Corps counterinsurgency manual based in large measure on his combat experience in Iraq, scholarly study, and other professional experiences.

(6) General Petraeus has taken a solemn oath to protect and defend the Constitution of the United States of America.

(7) During his 35-year career, General Petraeus has amassed a distinguished and unvarnished record of military service to the United States as recognized by his receipt of a Defense Distinguished Service Medal, two

Distinguished Service Medals, two Defense Superior Service Medals, four Legions of Merit, the Bronze Star Medal for valor, the State Department Superior Honor Award, the NATO Meritorious Service Medal, and other awards and medals.

(8) A recent attack through a full-page advertisement in the New York Times by the liberal activist group, Moveon.org, impugns the honor and integrity of General Petraeus and all the members of the United States Armed Forces.

(b) SENSE OF SENATE.—It is the sense of the Senate—

(1) to reaffirm its support for all the men and women of the United States Armed Forces, including General David H. Petraeus, Commanding General, Multi-National Force-Iraq;

(2) to strongly condemn any effort to attack the honor and integrity of General Petraeus and all the members of the United States Armed Forces; and

(3) to specifically repudiate the unwarranted personal attack on General Petraeus by the liberal activist group Moveon.org.

SA 2809. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 95, line 6, strike the period, and insert “: *Provided further*, That, such funds may, for fiscal year 2008, be used to guarantee and make commitments to guarantee the notes or other obligations issued by a State for the purposes described in paragraphs (1) through (6) of section 108(a), only if the State agrees to distribute all funds subject to such guarantee or commitment to units of general local government in non-entitlement areas under the distribution plan established under section 106(d) of the Housing and Community Development Act of 1974 (42 U.S.C. 5306(d)).”

SA 2810. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

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

SEC. 194. (a) Except as provided under subsection (b), none of the funds appropriated or otherwise made available under this title may be used for any earmark until all bridges in the United States that are classified under the Federal Highway Administration’s bridge inspection program, as of the date of the enactment of this Act, as “structurally deficient” or “functionally obsolete” have been sufficiently repaired to no longer meet the criteria for such classifications.

(b) Funds appropriated under this title may be used for an earmark that is designated to repair—

(1) a bridge that is classified as “structurally deficient” or “functionally obsolete”; or

(2) a road with ride quality that is not classified as “good” or “acceptable”.

(c) In this section, the term “earmark” means a provision or report language providing, authorizing, or recommending a spe-

cific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

SA 2811. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds made available under this Act may be spent for bicycle paths or bicycle trails.

SA 2812. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. 232. Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act may be made available for facility renovation at the International Peace Garden in Dunseith, North Dakota; Provided, That the amount made available for grants for the Economic Development Initiative is reduced by \$450,000, and the amount made available for the Community Development Fund is reduced by \$450,000.

SA 2813. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of Act, no funds made available under this Act may be used to carry out any activity relating to the design or construction of the America’s Wetland Center in Lake Charles, Louisiana, until the date on which the Secretary of Housing and Urban Development, in consultation with the Administrator of the Federal Emergency Management Agency and the State of Louisiana, certifies to Congress that all residents of the State of Louisiana who were displaced as a result of Hurricane Katrina or Rita in 2005 are no longer living in temporary housing.

SA 2814. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of this Act—

(1) none of the funds made available by this Act may be used for the construction of a new baseball stadium that is replacing Cobb Field in Billings, Montana;

(2) the amount made available by this Act for grants for the Economic Development Initiative is reduced by \$500,000; and

(3) the amount made available by this Act for the Community Development Fund is reduced by \$500,000.

SA 2815. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. Notwithstanding any other provision of this Act—

(1) none of the funds made available by this Act may be used for the construction of the Peoria Riverfront Museum in Peoria, Illinois;

(2) the amount made available by this Act for grants for the Economic Development Initiative is reduced by \$250,000; and

(3) the amount made available by this Act for the Community Development Fund is reduced by \$250,000.

SA 2816. Ms. KLOBUCHAR (for herself and Mr. COLEMAN) proposed an amendment to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 20, between lines 13 and 14, insert the following:

I-35W BRIDGE REPAIR AND RECONSTRUCTION

For necessary expenses to carry out the project for repair and reconstruction of the Interstate I-35W bridge located in Minneapolis, Minnesota, that collapsed on August 1, 2007, as authorized under section 1(c) of Public Law 110-56 (121 Stat. 558), up to \$195,000,000, as documented by the Minnesota Department of Transportation, to remain available until expended, *Provided*, That that amount is designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress): *Provided further*, That the Federal share of the costs of any project funded using amounts made available under this section shall be 100 percent in accordance with section 1(b) of Public Law 110-56 (121 Stat. 588).

SA 2817. Mr. SANDERS (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 87, line 9, strike the period and insert the following: *Provided further*, That, notwithstanding any other provision of law or regulation, or any independent decision of

the Secretary, during fiscal year 2008, the Secretary shall, in accordance with part 905.10(j) of title 24, Code of Federal Regulations and from amounts made available under this heading, award performance bonuses to public housing agencies that are designated high performers under the Public Housing Assessment System for the 2007 fiscal year.”.

SA 2818. Mr. DURBIN (for himself, Ms. SNOWE, Mr. KOHL, Ms. COLLINS, and Mr. KERRY) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 232. Notwithstanding any other provision of law, a public housing agency that operates fewer than 250 units of federally subsidized public housing may elect, in lieu of converting to asset management, to permanently limit the agency's loss of public housing Operating Fund subsidy under the formula established in the final rule published by the Department of Housing and Urban Development on September 19, 2005, by reducing the agency's subsidy each year in an amount equal to 5 percent of the amount of Operating Fund subsidy the agency would have received in calendar year 2006 under the formula in effect immediately prior to the effective date of such final rule.

SA 2819. Mr. DORGAN (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 109, line 13, strike “\$59,040,000” and insert “\$61,440,000”.

On page 109, line 23, strike “\$2,600,000” and insert “\$5,000,000”.

On page 113, line 1, strike “\$175,000,000” and insert “\$172,600,000”.

SA 2820. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 70, line 7, insert “potatoes, specialty crops,” after “ethanol.”.

SA 2821. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title IX, add the following:

SEC. 937. PHYSICIANS AND HEALTH CARE PROFESSIONALS COMPARABILITY ALLOWANCES.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

“§ 1599. Physicians and health care professionals comparability allowances

“(a) AUTHORITY TO PROVIDE ALLOWANCES.—(1) Notwithstanding any other provision of law, and in order to recruit and retain highly qualified Department of Defense physicians and Department of Defense health care professionals, the Secretary of Defense may, subject to the provisions of this section, enter into a service agreement with a Department of Defense physician or a Department of Defense health care professional which provides for such physician or health care professional to complete a specified period of service in the Department of Defense in return for an allowance for the duration of such agreement in an amount to be determined by the Secretary and specified in the agreement, but not to exceed—

“(A) in the case of a Department of Defense physician—

“(i) \$25,000 per annum if, at the time the agreement is entered into, the Department of Defense physician has served as a Department of Defense physician for 24 months or less; or

“(ii) \$40,000 per annum if the Department of Defense physician has served as a Department of Defense physician for more than 24 months; and

“(B) in the case of a Department of Defense health care professional—

“(i) an amount up to \$5,000 per annum if, at the time the agreement is entered into, the Department of Defense health care professional has served as a Department of Defense health care professional for less than 10 years;

“(ii) an amount up to \$10,000 per annum if, at the time the agreement is entered into, the Department of Defense health care professional has served as a Department of Defense health care professional for at least 10 years but less than 18 years; or

“(iii) an amount up to \$15,000 per annum if, at the time the agreement is entered into, the Department of Defense health care professional has served as a Department of Defense health care professional for 18 years or more.

“(2)(A) For the purpose of determining length of service as a Department of Defense physician, service as a physician under section 4104 or 4114 of title 38 or active service as a medical officer in the commissioned corps of the Public Health Service under Title II of the Public Health Service Act (42 U.S.C. 202 et seq.) shall be deemed service as a Department of Defense physician.

“(B) For the purpose of determining length of service as a Department of Defense health care professional, service as a non-physician health care provider, psychologist, or social worker while serving as an officer described under section 302c(d)(1) of title 37 shall be deemed service as a Department of Defense health care professional.

“(b) CERTAIN PHYSICIANS AND PROFESSIONALS INELIGIBLE.—An allowance may not be paid under this section to any physician or health care professional who—

“(1) is employed on less than a half-time or intermittent basis;

“(2) occupies an internship or residency training position; or

“(3) is fulfilling a scholarship obligation.

“(c) COVERED CATEGORIES OF POSITIONS.—The Secretary of Defense shall determine categories of positions applicable to physicians and health care professionals within the Department of Defense with respect to

which there is a significant recruitment and retention problem for purposes of this section. Only physicians and health care professionals serving in such positions shall be eligible for an allowance under this section. The amounts of each such allowance shall be determined by the Secretary, and shall be the minimum amount necessary to deal with the recruitment and retention problem for each such category of physicians and health care professionals.

“(d) PERIOD OF SERVICE.—Any agreement entered into by a physician or health care professional under this section shall be for a period of one year of service in the Department of Defense unless the physician or health care professional requests an agreement for a longer period of service.

“(e) REPAYMENT.—Unless otherwise provided for in the agreement under subsection (f), an agreement under this section shall provide that the physician or health care professional, in the event that such physician or health care professional voluntarily, or because of misconduct, fails to complete at least one year of service under such agreement, shall be required to refund the total amount received under this section unless the Secretary of Defense determines that such failure is necessitated by circumstances beyond the control of the physician or health care professional.

“(f) TERMINATION OF AGREEMENT.—Any agreement under this section shall specify the terms under which the Secretary of Defense and the physician or health care professional may elect to terminate such agreement, and the amounts, if any, required to be refunded by the physician or health care professional for each reason for termination.

“(g) CONSTRUCTION WITH OTHER AUTHORITIES.—(1) An allowance paid under this section shall not be considered as basic pay for the purposes of subchapter VI and section 5595 of chapter 55 of title 5, chapter 81 or 87 of title 5, or other benefits related to basic pay.

“(2) Any allowance under this section for a Department of Defense physician or Department of Defense health care professional shall be paid in the same manner and at the same time as the basic pay of the physician or health care professional is paid.

“(h) ANNUAL REPORT.—Not later than June 30 each year, the Secretary of Defense shall submit to Congress a written report on the operation of this section during the preceding year. Each report shall include, with respect to the year covered by such report, information as to—

“(1) the nature and extent of the recruitment or retention problems justifying the use by the Department of Defense of the authority under this section;

“(2) the number of physicians and health care professionals with whom agreements were entered into by the Department of Defense;

“(3) the size of the allowances and the duration of the agreements entered into; and

“(4) the degree to which the recruitment or retention problems referred to in paragraph (1) were alleviated under this section.

“(i) DEFINITIONS.—In this section:

“(1) The term ‘Department of Defense health care professional’ means any individual employed by the Department of Defense who is a qualified health care professional employed as a health care professional and paid under any provision of law specified in subparagraphs (A) through (G) of paragraph (2).

“(2) The term ‘Department of Defense physician’ means any individual employed by the Department of Defense as a physician or dentist who is paid under a provision or provisions of law as follows:

“(A) Section 5332 of title 5, relating to the General Schedule.

“(B) Subchapter VIII of chapter 53 of title 5, relating to the Senior Executive Service.

“(C) Section 5371 of title 5, relating to certain health care positions.

“(D) Section 5376 of title 5, relating to certain senior-level positions.

“(E) Section 5377 of title 5, relating to critical positions.

“(F) Subchapter IX of chapter 53 of title 5, relating to special occupational pay systems.

“(G) Section 9902 of title 5, relating to the National Security Personnel System.

“(3) The term ‘qualified health care professional’ means any individual who is—

“(A) a psychologist who meets the Office of Personnel Management Qualification Standards for the Occupational Series of Psychologist as required by the position to be filled;

“(B) a nurse who meets the applicable Office of Personnel Management Qualification Standards for the Occupational Series of Nurse as required by the position to be filled;

“(C) a nurse anesthetist who meets the applicable Office of Personnel Management Qualification Standards for the Occupational Series of Nurse as required by the position to be filled;

“(D) a physician assistant who meets the applicable Office of Personnel Management Qualification Standards for the Occupational Series of Physician Assistant as required by the position to be filled;

“(E) a social worker who meets the applicable Office of Personnel Management Qualification Standards for the Occupational Series of Social Worker as required by the position to be filled; or

“(F) any other health care professional designated by the Secretary of Defense for purposes of this section.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of such title is amended by adding at the end the following new item:

“1599e. Physicians and health care professionals comparability allowances.”.

SA 2822. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 87, strike line 10 and all that follows through page 113, line 9, and insert the following:

PUBLIC HOUSING OPERATING FUND

For 2008 payments to public housing agencies for the operation and management of public housing, as authorized by section 9(e) of the United States Housing Act of 1937, as amended (42 U.S.C. 1437g(e)), \$4,300,000,000; of which \$5,940,000 shall be for technical assistance related to the transition and implementation of asset-based management in public housing: *Provided*, That, in fiscal year 2008 and all fiscal years hereafter, no amounts under this heading in any appropriations Act may be used for payments to public housing agencies for the costs of operation and management of public housing for any year prior to the current year of such Act: *Provided further*, That no funds may be used under this heading for the purposes specified in section 9(k) of the United States Housing Act of 1937, as amended.

REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)

For grants to public housing agencies for demolition, site revitalization, replacement housing, and tenant-based assistance grants to projects as authorized by section 24 of the United States Housing Act of 1937, as amended, \$100,000,000, to remain available until September 30, 2008, of which not to exceed \$1,980,000 may be used for technical assistance and contract expertise, to be provided directly or indirectly by grants, contracts or cooperative agreements, including training and cost of necessary travel for participants in such training, by or to officials and employees of the department and of public housing agencies and to residents: *Provided*, That none of such funds shall be used directly or indirectly by granting competitive advantage in awards to settle litigation or pay judgments, unless expressly permitted herein.

NATIVE AMERICAN HOUSING BLOCK GRANTS (INCLUDING TRANSFER OF FUNDS)

For the Native American Housing Block Grants program, as authorized under title I of the Native American Housing Assistance and Self-Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111 et seq.), \$630,000,000, to remain available until expended: *Provided*, That, notwithstanding the Native American Housing Assistance and Self-Determination Act of 1996, to determine the amount of the allocation under title I of such Act for each Indian tribe, the Secretary shall apply the formula under section 302 of such Act with the need component based on single-race Census data and with the need component based on multi-race Census data, and the amount of the allocation for each Indian tribe shall be the greater of the two resulting allocation amounts: *Provided further*, That of the amounts made available under this heading, \$2,000,000 shall be contracted through the Secretary as technical assistance and capacity building to be used by the National American Indian Housing Council in support of the implementation of NAHASDA; and \$4,250,000 shall be to support the inspection of Indian housing units, contract expertise, training, and technical assistance in the training, oversight, and management of such Indian housing and tenant-based assistance, including up to \$300,000 for related travel: *Provided further*, That of the amount provided under this heading, \$1,980,000 shall be made available for the cost of guaranteed notes and other obligations, as authorized by title VI of NAHASDA: *Provided further*, That such costs, including the costs of modifying such notes and other obligations, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize the total principal amount of any notes and other obligations, any part of which is to be guaranteed, not to exceed \$17,000,000.

NATIVE HAWAIIAN HOUSING BLOCK GRANT

For the Native Hawaiian Housing Block Grant program, as authorized under title VIII of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111 et seq.), \$9,000,000, to remain available until expended, of which \$300,000 shall be for training and technical assistance activities.

INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184 of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13a), \$7,450,000, to remain available until expended: *Provided*, That such

costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, up to \$367,000,000.

NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, as authorized by section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z-13b), \$1,044,000, to remain available until expended: *Provided*, That such costs, including the costs of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$41,504,255.

COMMUNITY PLANNING AND DEVELOPMENT OFFICE OF THE ASSISTANT SECRETARY FOR COMMUNITY PLANNING AND DEVELOPMENT SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of the Assistant Secretary for Community Planning and Development, \$1,520,000.

COMMUNITY PLANNING AND DEVELOPMENT SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of Community Planning and Development mission area, \$93,770,000.

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (INCLUDING TRANSFER OF FUNDS)

For carrying out the Housing Opportunities for Persons with AIDS program, as authorized by the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), \$300,100,000, to remain available until September 30, 2009, except that amounts allocated pursuant to section 854(c)(3) of such Act shall remain available until September 30, 2010: *Provided*, That the Secretary shall renew all expiring contracts for permanent supportive housing that were funded under section 854(c)(3) of such Act that meet all program requirements before awarding funds for new contracts and activities authorized under this section: *Provided further*, That the Secretary may use not to exceed \$1,485,000 of the funds under this heading for training, oversight, and technical assistance activities; and not to exceed \$1,485,000 may be transferred to the Working Capital Fund.

RURAL HOUSING AND ECONOMIC DEVELOPMENT

For the Office of Rural Housing and Economic Development in the Department of Housing and Urban Development, \$17,000,000, to remain available until expended, which amount shall be competitively awarded by September 1, 2008, to Indian tribes, State housing finance agencies, State community and/or economic development agencies, local rural nonprofits and community development corporations to support innovative housing and economic development activities in rural areas.

COMMUNITY DEVELOPMENT FUND (INCLUDING TRANSFER OF FUNDS)

For assistance to units of State and local government, and to other entities, for economic and community development activities, and for other purposes, \$4,060,000,000, to remain available until September 30, 2010, unless otherwise specified: *Provided*, That of the amount provided, \$3,705,430,000 is for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974, as amended (the “Act” herein) (42 U.S.C. 5301 et

seq.): *Provided further*, That unless explicitly provided for under this heading (except for planning grants provided in the second paragraph and amounts made available under the third paragraph), not to exceed 20 percent of any grant made with funds appropriated under this heading shall be expended for planning and management development and administration: *Provided further*, That not to exceed \$1,570,000 may be transferred to the Working Capital Fund: *Provided further*, That \$3,000,000 is for technical assistance as authorized by section 107(b)(4) of such Act: *Provided further*, That \$62,000,000 shall be for grants to Indian tribes notwithstanding section 106(a)(1) of such Act, of which, notwithstanding any other provision of law (including section 305 of this Act), up to \$3,960,000 may be used for emergencies that constitute imminent threats to health and safety.

Of the amount made available under this heading, \$248,000,000 shall be available for grants for the Economic Development Initiative (EDI) to finance a variety of targeted economic investments: *Provided*, That none of the funds provided under this paragraph may be used for program operations: *Provided further*, That, for fiscal years 2006, 2007, and 2008, no unobligated funds for EDI grants may be used for any purpose except acquisition, planning, design, purchase of equipment, revitalization, redevelopment or construction.

Of the amount made available under this heading, \$40,000,000 shall be available for neighborhood initiatives that are utilized to improve the conditions of distressed and blighted areas and neighborhoods, to stimulate investment, economic diversification, and community revitalization in areas with population outmigration or a stagnating or declining economic base, or to determine whether housing benefits can be integrated more effectively with welfare reform initiatives.

**COMMUNITY DEVELOPMENT LOAN GUARANTEES
PROGRAM ACCOUNT**

(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, \$6,000,000, to remain available until September 30, 2009, as authorized by section 108 of the Housing and Community Development Act of 1974, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$275,000,000, notwithstanding any aggregate limitation on outstanding obligations guaranteed in section 108(k) of the Housing and Community Development Act of 1974, as amended.

BROWNFIELDS REDEVELOPMENT

For competitive economic development grants, as authorized by section 108(q) of the Housing and Community Development Act of 1974, as amended, for Brownfields redevelopment projects, \$10,000,000, to remain available until September 30, 2009.

HOME INVESTMENT PARTNERSHIPS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For the HOME investment partnerships program, as authorized under title II of the Cranston-Gonzalez National Affordable Housing Act, as amended, \$1,970,000,000, to remain available until September 30, 2010, of which not to exceed \$3,465,000 may be transferred to the Working Capital Fund: *Provided*, That up to \$15,000,000 shall be available for technical assistance: *Provided further*, That of the total amount provided in this paragraph, up to \$150,000,000 shall be available for housing counseling under section 106 of the Housing and Urban Development Act of 1968.

**SELF-HELP AND ASSISTED HOMEOWNERSHIP
OPPORTUNITY PROGRAM**

For the Self-Help and Assisted Homeownership Opportunity Program, as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended, \$70,000,000, to remain available until September 30, 2010: *Provided*, That of the total amount provided under this heading, \$26,500,000 shall be made available to the Self-Help and Assisted Homeownership Opportunity Program as authorized under section 11 of the Housing Opportunity Program Extension Act of 1996, as amended: *Provided further*, That \$33,500,000 shall be made available for the first four capacity building activities authorized under section 4(b)(3) of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997 and of which up to \$5,000,000 may be made available for rural capacity building activities: *Provided further*, That of the total amount made available under this heading, \$3,000,000 shall be made available to the Housing Assistance Council; \$2,000,000 shall be made available to the National American Indian Housing Council; \$3,000,000 shall be made available as a grant to the Raza Development Fund of La Raza for the HOPE Fund, of which \$500,000 is for technical assistance and fund management, and \$2,500,000 is for investments in the HOPE Fund and financing to affiliated organizations; and \$2,000,000 shall be made available as a grant to the Housing Partnership Network for operating expenses and a program of affordable housing acquisition and rehabilitation.

**HOMELESS ASSISTANCE GRANTS
(INCLUDING TRANSFER OF FUNDS)**

For the emergency shelter grants program as authorized under subtitle B of title IV of the McKinney-Vento Homeless Assistance Act, as amended; the supportive housing program as authorized under subtitle C of title IV of such Act; the section 8 moderate rehabilitation single room occupancy program as authorized under the United States Housing Act of 1937, as amended, to assist homeless individuals pursuant to section 441 of the McKinney-Vento Homeless Assistance Act; and the shelter plus care program as authorized under subtitle F of title IV of such Act, \$1,585,990,000, of which \$1,580,990,000 shall remain available until September 30, 2010, and of which \$5,000,000 shall remain available until expended for rehabilitation projects with ten-year grant terms: *Provided*, That of the amounts provided, \$25,000,000 shall be set aside to conduct a demonstration program for the rapid re-housing of homeless families: *Provided further*, That of amounts made available in the preceding proviso, not to exceed \$3,000,000 may be used to conduct an evaluation of this demonstration program: *Provided further*, That funding made available for this demonstration program shall be used by the Secretary, expressly for the purposes of providing housing and services to homeless families in order to evaluate the effectiveness of the rapid re-housing approach in addressing the needs of homeless families: *Provided further*, That not less than 30 percent of funds made available, excluding amounts provided for renewals under the shelter plus care program, shall be used for permanent housing for individuals and families: *Provided further*, That all funds awarded for services shall be matched by 25 percent in funding by each grantee: *Provided further*, That the Secretary shall renew on an annual basis expiring contracts or amendments to contracts funded under the shelter plus care program if the program is determined to be needed under the applicable continuum of care and meets appropriate program requirements and financial standards, as deter-

mined by the Secretary: *Provided further*, That all awards of assistance under this heading shall be required to coordinate and integrate homeless programs with other mainstream health, social services, and employment programs for which homeless populations may be eligible, including Medicaid, State Children's Health Insurance Program, Temporary Assistance for Needy Families, Food Stamps, and services funding through the Mental Health and Substance Abuse Block Grant, Workforce Investment Act, and the Welfare-to-Work grant program: *Provided further*, That up to \$8,000,000 of the funds appropriated under this heading shall be available for the national homeless data analysis project and technical assistance: *Provided further*, That not to exceed \$2,475,000 of the funds appropriated under this heading may be transferred to the Working Capital Fund: *Provided further*, That all balances for Shelter Plus Care renewals previously funded from the Shelter Plus Care Renewal account and transferred to this account shall be available, if recaptured, for Shelter Plus Care renewals in fiscal year 2008.

HOUSING PROGRAMS

**OFFICE OF THE ASSISTANT SECRETARY FOR
HOUSING, FEDERAL HOUSING COMMISSIONER
SALARIES AND EXPENSES**

For necessary salaries and expenses of the Office of the Assistant Secretary for Housing, Federal Housing Commissioner, \$3,420,000.

HOUSING SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of Housing, \$351,560,000: *Provided*, That notwithstanding any other provision of law, funds appropriated under this heading may be used for advertising and promotional activities that support the housing mission area.

**HOUSING FOR THE ELDERLY
(INCLUDING TRANSFER OF FUNDS)**

For capital advances, including amendments to capital advance contracts, for housing for the elderly, as authorized by section 202 of the Housing Act of 1959, as amended, and for project rental assistance for the elderly under section 202(c)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing, \$735,000,000, to remain available until September 30, 2011, of which up to \$603,900,000 shall be for capital advance and project-based rental assistance awards: *Provided*, That, of the amount provided under this heading, up to \$60,000,000 shall be for service coordinators and the continuation of existing congregate service grants for residents of assisted housing projects, and of which up to \$24,750,000 shall be for grants under section 202B of the Housing Act of 1959 (12 U.S.C. 1701q-2) for conversion of eligible projects under such section to assisted living or related use and for emergency capital repairs as determined by the Secretary: *Provided further*, That of the amount made available under this heading, \$20,000,000 shall be available to the Secretary of Housing and Urban Development only for making competitive grants to private nonprofit organizations and consumer cooperatives for covering costs of architectural and engineering work, site control, and other planning relating to the development of supportive housing for the elderly that is eligible for assistance under section 202 of the Housing Act of 1959 (12 U.S.C. 1701q): *Provided further*, That amounts under this heading shall be available for Real Estate Assessment Center inspections and inspection-related activities associated with section 202 capital advance

projects: *Provided further*, That not to exceed \$1,400,000 of the total amount made available under this heading may be transferred to the Working Capital Fund: *Provided further*, That the Secretary may waive the provisions of section 202 governing the terms and conditions of project rental assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration.

**HOUSING FOR PERSONS WITH DISABILITIES
(INCLUDING TRANSFER OF FUNDS)**

For capital advance contracts, including amendments to capital advance contracts, for supportive housing for persons with disabilities, as authorized by section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 3013), for project rental assistance for supportive housing for persons with disabilities under section 811(d)(2) of such Act, including amendments to contracts for such assistance and renewal of expiring contracts for such assistance for up to a 1-year term, and for supportive services associated with the housing for persons with disabilities as authorized by section 811(b)(1) of such Act, and for tenant-based rental assistance contracts entered into pursuant to section 811 of such Act, \$237,000,000, to remain available until September 30, 2011: *Provided*, That not to exceed \$600,000 may be transferred to the Working Capital Fund: *Provided further*, That, of the amount provided under this heading \$74,745,000 shall be for amendments or renewal of tenant-based assistance contracts entered into prior to fiscal year 2005 (only one amendment authorized for any such contract): *Provided further*, That all tenant-based assistance made available under this heading shall continue to remain available only to persons with disabilities: *Provided further*, That the Secretary may waive the provisions of section 811 governing the terms and conditions of project rental assistance and tenant-based assistance, except that the initial contract term for such assistance shall not exceed 5 years in duration: *Provided further*, That amounts made available under this heading shall be available for Real Estate Assessment Center Inspections and inspection-related activities associated with section 811 Capital Advance Projects.

**OTHER ASSISTED HOUSING PROGRAMS
RENTAL HOUSING ASSISTANCE**

For amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, non-insured rental housing projects, \$27,600,000, to remain available until expended.

(RESCISSON)

Of the amounts made available under the heading "Rent Supplement" in Public Law 98-63 for amendments to contracts under section 101 of the Housing and Urban Development Act of 1965 (12 U.S.C. 1701s) and section 236(f)(2) of the National Housing Act (12 U.S.C. 1715z-1) in State-aided, non-insured rental housing projects, \$27,600,000 are rescinded.

**FLEXIBLE SUBSIDY FUND
(TRANSFER OF FUNDS)**

From the Rental Housing Assistance Fund, all uncommitted balances of excess rental charges as of September 30, 2007, and any collections made during fiscal year 2008 and all subsequent fiscal years, shall be transferred to the Flexible Subsidy Fund, as authorized by section 236(g) of the National Housing Act, as amended.

MANUFACTURED HOUSING FEES TRUST FUND

For necessary expenses as authorized by the National Manufactured Housing Con-

struction and Safety Standards Act of 1974, as amended (42 U.S.C. 5401 et seq.), up to \$16,000,000, to remain available until expended, to be derived from the Manufactured Housing Fees Trust Fund: *Provided*, That not to exceed the total amount appropriated under this heading shall be available from the general fund of the Treasury to the extent necessary to incur obligations and make expenditures pending the receipt of collections to the Fund pursuant to section 620 of such Act: *Provided further*, That the amount made available under this heading from the general fund shall be reduced as such collections are received during fiscal year 2008 so as to result in a final fiscal year 2008 appropriation from the general fund estimated at not more than \$0 and fees pursuant to such section 620 shall be modified as necessary to ensure such a final fiscal year 2008 appropriation: *Provided further*, That for the dispute resolution and installation programs, the Secretary of Housing and Urban Development may assess and collect fees from any program participant: *Provided further*, That such collections shall be deposited into the Fund, and the Secretary, as provided herein, may use such collections, as well as fees collected under section 620, for necessary expenses of such Act: *Provided further*, That notwithstanding the requirements of section 620 of such Act, the Secretary may carry out responsibilities of the Secretary under such Act through the use of approved service providers that are paid directly by the recipients of their services.

**FEDERAL HOUSING ADMINISTRATION
MUTUAL MORTGAGE INSURANCE PROGRAM
ACCOUNT**

(INCLUDING TRANSFERS OF FUNDS)

During fiscal year 2008, commitments to guarantee loans to carry out the purposes of section 203(b) of the National Housing Act, as amended, shall not exceed a loan principal of \$185,000,000,000.

During fiscal year 2008, obligations to make direct loans to carry out the purposes of section 204(g) of the National Housing Act, as amended, shall not exceed \$50,000,000: *Provided*, That the foregoing amount shall be for loans to nonprofit and governmental entities in connection with sales of single family real properties owned by the Secretary and formerly insured under the Mutual Mortgage Insurance Fund.

For administrative contract expenses, \$77,400,000, of which not to exceed \$25,550,000 may be transferred to the Working Capital Fund, and of which up to \$5,000,000 shall be for education and outreach of FHA single family loan products: *Provided*, That to the extent guaranteed loan commitments exceed \$65,500,000,000 on or before April 1, 2008, an additional \$1,400 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments (including a pro rata amount for any amount below \$1,000,000), but in no case shall funds made available by this proviso exceed \$30,000,000.

**GENERAL AND SPECIAL RISK PROGRAM ACCOUNT
(INCLUDING TRANSFERS OF FUNDS)**

For the cost of guaranteed loans, as authorized by sections 238 and 519 of the National Housing Act (12 U.S.C. 1715z-3 and 1735c), including the cost of loan guarantee modifications, as that term is defined in section 502 of the Congressional Budget Act of 1974, as amended, \$8,600,000, to remain available until expended: *Provided*, That commitments to guaranteed loans shall not exceed \$45,000,000,000 in total loan principal, any part of which is to be guaranteed.

Gross obligations for the principal amount of direct loans, as authorized by sections 204(g), 207(l), 238, and 519(a) of the National

Housing Act, shall not exceed \$50,000,000, of which not to exceed \$30,000,000 shall be for bridge financing in connection with the sale of multifamily real properties owned by the Secretary and formerly insured under such Act; and of which not to exceed \$20,000,000 shall be for loans to nonprofit and governmental entities in connection with the sale of single-family real properties owned by the Secretary and formerly insured under such Act.

For administrative contract expenses necessary to carry out the guaranteed and direct loan programs, \$78,111,000, of which not to exceed \$15,692,000 may be transferred to the Working Capital Fund: *Provided*, That to the extent guaranteed loan commitments exceed \$8,426,000,000 on or before April 1, 2008, an additional \$1,980 for administrative contract expenses shall be available for each \$1,000,000 in additional guaranteed loan commitments over \$8,426,000,000 (including a pro rata amount for any increment below \$1,000,000), but in no case shall funds made available by this proviso exceed \$14,400,000.

For discount sales of multifamily real property under sections 207(1) or 246 of the National Housing Act (12 U.S.C. 1713(l), 1715z-11), section 203 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z-11), or section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (12 U.S.C. 1715z-11a), and for discount loan sales under section 207(k) of the National Housing Act (12 U.S.C. 1713(k)), section 203(k) of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z-11(k)), or section 204(a) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Act, 1997 (12 U.S.C. 1715z-11a(a)), \$5,000,000, to remain available until September 30, 2009.

**GOVERNMENT NATIONAL MORTGAGE
ASSOCIATION**

**OFFICE OF THE GOVERNMENT NATIONAL
MORTGAGE ASSOCIATION
SALARIES AND EXPENSES**

For the necessary salaries and expenses of the Office of the Government National Mortgage Association, \$9,530,000.

**GUARANTEES OF MORTGAGE-BACKED SECURITIES
LOAN GUARANTEE PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)**

New commitments to issue guarantees to carry out the purposes of section 306 of the National Housing Act, as amended (12 U.S.C. 1721(g)), shall not exceed \$200,000,000,000, to remain available until September 30, 2009.

**POLICY DEVELOPMENT AND RESEARCH
OFFICE OF THE ASSISTANT SECRETARY FOR
POLICY DEVELOPMENT AND RESEARCH
SALARIES AND EXPENSES**

For necessary salaries and expenses of the Office of the Assistant Secretary for Policy Development and Research, \$1,570,000.

**POLICY DEVELOPMENT AND RESEARCH SALARIES
AND EXPENSES**

For necessary salaries and expenses of the Office of Policy Development and Research, \$19,310,000.

RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z-1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, \$59,040,000, to remain available until September 30, 2009: *Provided*, That of the total amount provided

under this heading, \$5,000,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative: *Provided further*, That of the funds made available under this heading, \$20,600,000 is for grants pursuant to section 107 of the Housing and Community Development Act of 1974, as amended, as follows: \$3,000,000 to support Alaska Native serving institutions and Native Hawaiian serving institutions as defined under the Higher Education Act, as amended; \$2,600,000 for tribal colleges and universities to build, expand, renovate, and equip their facilities and to expand the role of the colleges into the community through the provision of needed services such as health programs, job training and economic development activities; \$9,000,000 for the Historically Black Colleges and Universities program, of which up to \$2,000,000 may be used for technical assistance; and \$6,000,000 for the Hispanic Serving Institutions Program.

FAIR HOUSING AND EQUAL OPPORTUNITY
OFFICE OF THE ASSISTANT SECRETARY FOR FAIR
HOUSING AND EQUAL OPPORTUNITY

SALARIES AND EXPENSES

For necessary salaries and expenses of the Office of the Assistant Secretary for Fair Housing and Equal Opportunity, \$1,490,000.

FAIR HOUSING AND EQUAL OPPORTUNITY
SALARIES AND EXPENSES

For the necessary salaries and expenses of the Office of Fair Housing and Equal Opportunity, \$69,390,000.

FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$52,000,000, to remain available until September 30, 2009, of which \$25,000,000 shall be to carry out activities pursuant to such section 561: *Provided*, That notwithstanding 31 U.S.C. 3302, the Secretary may assess and collect fees to cover the costs of the Fair Housing Training Academy, and may use such funds to provide such training: *Provided further*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Government in connection with a specific contract, grant or loan.

OFFICE OF LEAD HAZARD CONTROL
OFFICE OF HEALTHY HOMES AND LEAD HAZARD
CONTROL

SALARIES AND EXPENSES

For the necessary salaries and expenses of the Office of Healthy Homes and Lead Hazard Control, \$6,140,000.

LEAD HAZARD REDUCTION

For the Lead Hazard Reduction Program, as authorized by section 1011 of the Residential Lead-Based Paint Hazard Reduction Act of 1992, \$151,000,000, to remain available until September 30, 2009, of which \$8,800,000 shall be for the Healthy Homes Initiative, pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970 that shall include research, studies, testing, and demonstration efforts, including education and outreach concerning lead-based paint poisoning and other housing-related diseases and hazards: *Provided*, That for purposes of environmental review, pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other provisions of law that further the purposes of such Act, a grant under the Healthy Homes Initiative, Operation Lead Elimination Action Plan (LEAP), or the Lead Technical Studies program under this heading or under prior appropriations Acts for such purposes under

this heading, shall be considered to be funds for a special project for purposes of section 305(c) of the Multifamily Housing Property Disposition Reform Act of 1994: *Provided further*, That of the total amount made available under this heading, \$48,000,000 shall be made available on a competitive basis for areas with the highest lead paint abatement needs: *Provided further*, That each applicant shall submit a detailed plan and strategy that demonstrates adequate capacity that is acceptable to the Secretary to carry out the proposed use of funds pursuant to a Notice of Funding Availability: *Provided further*, That of the total amount made available under this heading, \$2,000,000 shall be available for the Big Buy Program to be managed by the Office of Healthy Homes and Lead Hazard Control.

WORKING CAPITAL FUND

For additional capital for the Working Capital Fund (42 U.S.C. 3535) for the development of, modifications to, and infrastructure for Department-wide information technology systems, for the continuing operation and maintenance of both Department-wide and program-specific information systems, and for program-related development activities, \$75,000,000, to remain available until September 30, 2009: *Provided*, That any amounts transferred to this Fund under this Act shall remain available until expended: *Provided further*, That any amounts transferred to this Fund from amounts appropriated by previously enacted appropriations Acts or from within this Act may be used only for the purposes specified under this Fund, in addition to the purposes for which such amounts were appropriated.

SA 2823. Mrs. CLINTON (for herself, Mr. SCHUMER, Mr. MENENDEZ, Mr. LIEBERMAN, Mr. LAUTENBERG, Mr. DODD, and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 147, between lines 8 and 9, insert the following:

SEC. 414. Not later than 120 days after the date of the enactment of this Act, the Secretary of Transportation shall submit to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives, a report detailing how the Federal Aviation Administration plans to alleviate air congestion and flight delays in the New York/New Jersey/Philadelphia Airspace by August 31, 2008.

SA 2824. Mr. GRASSLEY (for himself, Mr. VITTER, Mr. CRAPO, and Mr. THUNE) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

In section 187 under the heading “GENERAL PROVISIONS” of title I, insert “and any Member of Congress representing any affected State or district” after “Appropriations”.

SA 2825. Mrs. HUTCHISON (for herself and Mr. CORNYN) submitted an

amendment intended to be proposed by her to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

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—

(A) section 129 of title 23, United States Code;

(B) section 1216(b) of the Transportation Equity Act for the 21st Century (23 U.S.C. 129 note; 112 Stat. 212);

(C) section 1604(b) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (23 U.S.C. 129 note; 119 Stat. 1250); and

(D) section 1012(b)(4) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 149 note; 105 Stat. 1938).

(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—

(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 that is purchased by a State on or after the date of enactment of this Act.

SA 2826. Mr. MENENDEZ (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 18, between lines 2 and 3, insert the following:

SEC. 116. (a) GOVERNMENT ACCOUNTABILITY OFFICE STUDY AND REPORT ON FLIGHT DELAYS.—None of the funds appropriated or otherwise made available by this Act may be obligated or expended by the Administrator of the Federal Aviation Administration for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign until the Comptroller General of the United States submits the report required by subsection (c).

(b) STUDY.—

(1) IN GENERAL.—The Comptroller General shall conduct a study on the efficacy of strategies employed by the Administrator of the Federal Aviation Administration and the Secretary of Transportation to address flight delays at airports in the United States.

(2) CONTENTS.—The study required by paragraph (1) shall include an assessment of—

(A) efforts by the Administrator of the Federal Aviation Administration to induce voluntary schedule reductions by air carriers at Chicago O'Hare International Airport;

(B) the mandatory flight reduction operations instituted by the Administrator of the Federal Aviation Administration at LaGuardia Airport and Ronald Reagan Washington National Airport;

(C) the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign; and

(D) any other significant efforts by the Administrator of the Federal Aviation Administration or the Secretary of Transportation to reduce flight delays at airports in the United States.

(e) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report including—

(1) the results of the study required by subsection (b); and

(2) recommendations regarding which of the strategies described in subsection (b) reduce airport delays most effectively when employed for periods of 6 months or less.

SA 2827. Mr. MENENDEZ (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, between lines 2 and 3, insert the following:

SEC. 116. (a) STUDY OF NEW YORK/NEW JERSEY/PHILADELPHIA METROPOLITAN AREA AIRSPACE REDESIGN.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study of the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign to determine whether such redesign will meet the targets set by the Federal Aviation Administration of—

(1) a 20 percent reduction of air travel delays in such airspace by 2011; and

(2) eliminating exposure to aircraft noise for not less than 500,000 people in such metropolitan area.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report setting forth the findings of the Comptroller General with respect to the study required by subsection (a).

(c) REVERSION TO PREVIOUS AIRSPACE DESIGN.—If the report submitted to Congress in accordance with subsection (b) contains a finding by the Comptroller General that the targets specified in subsection (a) will not be

met by the New York/New Jersey/Philadelphia Metropolitan Area Airspace Redesign, the Administrator of the Federal Aviation Administration shall immediately revert the New York/New Jersey/Philadelphia Metropolitan Area airspace design to the airspace design for such area in effect on September 1, 2007.

SA 2828. Mr. MENENDEZ (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 147, between lines 8 and 9, insert the following:

SEC. 414. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to implement the airspace redesign alternative preferred by the Federal Aviation Administration with respect to the New York/New Jersey/Philadelphia Airspace Redesign Project.

SA 2829. Mr. MENENDEZ (for himself and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 18, between lines 2 and 3, insert the following:

SEC. 116. (a) GOVERNMENT ACCOUNTABILITY OFFICE STUDY ON FLIGHT DELAYS.—

(1) IN GENERAL.—The Comptroller General shall conduct a study on the efficacy of strategies employed by the Administrator of the Federal Aviation Administration and the Secretary of Transportation to address flight delays at airports in the United States.

(2) CONTENTS.—The study required by paragraph (1) shall include an assessment of—

(A) efforts by the Administrator of the Federal Aviation Administration to induce voluntary schedule reductions by air carriers at Chicago O'Hare International Airport;

(B) the mandatory flight reduction operations instituted by the Administrator of the Federal Aviation Administration at LaGuardia Airport and Ronald Reagan Washington National Airport;

(C) the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign; and

(D) any other significant efforts by the Administrator of the Federal Aviation Administration or the Secretary of Transportation to reduce flight delays at airports in the United States.

(b) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report including—

(1) the results of the study required by subsection (a); and

(2) recommendations regarding which of the strategies described in subsection (a) reduce airport delays most effectively when employed for periods of 6 months or less.

SA 2830. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and

Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. Not later than 30 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall establish and maintain on the homepage of the Internet website of the Department of Housing and Urban Development—

(1) a direct link to the Internet website of the Office of Inspector General of the Department of Housing and Urban Development; and

(2) a mechanism by which individuals may anonymously report cases of waste, fraud, or abuse with respect to the Department of Housing and Urban Development.

SA 2831. Mrs. McCASKILL submitted an amendment intended to be proposed by her to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

At the appropriate place, insert the following:

SEC. _____. Not later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall establish and maintain on the homepage of the Internet website of the Department of Transportation—

(1) a direct link to the Internet website of the Office of Inspector General of the Department of Transportation; and

(2) a mechanism by which individuals may anonymously report cases of waste, fraud, or abuse with respect to the Department of Transportation.

SA 2832. Mr. BOND (for himself, Mr. DODD, and Mr. KERRY) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 95, after the period at the end of line 25, begin with the following new paragraph:

Of the overall funds made available for this account, up to \$100,000,000 may be made available for mortgage foreclosure mitigation activities, under the following terms and conditions:

(1) The Secretary of Housing and Urban Development (“Secretary,” “the Department”) is authorized to provide, or contract with public, private or nonprofit entities (including the Neighborhood Reinvestment Corporation and Housing Finance Agencies) to make awards (with up to a 25 percent match by an entity of the amount made available to such entity) (except for the match, some or all of the award may be repayable by the contractor to the Secretary, upon terms determined by the Secretary) to provide mitigation assistance to eliminate the default and foreclosure of mortgages of owner-occupied single-family homes that are at risk of such foreclosure, including mortgages known as subprime mortgages;

(2) These loss mitigation activities shall only be made available to homebuyers with mortgages in default or in danger of default where such activities are likely to ensure the

long-term affordability of any mortgage retained pursuant to such activity; No Federal funds made available under this paragraph may be provided directly to lenders or homeowners for foreclosure mitigation assistance. An entity may use its own funds (including its match contribution) for foreclosure mitigation assistance subject to repayment requirements and the regulations issued by the Secretary;

(3) Loss mitigation activities shall involve a reasonable analysis of the borrower's financial situation, an evaluation of the current value of the property that is subject to the mortgage, the possible purchase of the mortgage, refinancing opportunities or the approval of a work-out strategy by all interested parties, and an assessment of the feasibility of the following measures, including:

(I) waiver of any late payment charge or, as applicable, penalty interest;

(II) forbearance pursuant to the written agreement between the borrower and servicer providing for a temporary reduction in monthly payments followed by a re-amortization and new payment schedule that includes any arrearage;

(III) waiver, modification, or variation of any term of a mortgage, including modification that changes the mortgage rate, including the possible elimination of the adjustable rate mortgage requirements, forgiving the payment of principal and interest, extending the final maturity rate of such mortgage, or beginning to include an escrow for taxes and insurance;

(IV) acceptance of payment from the homebuyer of an amount less than the stated principal balance in financial satisfaction of such mortgage;

(V) assumption;

(VI) pre-foreclosure sale;

(VII) deed in lieu of foreclosure; and

(VIII) such other measures, or combination of measures, to make the mortgage both feasible and reasonable to ensure the long-term affordability of any mortgage retained pursuant to such activity.

(4) Activities described in subclasses (V), (VI), and (VII) shall be only pursued after a reasonable evaluation of the feasibility of the activities described in subclasses (I), (II), (III), (IV), and (VIII), based on the homeowner's circumstances.

(5) The Secretary shall develop a listing of mortgage foreclosure mitigation entities with which it has agreements as well as a listing of counseling centers approved by the Secretary, with the understanding that an eligible mortgage foreclosure mitigation entity may also operate as a counseling center.

(6) Any mitigation funds recovered by the Department of Housing and Urban Development shall be revolved back into the overall mitigation fund or for other counseling activities, maintained by the Department and revolved back into mitigation and counseling activities.

(7) The Department shall report annually to the Congress on its efforts to mitigate mortgage default. Such report shall identify all methods of success and housing preserved and shall include all recommended efforts that will or likely can assist in the success of this program.

SA 2833. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF THE SENATE.

(a) FINDINGS.—The Senate finds that:

(1) Millions of American families are at risk of losing their homes in foreclosure as their adjustable-rate subprime loans have reset or will reset in the near future.

(2) Based on recent housing data, the current foreclosure crisis is likely just the tip of the iceberg, as nearly 2,000,000 adjustable-rate subprime mortgages are scheduled to reset by the end of 2008.

(3) Rising foreclosures in a weak housing market could cause an accelerating decline in home values as more houses come on the market for resale (either from their owners or as the result of foreclosures), and if such a situation develops, the United States may see additional declines in home prices and negative effects on the Nation's economy.

(4) Foreclosures have a significant negative impact, not only on the borrower and lender, but also on neighboring homeowners and the surrounding community because of lower property values, decreased property tax revenues, and higher municipal maintenance costs.

(5) A cost-effective way of preventing foreclosures is to engage experienced nonprofit organizations in the negotiations between borrowers and lenders for loan modifications and refinancings.

(6) Many of these nonprofits are already overwhelmed by requests for assistance, with some having received as many requests for assistance in the first 6 months of this year as they did in all of last year.

(7) It is essential that the capacity of these qualified housing counselors be increased with additional funding, especially in light of increasing evidence that some homeowners are falling victim to fraudulent mortgage foreclosure avoidance schemes.

(8) The Subcommittee on Transportation, Housing and Urban Development, and Related Agencies of the Committee on Appropriations of the Senate has recognized the need for increased funding for foreclosure-avoidance nonprofits by providing in this Act \$100,000,000 for these efforts.

(9) The Federal Government cannot solve this problem by itself, and the efforts of others, particularly those banks and mortgage servicers that have the ability, through loan modifications and refinancings, to help homeowners avoid foreclosures, are essential to addressing this problem.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the subprime crisis poses a danger to the housing market and the economy as a whole, and efforts and resources at all levels of government and in the private sector should be devoted to alleviating this ongoing problem that threatens millions of American families and their homes.

SA 2834. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 73, line 8, strike “\$252,010,000” and insert “\$251,630,000”.

On page 110, line 23, strike “\$52,000,000” and insert “\$52,380,000”.

On page 111, line 6, strike the period and insert the following: “: *Provided further*, That of the funds made available under this heading, \$380,000 shall be available to the Secretary of Housing and Urban Development for the creation and promotion of translated materials and other programs that support

the assistance of persons with limited English proficiency in utilizing the services provided by the Department of Housing and Urban Development.”

SA 2835. Mrs. FEINSTEIN submitted an amendment intended to be proposed by her to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 232. The Secretary of Housing and Urban Development shall give priority consideration to applications from the housing authorities of the Counties of San Bernardino and Santa Clara and the City of San Jose, California to participate in the Moving to Work Demonstration Agreement under section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (as contained in section 101(e) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996; Public Law 104-134): *Provided*, That upon turnover, existing requirements on the reissuance of section 8 vouchers shall be maintained to ensure that not less than 75 percent of all vouchers shall be made available to extremely low-income families.

SEC. 233. The Secretary of Housing and Urban Development may, notwithstanding any other provision of law, approve additional Moving to Work Demonstration Agreements, which are entered into between a public housing agency that is not currently under receivership and the Secretary under section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (as contained in section 101(e) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996; Public Law 104-134), but at no time may the number of active Moving to Work Demonstration Agreements exceed 32.

SA 2836. Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 147, between lines 8 and 9, insert the following:

SEC. 414. SENSE OF THE SENATE REGARDING FEDERAL AVIATION ADMINISTRATION EQUIPMENT.

(a) FINDINGS.—The Senate makes the following findings:

(1) The American public relies on the air traffic control infrastructure for its safety and American commerce is dependent on it for its continued health.

(2) The delays in modernization of technology by the Federal Aviation Administration have put both safety and commerce at risk.

(3) Safety must be first and foremost on the Federal Aviation Administration agenda when it comes to implementing modernization plans.

(4) So far this year, there have been 339 potential catastrophes, incidents where planes got too close to each other or to objects on the ground.

(5) As recently as August 16, a passenger jet on the runway at Los Angeles International Airport came within just 37 feet of another aircraft.

(6) In addition to safety, dependability is vital to American commerce.

(7) More than 909,000 flights were delayed between January and June 2007, twice the number of flights that were delayed in 2002.

(8) United States airlines canceled more than 30,000 flights in the summer of 2007, nearly twice as many as were canceled in the summer of 2006.

(9) The Federal Aviation Administration recorded 159,000 delays from June through August 27, up 19 percent over the same period last year.

(10) The Federal Aviation Administration predicts 1,000,000,000 passengers a year will take to the skies by 2015, a 36 percent increase from the current level.

(11) The initial implementation date for the next generation technology was scheduled to be 2014, but the Federal Aviation Administration has delayed that date to 2025.

(12) The Subcommittee on Transportation and Housing and Urban Development, and Related Agencies of the Committee on Appropriations of the Senate has appropriated funds for the modernization of the air traffic control system in this Act.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Federal Aviation Administration should fully utilize the funds appropriated to expedite the implementation of the next generation technology needed to modernize the equipment used by the Federal Aviation Administration and to triple the system capacity of the national airspace reducing delays and enhancing safety.

SA 2837. Ms. SNOWE (for herself and Mr. CARPER) submitted an amendment intended to be proposed by her to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

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

SEC. 1. In providing funding for highway projects, the Secretary of Transportation shall consider the use of recycled aggregates and other materials, including reused concrete and asphalt, in highway projects, to the maximum extent practicable and whenever economically feasible.

SA 2838. Mr. SPECTER (for himself and Mr. CASEY) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1. The table contained in section 1103(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027) is amended in item number 3 by inserting “, upgrade of Freedom Crider Road in Beaver County, Pennsylvania, and redesignation of Route 60 as Interstate 376 in Beaver County, Pennsylvania” after “Construction of Aliquippa Ambridge Bridge of Beaver County, Pennsylvania”.

SA 2839. Mr. MARTINEZ (for himself and Mr. ALLARD) submitted an amend-

ment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 95, line 25, strike the period and insert the following: “: *Provided further*, That, from amounts appropriated or otherwise made available under this heading, \$25,000,000 shall be made available to promote broader participation in homeownership through the American Dream Downpayment Initiative, as such initiative is set forth under section 271 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12821).”.

SA 2840. Mr. VITTER submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 1. Of the amounts made available under the heading “CAPITAL AND DEBT SERVICE GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION”, not less than \$3,000,000 shall be made available for the Greater Ouachita Port and Intermodal Facility, Louisiana.

SA 2841. Mr. KENNEDY (for himself and Mr. KERRY) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 147, between lines 8 and 9, insert the following:

SEC. 414. The table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (119 Stat. 1256) is amended—

(1) in item number 451—

(A) by striking “Design and Construction of parking areas” and inserting “for an energy efficient visitors center, design and construction of parking areas, and repair and regrade of White Pond Road”; and

(B) by striking “\$420,000” and inserting “\$1,720,000”; and

(2) in item number 2886, by striking “\$1,500,000” and inserting “\$200,000”.

SA 2842. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 194. (a) Not less frequently than once every 3 months, the Secretary of Transportation shall inspect every commercial motor vehicle authorized to enter the United States through the demonstration program to en-

sure that every participating commercial motor vehicle complies with all applicable safety standards established for United States commercial motor vehicles.

(b) The Secretary of Transportation shall conduct an on-site preauthorization safety audit of every motor carrier domiciled in Mexico that participates in the demonstration program to ensure compliance with all applicable safety standards established for motor carriers domiciled in the United States.

(c) The Secretary of Transportation shall verify, at the point of entry, the safety compliance of every motor vehicle and motor vehicle operator that enters the United States through the demonstration program to ensure that every motor vehicle and motor vehicle operator meets all applicable safety standards established for United States commercial motor vehicles and motor vehicle operators.

(d)(1) Not later than 120 days after the commencement of the demonstration program, the Inspector General of the Department of Transportation shall submit a certification to Congress that the Secretary of Transportation is in compliance with this section.

(2) No funds made available under this Act may be used for the demonstration program if the Inspector General fails to submit the certification required under paragraph (1).

(e)(1) Not later than 60 days before implementing a cross-border motor carrier inspection program based on the demonstration program, the Secretary of Transportation shall submit written notification that describes the Secretary’s intention to implement the inspection program to—

(A) the Committee on Appropriations of the Senate;

(B) the Committee on Commerce, Science, and Transportation of the Senate;

(C) the Committee on Appropriations of the House of Representatives; and

(D) the Committee on Transportation and Infrastructure of the House of Representatives.

(2) The Secretary may not implement the inspection program if Congress passes a law that terminates the program.

(f) In this section—

(1) the term “commercial zones” means the commercial zones along the international border between the United States and Mexico; and

(2) the term “demonstration program” means the cross-border motor carrier demonstration program that authorizes motor carriers domiciled in Mexico to operate beyond the commercial zones along the international border between the United States and Mexico.

(g) Of the amounts appropriated for the Office of the Secretary under this title, sufficient funds shall be made available to the Secretary of Transportation to carry out this section.

SA 2843. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 194. (a) Except as provided under subsection (b), none of the funds appropriated or otherwise made available under this title may be used for any earmark until all

bridges in the United States that are classified under the Federal Highway Administration's bridge inspection program, as of the date of the enactment of this Act, as "structurally deficient" or "functionally obsolete" have been sufficiently repaired to no longer meet the criteria for such classifications.

(b) Funds appropriated under this title may be used for an earmark that is designated to repair—

(1) a bridge that is classified as "structurally deficient" or "functionally obsolete"; or

(2) a road with ride quality that is not classified as "good" or "acceptable".

(c) In this section, the term "earmark"—

(1) means a provision or report language providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process; and

(2) does not include any provision that provides funding for a specific mass transit project.

SA 2844. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. 1. NONAPPLICATION OF PROVISIONS.

None of the funds made available by this Act may be used to implement the provisions, or make payments subject to the provisions, of subchapter IV of part A of chapter 31 of title 40, United States Code, with respect to a contract for the construction or maintenance of any bridge which, as of the date of enactment of this Act, is classified under the Federal Highway Administration's bridge inspection program as "structurally deficient" or "functionally obsolete".

SA 2845. Mr. STEVENS (for himself, Mr. INOUYE, and Mr. INHOFE) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 16, beginning with line 8, strike through line 2 on page 18, and insert the following:

SEC. 115. MULTICREW COVERED OPERATIONS SERVICE BY OLDER PILOTS.

(a) IN GENERAL.—Chapter 447 of title 49, United States Code, is amended by adding at the end thereof the following:

“§ 44729. Age standards for pilots

“(a) IN GENERAL.—Subject to the limitation in subsection (c), a pilot may serve in multicrew covered operations until attaining 65 years of age.

“(b) COVERED OPERATIONS DEFINED.—In this section, the term 'covered operations' means operations under part 121 of title 14, Code of Federal Regulations.

“(c) LIMITATION FOR INTERNATIONAL FLIGHTS.—

“(1) APPLICABILITY OF ICAO STANDARD.—A pilot who has attained 60 years of age may serve as pilot-in-command in covered operations between the United States and another country only if there is another pilot in the flight deck crew who has not yet attained 60 years of age.

“(2) SUNSET OF LIMITATION.—Paragraph (1) shall cease to be effective on such date as the Convention on International Civil Aviation provides that a pilot who has attained 60 years of age may serve as pilot-in-command in international commercial operations without regard to whether there is another pilot in the flight deck crew who has not attained age 60.

“(d) SUNSET OF AGE-60 RETIREMENT RULE.—On and after the date of enactment of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008, section 121.383(c) of title 14, Code of Federal Regulations, shall cease to be effective.

“(e) APPLICABILITY.—

“(1) NONRETROACTIVITY.—No person who has attained 60 years of age before the date of enactment of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008 may serve as a pilot for an air carrier engaged in covered operations unless—

“(A) such person is in the employment of that air carrier in such operations on such date of enactment as a required flight deck crew member; or

“(B) such person is newly hired by an air carrier as a pilot on or after such date of enactment without credit for prior seniority or prior longevity for benefits or other terms related to length of service prior to the date of rehire under any labor agreement or employment policies of the air carrier.

“(2) PROTECTION FOR COMPLIANCE.—An action taken in conformance with this section, taken in conformance with a regulation issued to carry out this section, or taken prior to the date of enactment of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008 in conformance with section 121.383(c) of title 14, Code of Federal Regulations (as in effect before such date of enactment), may not serve as a basis for liability or relief in a proceeding, brought under any employment law or regulation, before any court or agency of the United States or of any State or locality.

“(f) AMENDMENTS TO LABOR AGREEMENTS AND BENEFIT PLANS.—Any amendment to a labor agreement or benefit plan of an air carrier that is required to conform with the requirements of this section or a regulation issued to carry out this section, and is applicable to pilots represented for collective bargaining, shall be made by agreement of the air carrier and the designated bargaining representative of the pilots of the air carrier.

“(g) MEDICAL STANDARDS AND RECORDS.—

“(1) MEDICAL EXAMINATIONS AND STANDARDS.—Except as provided by paragraph (2), a person serving as a pilot for an air carrier engaged in covered operations shall not be subject to different medical standards, or different, greater, or more frequent medical examinations, on account of age unless the Secretary determines (based on data received or studies published after the date of enactment of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008) that different medical standards, or different, greater, or more frequent medical examinations, are needed to ensure an adequate level of safety in flight.

“(2) DURATION OF FIRST-CLASS MEDICAL CERTIFICATE.—No person who has attained 60 years of age may serve as a pilot of an air carrier engaged in covered operations unless

the person has a first-class medical certificate. Such a certificate shall expire on the last day of the 6-month period following the date of examination shown on the certificate.

“(h) SAFETY.—

“(1) TRAINING.—Each air carrier engaged in covered operations shall continue to use pilot training and qualification programs approved by the Federal Aviation Administration, with specific emphasis on initial and recurrent training and qualification of pilots who have attained 60 years of age, to ensure continued acceptable levels of pilot skill and judgment.

“(2) LINE EVALUATIONS.—Not later than 6 months after the date of enactment of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008, and every 6 months thereafter, an air carrier engaged in covered operations shall evaluate the performance of each pilot of the air carrier who has attained 60 years of age through a line check of such pilot. Notwithstanding the preceding sentence, an air carrier shall not be required to conduct for a 6-month period a line check under this paragraph of a pilot serving as second-in-command if the pilot has undergone a regularly scheduled simulator evaluation during that period.

“(3) GAO REPORT.—Not later than 24 months after the date of enactment of the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2008, the Comptroller General shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report concerning the effect, if any, on aviation safety of the modification to pilot age standards made by subsection (a).”

(b) CLERICAL AMENDMENT.—The chapter analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following:

“44729. Age standards for pilots”.

SA 2846. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

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 shall—

(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.

SA 2847. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes;

which was ordered to lie on the table; as follows:

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

SEC. 232. (a) FINDINGS.—Congress finds the following:

(1) In a recent report, the Government Accountability Office (GAO) cited the lead analysis of Bureau of Labor Statistics survey data suggesting that in the fourth quarter of 2006 over 20,000 workers suffered job losses occurring because of business relocations within the United States, the majority of which crossed State lines.

(2) That State and local governments could be spending from \$20,000,000,000 to \$50,000,000,000 annually on business incentives.

(3) That States and local governments may be using tens of billions of dollars of Federal funds on economic development and business incentives.

(4) GAO identified 17 large Federal economic development programs that State and local governments use to attract and retain jobs.

(5) Nine of these Federal economic development programs prohibit using program funds to relocate a business if such move would cause a loss of jobs in the original location of the business.

(6) Unfortunately, GAO found that several Federal agencies, including the Department of Housing and Urban Development, operate 6 Federal economic development programs, including the Community Development Block Grant entitlement and State programs, that contain no formal written monitoring guidance specific to the employer relocation restriction.

(7) GAO suggests that without structured guidance and procedures in place to monitor compliance with such restriction, Federal agencies have limited assurance that grant recipients and others are complying with the statutory and regulatory requirements, and are spending funds on allowable activities.

(8) GAO recommends, among other things, that the Secretary of Housing and Urban Development develop and implement formal and structured guidance for the Department of Housing and Urban Development to follow when monitoring for compliance with the nonrelocation provisions in the Community Development Block Grant entitlement and State programs.

(9) American taxpayers ought to know that their Federal tax dollars are being used by State and local governments appropriately and that relocation restrictions are being followed to ensure that Federal financial assistance does not benefit one community at the expense of another.

(b) DEVELOPMENT, IMPLEMENTATION, AND SUBMISSION OF PLAN.—Not later than 90 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall—

(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.

SA 2848. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

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 shall 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.

SA 2849. Mr. LAUTENBERG (for himself and Mr. MENENDEZ) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 147, between lines 8 and 9, insert the following:

SEC. 414. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this Act, or previously appropriated by Congress, may be obligated or expended to implement the New York/New Jersey/Philadelphia Region Airspace Redesign Project, proposed in the Federal Aviation Administration Record of Decision issued September 5, 2007, after the date that is 120 days after the date of the implementation of any new navigational procedures used as a result of the Project, unless the Administrator of the Federal Aviation Administra-

tion conducts the reviews described in subsection (b) and submits the reports described in subsection (c).

(b) REVIEW.—The review described in this subsection is a review of noise impacts caused by the implementation of the Airspace Redesign Project during the first 120 days any new navigational procedures used as a result of the Project are implemented. Each review shall include an opportunity for public comment and provide for public meetings within 15 miles of each census tract affected by slight-to-moderate and significant noise increases as described in FAA Order 1050.1E, the Noise Integrated Routing System.

(c) REPORT.—The report described in this subsection means a report on the results of each review conducted under subsection (b) that is submitted, not later than 30 days after the last public meeting described in subsection (b), and 30 days after each review conducted thereafter, to the Committee on Appropriations of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Transportation and Infrastructure of the House of Representatives.

SA 2850. Mr. DURBIN (for himself, Mr. SPECTER, and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

On page 4, line 6, strike "\$14,115,000" and insert "\$13,615,000".

On page 48, line 7, strike "\$88,795,000" and insert "\$89,295,000".

On page 48, line 18, strike "\$4,943,589" and insert "\$5,443,589".

On page 56, between lines 16 and 17, insert the following:

SEC. 169. (a) Using not more than \$500,000 of the amount made available to the Office of Research, Demonstration and Innovation of the Federal Transit Administration under this title, the Administrator of the Federal Transit Administration shall conduct a study of the public transportation agencies in the urbanized areas described in section 5337(a) of title 49, United States Code (referred to in this section as "agencies").

(b) The study conducted under subsection (a) shall—

(1) analyze the state of repair of the agencies' rail infrastructure, including bridges, ties, and rail cars;

(2) calculate the amount of Federal funding received by the agencies during the 9-year period ending September 30, 2007, pursuant to—

(A) the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102-240);

(B) the Transportation Equity Act for the 21st Century (Public Law 105-178); and

(C) the Safe, Accountable, Flexible, Efficient Transportation Equity: A Legacy for Users (Public Law 109-59);

(3) estimate the minimum amount of funding necessary to bring all of the infrastructure described in paragraph (1) into a state of good repair; and

(4) determine the changes to the rail modernization formula program that would be required to bring all of the infrastructure described in paragraph (1) into a state of good repair.

(c) Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of

Representatives a report that contains the results of the study conducted under this section.

SA 2851. Mr. DURBIN (for himself, Ms. SNOWE, Mr. KOHL, Ms. COLLINS, Mr. KERRY, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 232. Notwithstanding any other provision of law, a public housing agency that operates fewer than 250 units of federally subsidized public housing may elect, in lieu of converting to asset management, to limit for fiscal years 2008 and 2009 the agency's loss of public housing Operating Fund subsidy under the formula established in the final rule published by the Department of Housing and Urban Development on September 19, 2005, by reducing the agency's subsidy in each such year in an amount equal to 7 percent of the amount of Operating Fund subsidy the agency would have received in calendar year 2006 under the formula in effect immediately prior to the effective date of such final rule.

SA 2852. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

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

SEC. 232. (a) The amounts provided under the subheading "Program Account" under the heading "Community Development Loan Guarantees" may be used to guarantee, or make commitments to guarantee, notes or other obligations issued by any State on behalf of non-entitlement communities in the State in accordance with the requirements of section 108 of the Housing and Community Development Act of 1974: *Provided*, That, any State receiving such a guarantee or commitment shall distribute all funds subject to such guarantee to the units of general local government in nonentitlement areas that received the commitment.

(b) Not later than 60 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall promulgate regulations governing the administration of the funds described under subsection (a).

SA 2853. Mr. ALLARD (for himself and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, between lines 2 and 3, insert the following:

SEC. 116. Section 47107(q) of title 49, United States Code, is amended by striking "300,000" and inserting "250,000".

SA 2854. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. 232. (a) Section 3(p) of the Small Business Act (15 U.S.C. 632(p)) is amended—

(1) in paragraph (4)(D)—

(A) by redesignating clauses (i), (ii), (iii), and (iv) as subclauses (I), (II), (III), and (IV), respectively, and adjusting the margin accordingly;

(B) by striking "means lands" and inserting the following "means—

"(i) lands"; and

(C) by striking the period and the end and inserting the following: ";" and

"(ii) during the applicable period, areas adjacent to or within a reasonable commuting distance of lands described in clause (i) that are directly economically affected by the closing of a military installation, as determined by the Secretary of Housing and Urban Development.;" and

(2) by adding at the end the following:

"(3) APPLICABLE PERIOD.—The term 'applicable period' means the period—

"(A) beginning on the date the Secretary of Housing and Urban Development determines that the relevant area is directly economically affected by the closing of a military installation; and

"(B) ending on the date established by the Secretary of Housing and Urban Development, which shall be not later than 5 years after the date described in subparagraph (A).".

(b) Not later than 6 months after the date of enactment of this Act, the Secretary of Housing and Urban Development shall conduct a study of the feasibility of, and submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding, designating as a HUBZone (as that term is defined in section 3 of the Small Business Act (15 U.S.C. 632)) any area that does not qualify as a HUBZone solely because that area is located within a county located within a metropolitan statistical area (as defined by the Office of Management and Budget). The report submitted under this subsection shall include any legislative recommendations relating to the findings of the feasibility study conducted under this subsection.

SA 2855. Mr. SPECTER (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 58, strike line 9 and all that follows through "Provided," on line 15, and insert the following:

To make grants for capital improvements and related infrastructure improvements at qualified shipyards that will facilitate the efficiency, cost effectiveness, and quality of domestic ship construction or repair for commercial and Federal Government use, \$20,000,000, to remain available until expended: *Provided*, That, notwithstanding any

other provision of law, under this heading the term "qualified shipyard" means a shipyard located in the United States that employs no more than 1,000 employees at any ship construction or repair facility and no more than 5,000 employees in the aggregate: *Provided further*,

SA 2856. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

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

SA 2857. Mr. DODD (for himself and Mr. SHELBY) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; as follows:

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.

SA 2858. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following new section:

"SEC. _____. APPLICATION FOR MOVING TO WORK DEMONSTRATION PROGRAM.

Upon the submission of an application for participation in the moving to work demonstration program under section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996 (as contained in section 101(e) of the Omnibus Consolidated Rescissions and Appropriations Act of 1996; 42 U.S.C. 1437f note) by the Covington Housing Consortium of Covington, Kentucky, the Secretary of Housing and Urban Development shall—

(1) consider such application, notwithstanding—

(A) the limitation under subsection (b) of such section on the number of public housing agencies that may participate in such program; or

(B) any limitation regarding the date for the submission of applications for participation in such program; and

(2) approve or disapprove the application based on the criteria for selection for participation in such program, notwithstanding the limitations referred to in paragraph (1) of this subsection."

SA 2859. Mr. SHELBY (for himself and Mr. BOND) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the

fiscal year ending September 30, 2008, and for other purposes; as follows:

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):”.

SA 2860. Mr. SCHUMER submitted an amendment intended to be proposed to amendment SA 2791 proposed by Mrs. MURRAY to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. 218. (a) The Secretary of Transportation may receive and expend cash, or receive and utilize spare parts and similar items, from non-United States Government sources to repair damages to or replace United States Government owned automated track inspection cars and equipment as a result of third party liability for such damages, and any amounts collected under this subsection shall be credited directly to the Safety and Operations account of the Federal Railroad Administration, and shall remain available until expended for the repair, operation, and maintenance of automated track inspection cars and equipment in connection with the automated track inspection program.

(b) For an additional amount of obligation limitation to be distributed for the purpose of section 144(e) of title 23, United States Code, \$5,000,000,000: *Provided*, That such obligation limitation shall be used only for a purpose eligible for obligation with funds apportioned under such section and shall be distributed in accordance with the formula in such section: *Provided further*, That in distributing obligation authority under this subsection, the Secretary shall ensure that such obligation limitation shall supplement and not supplant each State’s planned obligations for such purposes.

(c) Amounts made available under this section are designated as an emergency requirement pursuant to section 204 of S. Con. Res. 21 (110th Congress).

SA 2861. Mr. PRYOR (for himself and Mrs. LINCOLN) submitted an amendment intended to be proposed by him to the bill H.R. 3074, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following new section:

SEC. ____. TECHNICAL CORRECTION FOR NORTH WEST ARKANSAS ITS.

Funds provided in Division H of Public Law 108-447 for ‘ITS—Northwest Arkansas Regional Architecture’ and ‘Northwest Arkansas Regional Planning Commission—ITS Regional Architecture’ shall be available for ITS deployment in Northwest Arkansas.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a legislative hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, September 12, 2007, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purposes of this hearing are to receive testimony on the status of energy efficient lighting technologies and on S. 2017, the Energy Efficient Lighting for a Brighter Tomorrow Act.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Britni_Rillera@energy.senate.gov.

For further information, please contact Deborah Estes or Britni Rillera.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that two bills have been added to a previously announced hearing before the Committee on Energy and Natural Resources, Subcommittee on Public Lands and Forests.

The hearing will be held on September 20, 2007, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The two bills are S. 1143, to designate the Jupiter Inlet Lighthouse and the surrounding Federal land in the State of Florida as an Outstanding Natural Area and as a unit of the National Landscape System, and for other purposes; and S. 2034, to amend the Oregon Wilderness Act of 1984 to designate the Copper Salmon Wilderness and to amend the Wild and Scenic Rivers Act to designate segments of the North and South Forks of the Elk River in the State of Oregon as wild or scenic rivers, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to rachel_pasterнак@energy.senate.gov.

For further information, please contact David Brooks or Rachel Pasternak.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Monday, September 24, 2007, at 3 p.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to consider scientific assessments of the impacts of global climate change on wildfire activity in the United States.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Scott Miller or Rachel Pasternak.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a legislative hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, September 25, 2007, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purposes of this hearing are to receive testimony on S. 1756, a bill to provide supplemental ex gratia compensation to the Republic of the Marshall Islands for impacts of the nuclear testing program of the United States, and for other purposes; and to receive testimony on the implementation of the Compact of Free Association between the United States and the Marshall Islands.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to Britni_Rillera@energy.senate.gov.

For further information, please contact Allen Stayman or Britni Rillera.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, September 26, 2007, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 1543, a bill to establish a national geothermal initiative to encourage increased production of energy from geothermal resources by creating a program of geothermal research, development, demonstration