

Madam President, I need to speak on the other amendment, on Senator VITTER's and my amendment.

I yield the floor for the purpose of the Senator from Hawaii.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Madam President, the debate suggests very strongly that there is much uncertainty in this amendment. Therefore, I move to table the amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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 Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 3144 WITHDRAWN

Mr. STEVENS. Madam President, I ask unanimous consent that amendment No. 3144 be withdrawn.

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 The amendment is withdrawn.

Mr. REID. Madam President, I appreciate that very much. As when I announced this bill, I indicated we had two of our most senior Members managing it, with great experience, and here is an indication of what I was talking about. This is a time when these two men understand this bill more than anyone else, because they have managed it for so many years. I appreciate their management on this, and we hope to be drawing this bill to a close.

VISIT TO THE SENATE BY MEMBERS OF THE EUROPEAN PARLIAMENT

Mr. REID. Madam President, one of the privileges I have as majority leader is the opportunity to welcome, on rare occasion, fellow legislators from various places. Today, we are fortunate to have legislators from the European Parliament who are here as part of a regular transatlantic legislative dialog. It is very important. This is a tradition that started in 1972 and has continued every year since.

The current delegation includes members of the Parliament from the newest European Union countries of Romania, Bulgaria, Estonia, as well as from the founding members of Italy, France, the Netherlands, and Germany. We are pleased as well to see colleagues from the United Kingdom, Ireland, Spain, the Czech Republic, Poland, Portugal, and Finland.

The European Parliament today has 727 members who sit in 9 different political groups, not by country, representing the entire political spectrum of Europe from left to right. They work

in more than 20 languages, representing 450 million people who elect the Parliament in free and democratic elections every 5 years.

It wasn't very long ago that some of these nations represented by our colleagues here today broke free from totalitarian communism. Now they are participating in the European Union as full and equal members, enjoying the benefits of growing market economies and stable democratic governments under the rule of law.

Madam President, I ask unanimous consent to have printed in the RECORD the names of our colleagues from the European Parliament.

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

EUROPEAN PARLIAMENT

DELEGATION FOR RELATIONS WITH THE UNITED STATES

63rd EP/US Congress Interparliamentary Meeting, Transatlantic Legislators Dialogue (3-8 October 2007, Washington, DC and Nevada)

Mr. Evans Jonathan, Chairman, PPE-DE, United Kingdom; Mr. Hamon Benoît, Vice-Chairman, PSE, France; Mr. Belder Bastiaan, IND/DEM, Netherlands; Mr. Burke Colm, PPE-DE, Ireland; Mr. Cercas Alejandro, PSE, Spain; Ms. Cretu Corina, PSE, Romania; Mr. Crowley Brian, UEN, Ireland; Ms. Descamps Marie-Hélène, PPE-DE, France; Mr. Duchon Petr, PPE-DE, Czech Republic; Mr. Fatuzzo Carlo, PPE-DE, Italy; Mr. Giertych Maciej Marian, NI, Poland; Ms. Gomes Ana Maria, PSE, Portugal; Ms. Iacob-Ridzi Monica Maria, PPE-DE, Romania; Ms. In't Veld Sophie, ALDE, Netherlands; Ms. Jäättteenmäki Anneli, ALDE, Finland; Mr. Kuhne Helmut, PSE, Germany; Ms. Mikko Marianne, PSE, Estonia; Mr. Millán Mon Francisco José, PPE-DE, Spain; Mr. Nicholson James, PPE-DE, United Kingdom; Ms. Quisthoudt-Rowohl Godelieve, PPE-DE, Germany; Mr. Skinner Peter, PSE, United Kingdom; Mr. Tatarella Salvatore, UEN, Italy; Ms. Zdravkova Dushana Panayotova, PPE-DE, Bulgaria.

Mr. REID. I would advise Senators that our colleagues from the European Parliament are available now to meet on the floor for the next few minutes. I welcome them.

I would announce also, every time I meet a foreign dignitary, I say to them—because they go to Dallas and New York, Chicago, and L.A.—that they never go to Nevada. Well, tomorrow they are headed for Las Vegas.

RECESS

Mr. REID. Madam President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 4:55 p.m., recessed until 5:04 p.m. and reassembled when called to order by the Presiding Officer (Mr. NELSON of Nebraska).

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2008—Continued

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, the new Chairman of the Joint Chiefs of Staff, Admiral Mike G. Mullen, has made a statement to our American soldiers, sailors, airmen, marines and their families. I was privileged to get a copy of this, and I think it is the type of letter every Member of the Senate should be allowed to read. So I ask unanimous consent it be printed in the RECORD.

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

To America's Soldiers, Sailors, Airmen, Marines and your families, I am honored today to begin my term as Chairman of the Joint Chiefs of Staff. As I do, allow me to thank you for your service at this critical time in our Nation's history.

Whether you serve in Baghdad or Bagram, Kabul or Kuwait—whether you find yourself at sea in the Pacific, flying support missions over Europe, on the ground in Africa, or working every day at stateside bases—you are making a difference and so is every person in your family. Your service matters. And I do not take it for granted.

The world is a dangerous place. The hundreds of thousands of you who have deployed since September 11th—many of you more than once—already know that. You've stood up to those dangers. You have lost friends to them. You may even have lost some of yourself to them. The dangers of this new and uncertain era have hit you and the people you love squarely in the gut. I will not lose sight of that.

Nor should any of us lose sight of the need to continue serving. The enemies we face, from radical jihadists to regional powers with nuclear ambitions, directly and irrefutably threaten our vital national interests. They threaten our very way of life.

You stand between these dangers and the American people. You are the sentinels of freedom. You signed up, took an oath, made a promise to defend something larger than yourselves. And then you went out and did it. I am grateful and honored, to be able to serve alongside you.

The law says my main job is to advise the President, the Secretary of Defense and the National Security Council on issues of military readiness and capabilities. I will do that. But, I also see myself as your representative to those same leaders, an advocate for what matters to you and your families—your voice in the policies, programs, and processes that affect our National security. I will not forget the impact my decisions have on you.

I will remember that you, too, comprise a great generation of patriots, and that among you are combat veterans with battlefield experience that many at my level have never and will never endure. I will tap that experience. I want to make sure we learn from it.

I am not interested in planning to fight the last war, but neither am I interested in ignoring the valuable lessons we continue to learn from this one. It would be foolish to dismiss the knowledge you have gained. I will not do that.

I know the wars in Iraq and Afghanistan are taking a toll on you and your families. They are taking a toll on our equipment, our systems, and our ability to train as well. I worry, quite frankly, that they are taking a toll on our readiness for other threats in other places.

But that does not mean our struggles there are not important. They most certainly are important. They are vital.

To the degree the wars in Iraq and Afghanistan contribute to or detract from a stable,

secure Middle East, they bear a direct effect on the security of the United States. That is why my number one priority will be developing a comprehensive strategy to defend our National interests in the region.

Next on my list is resetting, reconstituting, and revitalizing our Armed Forces, especially the Army and Marine Corps. I believe our ground forces are the center of gravity for the all-volunteer force and that we need to make sure that force is correctly shaped and sized, trained, and equipped to defend the Nation.

Finally, I intend to properly balance global strategic risk. We must stay mindful of our many global security commitments and of the core warfighting capabilities, resources, and partnerships required to conduct operations across the full spectrum of peace and conflict. The demands of current operations, however great, should not dominate our training exercises, education curricula, and readiness programs.

The conflicts in Iraq and Afghanistan will one day end. We must be ready for who and what comes after.

There is much to do. The speed of war, the pace of change, is too great for any of us to manage it alone. I need your help, your ideas, and your input. Whenever I travel to the field and to the fleet, I expect you to tell me what's on your mind. Tell me what you think. I need your constant feedback. I can't succeed—we can't succeed—without it.

You made a promise to defend this country. Let me make one to you: I will listen to you. I will learn from you. And I will endeavor to lead always with your best interest at heart. The way I see it, that is my job now.

M. G. MULLEN,
Admiral, U.S. Navy.

AMENDMENT NO. 3141

The PRESIDING OFFICER. The senior Senator from Florida.

Mr. NELSON of Florida. Mr. President, I want to pick up on the earlier debate on the Sessions-Nelson amendment, No. 3141, that was offered by Senator VITTER, and just say I do not think this will be controversial because it is bringing the appropriations bill in conformance with exactly the provision that is in the Defense authorization bill on the Aegis BMD Program with an additional \$75 million. This Aegis system has extraordinary effectiveness and promise, going after weapons, particularly in the boost phase. It is a sea-based system.

I want to explain what it does and why it is important.

In the Senate Armed Services Committee fiscal year 2008 Defense authorization bill that was recently adopted by the Senate, there is an authorization for an additional \$75 million for the Aegis BMD program, in addition to authorizing the full budget request for the Aegis BMD program. That increased funding authorization came from our committee markup of the budget request, which was initiated in the subcommittee that handles missile defense.

I have the honor to serve as the chairman of the Armed Services Subcommittee on Strategic Forces, and I am pleased to have Senator SESSIONS as the ranking member of that subcommittee. For the Armed Services Committee markup of the Defense authorization bill, our Strategic Forces

Subcommittee prepared a proposal for the portion of the defense budget within our jurisdiction, which includes ballistic missile defense.

The subcommittee proposal included an additional \$75 million for the Aegis BMD program, which was allocated as follows: \$20 million for an increase in the production rate of the interceptor missile for the Aegis BMD system, known as the Standard Missile-3, or SM-3; \$45 million for long lead of an additional 15 SM-3 interceptors; and \$10 million to accelerate development of computer software for the Aegis system.

This amendment mirrors exactly the additional funding authorized by the Armed Services Committee, and approved by the Senate this last Monday. It recognizes that the Aegis BMD system provides an important capability against the existing threats by short- and medium-range ballistic missiles to our forward deployed forces overseas. It also recognizes that the President's budget request did not provide enough funds for this capability. So we are proposing to add more funding to build additional near-term and effective capability against existing threats.

Last year, when Senator SESSIONS was the chairman of the Subcommittee on Strategic Forces, the subcommittee initiated legislation to make it U.S. policy that our priority in missile defense should be on effective near-term capabilities. That legislation was later enacted into law and is now our national policy. This amendment would take an important step to implement that policy.

The Aegis BMD system has had an impressive development and testing program, with a commendable track record of successful and operationally realistic testing. I would note that the Navy is a critical component of the success of this system, since it has operated the Aegis weapon system and its standard missile variants for many years on its ships. The Navy has ensured that this missile defense capability works well with its existing systems and procedures, as is necessary to ensure the system would work in real-world combat operations.

I would note that the Aegis BMD system is planned to improve its capability significantly over the coming years, especially with a larger and faster interceptor we are developing cooperatively with Japan. The improved version of the Aegis BMD system is expected to be able to defend against intermediate-range missiles and some long-range missiles, as well.

This amendment does what I believe the administration should have done. It would place greater emphasis and greater resources into an effective, near-term capability to defend our forward deployed forces, as well as our allies and friends overseas, against existing and near-term threats.

I urge support for this amendment.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

AMENDMENTS NOS. 3153, AS MODIFIED; 3162, 3152, 3127, 3155, AS MODIFIED; 3173, EN BLOC

Mr. INOUE. I ask unanimous consent that the following list of amendments be adopted. It has been cleared by both sides: Senate amendment No. 3153, as modified, by Senators GREGG and SUNUNU, regarding the Advanced Decision Kill Weapon System; amendment No. 3162, for Senators LEVIN and STABENOW, regarding advanced automotive technology; amendment No. 3152, for Senators SMITH and HARKIN, regarding the Minuteman Digitalization Demonstration Program; amendment No. 3127, for Senator BROWN, regarding the high altitude airship; amendment No. 3155, as modified, for Senators DOMENICI and BINGAMAN, regarding mid-infrared advanced chemical lasers; amendment No. 3173, for Senators BINGAMAN and DOMENICI, regarding sunlight beam directors.

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

The amendments were considered and agreed to, as follows:

AMENDMENT NO. 3153, AS MODIFIED

At the end of title VIII, add the following:
SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY", up to \$6,000,000 may be available for the continuation of the Advanced Precision Kill Weapons System by the Marine Corps.

AMENDMENT NO. 3162

(Purpose: To make available from Research, Development, Test, and Evaluation, Army, \$6,000,000 for Advanced Automotive Technology)

At the end of title VIII, add the following:
SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY", up to \$6,000,000 may be available for Advanced Automotive Technology (PE #0602610A).

AMENDMENT NO. 3152

(Purpose: To make available from Operation and Maintenance, Army National Guard, \$2,000,000 for the Minuteman Digitization Demonstration Program)

At the end of title VIII, add the following:
SEC. 8107. Of the amount appropriated or otherwise made available by title II under the heading "OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD", up to \$2,000,000 may be available for the Minuteman Digitization Demonstration Program.

AMENDMENT NO. 3127

(Purpose: To make available from Research, Development, Test, and Evaluation, Army, up to \$1,000,000 for the High Altitude Airship Program)

At the end of title VIII, add following:
SEC. 8107. Of the amount appropriated by title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY", up to \$1,000,000 may be available for Army Missile Defense Systems Integration (PE #0603308A) for the High Altitude Airship Program.

AMENDMENT NO. 3155, AS MODIFIED

At the appropriate place, insert the following:

SEC. . Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY", up to \$3,750,000 may be available for a Mid-Infrared Advanced Chemical Laser at the High Energy Laser Systems Test Facility.

AMENDMENT NO. 3173

(Purpose: To make available from Research Development Test and Evaluation, Army, \$3,750,000 for a High Energy Laser Systems Test Facility Sea Light Beam Director)

At the appropriate place insert the following:

SEC. . Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY", up to \$3,750,000 may be available for a Sea Light Beam Director at the High Energy Laser Systems Test Facility.

AMENDMENT NO. 3162

Mr. LEVIN. Mr. President, earlier this afternoon, the Senate unanimously adopted an amendment offered by myself and Senator STABENOW to increase the budget of the Army's National Automotive Center by \$6 million.

The National Automotive Center, NAC, part of the U.S. Army Tank-Automotive Research, Development, and Engineering Center, works to support and leverage advancements by the automotive industry to improve military ground vehicles. The funds provided by our amendment will allow the NAC to help meet current and future automotive technology needs.

These funds will support the development of new technologies that are critical to the success of the Future Combat Systems program and will help our military to meet the fuel efficiency goals that have been set by the Department of Defense, while improving the safety of military ground vehicles.

I am pleased that the Senate adopted our amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3206

Mr. INOUE. Mr. President, on behalf of the leadership of the Senate, Senators REID and MCCONNELL, I say to the desk the following amendment and ask for its immediate consideration and that it be agreed to.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUE], for Mr. REID and Mr. MCCONNELL, proposes an amendment numbered 3206.

The PRESIDING OFFICER. Without objection, the amendment is considered and agreed to.

The amendment is as follows:

(Purpose: To make technical corrections to Public Law 110-81)

On page 207, between lines 8 and 9, insert the following:

SEC. 8107. Paragraph 1(b) of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following:

"(3) It is not a gift for a commercial airline to allow a Member, officer, or employee to

make multiple reservations on scheduled flights consistent with Senate travel regulations."

The amendment, (No. 3206) was agreed to.

AMENDMENTS NOS. 3204, 3116, 3182, 3135, AS MODIFIED; 3177, 3163, 3176, 3136, 3175, 3137 EN BLOC

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, I ask unanimous consent that managers' package No. 3 be considered and agreed to. It consists of the following: amendment No. 3204, for Senator SUNUNU, regarding harbor surveilling applications; amendment No. 3116, for Senator MCCASKILL, regarding a Web site link for the DOD Inspector General; amendment No. 3182, for Senator COLEMAN, regarding the Laser Perimeter Awareness System; amendment No. 3135, as modified, for Senator KENNEDY, regarding high temperature superconductor motors; amendment No. 3177, for Senator INHOFE, regarding Ground Warfare Acoustical Combat Systems; amendment No. 3163, for Senator HARKIN, regarding MSOGs for F-15 aircraft; amendment No. 3176, for Senators HUTCHISON and CORNYN, regarding the improvement of barriers at the border; amendment No. 3136, for Senator LANDRIEU, regarding the Cyberspace Innovation Center; amendment No. 3175, for Senator BENNETT, regarding Internet observer threat mitigation tools; amendment No. 3137, for Senators OBAMA, COBURN, and REID of Nevada, regarding the Federal tax liability certifications.

I ask for their immediate consideration.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to.

The amendments are as follows:

AMENDMENT NO. 3204

(Purpose: To make available from Research, Development, Test, and Evaluation, Navy, \$1,000,000 for the development of Low-Cost, High Resolution, remote controlled Side Scan Sonar for USV and Harbor Surveillance Applications)

At the end of title VIII, add the following: SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY", up to \$1,000,000 may be available for the development of Low-Cost, High Resolution, remote controlled Side Scan Sonar for USV and Harbor Surveillance Applications.

AMENDMENT NO. 3116

(Purpose: To require the establishment on the Internet website of the Department of Defense of a link to the Office of Inspector General of the Department of Defense)

At the end of title VIII, add the following: SEC. 8107. Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall establish and maintain on the homepage of the Internet website of the Department of Defense a direct link to the Internet website of the Office of Inspector General of the Department of Defense.

AMENDMENT NO. 3182

(Purpose: To make available from Research, Development, Test, and Evaluation, Navy, \$5,000,000 for the Laser Perimeter Awareness System for integration into the Electronic Harbor Security System)

At the end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY", up to \$5,000,000 may be available for the Laser Perimeter Awareness System for integration into the Electronic Harbor Security System.

AMENDMENT NO. 3135, AS MODIFIED

On page 207, between lines 8 and 9, insert the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY", up to \$5,000,000 may be made available for the High Temperature Superconductor AC Synchronous Propulsion Motor.

AMENDMENT NO. 3177

(Purpose: To make available from Research, Development, Test, and Evaluation, Navy, \$1,200,000 for Ground Warfare Acoustical Combat System of netted sensors)

At the end of title VIII, add the following: SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY" and available for Program Element #0603640M, up to \$1,200,000 may be available for Ground Warfare Acoustical Combat System of netted sensors.

AMENDMENT NO. 3163

(Purpose: To make available from Aircraft Procurement, Air Force, \$5,000,000 for the retrofit of upgraded Molecular Sieve Oxygen Generation Systems into F-15C/D fighter aircraft)

At the end of title VIII, add the following: SEC. 8107. Of the amount appropriated or otherwise made available by title III under the heading "AIRCRAFT PROCUREMENT, AIR FORCE", up to \$5,000,000 may be available for the integration, procurement, and retrofit of upgraded Molecular Sieve Oxygen Generation Systems (MSOGS) into F-15C/D fighter aircraft.

AMENDMENT NO. 3176

(Purpose: To provide local officials and the Secretary of Homeland Security greater involvement in decisions regarding the location of border fencing)

At the appropriate place, insert the following:

SEC. . IMPROVEMENT OF BARRIERS AT BORDER.

Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1103 note) is amended—

(1) in subsection (a), by striking "Attorney General, in consultation with the Commissioner of Immigration and Naturalization," and inserting "Secretary of Homeland Security"; and

(2) in subsection (b)—

(A) in the subsection heading, by striking "IN THE BORDER AREA" and inserting "ALONG THE BORDER";

(B) by redesignating paragraphs (1), (2), (3), and (4) as paragraphs (2), (3), (4), and (5), respectively;

(C) in paragraph (2), as redesignated—

(i) in the paragraph heading, by striking "SECURITY FEATURES" and inserting "ADDITIONAL FENCING ALONG SOUTHWEST BORDER"; and

(ii) by striking subparagraphs (A) through (C) and inserting the following:

"(A) REINFORCED FENCING.—In carrying out subsection (a), the Secretary of Homeland Security shall construct reinforced fencing along not less than 700 miles of the southwest border where fencing would be most practical and effective and provide for the installation of additional physical barriers, roads, lighting, cameras, and sensors to gain operational control of the southwest border.

“(B) PRIORITY AREAS.—In carrying out this section, the Secretary of Homeland Security shall—

“(i) identify the 370 miles along the southwest border where fencing would be most practical and effective in deterring smugglers and aliens attempting to gain illegal entry into the United States; and

“(ii) not later than December 31, 2008, complete construction of reinforced fencing along the 370 miles identified under clause (i).

“(C) CONSULTATION.—

“(i) IN GENERAL.—In carrying out this section, the Secretary of Homeland Security shall consult with the Secretary of Interior, the Secretary of Agriculture, States, local governments, Indian tribes, and property owners in the United States to minimize the impact on the environment, culture, commerce, and quality of life for the communities and residents located near the sites at which such fencing is to be constructed.

“(ii) SAVINGS PROVISION.—Nothing in this subparagraph may be construed to—

“(I) create any right of action for a State, local government, or other person or entity affected by this subsection; or

“(II) affect the eminent domain laws of the United States or of any State.

“(D) LIMITATION ON REQUIREMENTS.—Notwithstanding subparagraph (A), nothing in this paragraph shall require the Secretary of Homeland Security to install fencing, physical barriers, roads, lighting, cameras, and sensors in a particular location along an international border of the United States, if the Secretary determines that the use or placement of such resources is not the most appropriate means to achieve and maintain operational control over the international border at such location.”; and

(D) in paragraph (5), as redesignated, by striking “to carry out this subsection not to exceed \$12,000,000” and inserting “such sums as may be necessary to carry out this subsection”.

AMENDMENT NO. 3136

(Purpose: to make available from Operation and Maintenance, Air Force, \$4,000,000 for the 8th Air Force Cyberspace Innovation Center at Barksdale Air Force Base, Louisiana)

At the end of title VIII, add the following: SEC. 8107. Of the amount appropriated or otherwise made available by title II under the heading “OPERATION AND MAINTENANCE, AIR FORCE”, up to \$4,000,000 may be available for the 8th Air Force Cyberspace Innovation Center for Cyber Combat Development at Barksdale Air Force Base, Louisiana.

AMENDMENT NO. 3175

(Purpose: To make available from Intelligence Community Management Account, \$5,000,000 for Internet Observer and Inner View insider threat mitigation tools)

At the end of title VIII, add the following: SEC. 8107. Of the amount appropriated or otherwise made available by title VII under the heading “INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT”, up to \$5,000,000 may be available for the Office of Counter Intelligence of the National Geospatial-Intelligence Agency for Internet Observer and Inner View insider threat mitigation tools.

AMENDMENT NO. 3137

(Purpose: To provide that none of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee makes certain certifications regarding Federal tax liability)

On page 207, between lines 8 and 9, insert the following:

SEC. 8107. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

Mr. INOUE. What is the pending business, Mr. President?

The PRESIDING OFFICER. The amendment in question is the Vitter amendment.

The Senator from Alaska.

Mr. STEVENS. Mr. President, I request the clerk make us a list of pending amendments, amendments that have been qualified as pending on this bill.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENTS NOS. 3130, 3167, 3145, AND 3141

Mr. INOUE. Mr. President, I am pleased to announce that the following amendments have been cleared by the leadership of both sides and we are ready to consider them en bloc: First, 3130, 3167, 3145, and 3141. I ask unanimous consent they be considered en bloc and passed.

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

The amendments (Nos. 3130, 3167, 3145, and 3141) were agreed to.

Mr. INOUE. Mr. President, I move to reconsider.

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

The motion to lay on the table was agreed to.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3144

Mr. DORGAN. Mr. President, I have a couple of minutes of comment. I know Senator KYL withdrew his amendment. But I do want to have the RECORD corrected, because I was listening to part

of the debate when I was back in my office. I think it is important to have an accurate RECORD.

My colleague from Arizona indicated that the space-based test bed program which I oppose is not a program that would primarily be a space-based missile defense program. He said it is about protecting satellites. That the space test bed is about protecting satellites. That is what my colleague was saying.

Let me read the unclassified portion of the Pentagon budget justification for the program.

The space test bed is being explored as a potential solution to enhance ballistic missile defense.

I guess you can come to the floor and say: Well, that is not what it is. But you probably would have to ask the Pentagon to cut out this page from its budget justification book.

I want the RECORD to reflect something that is half way accurate. All of us understand what that program was intended to be. This is what the Defense Department says it was intended to be. So when I come to the floor and talk about why this program ought not proceed, it is not authorized, it has not been funded in either the House or Senate appropriations bills and, besides, it is a program that will eventually weaponize space by putting ballistic missile defense interceptors in space, I have the facts on my side.

Then to have someone say: Well, that is not what it was. Gosh, you must not understand it, Mr. DORGAN. Well, I am sorry; I do understand it. So does the Pentagon. They say again:

The Space Test Bed is being explored as a potential solution to enhance ballistic missile defense capability in the future.

I went to a small school, but I can understand this. And I read fairly fast. There is not a lot of reading on this page. So I wanted the RECORD to reflect what is accurate about the issue of the space test bed.

I think this country has an enormous responsibility with the question of nuclear weapons, stopping the spread of nuclear weapons, attempting to find ways to reduce the number of nuclear weapons and delivery vehicles to protect this country in dozens of different ways against threats that exist against our country.

I think it would be a profound mistake for this Congress to decide, without authorization, with very little debate, to begin funding a program that eventually will provide weapons in space. We would be apoplectic if we believed a program existed or was begun today in the Duma or in China, because we would believe it would be a threatening approach for them to weaponize space. I think they would view the same with activities we would undertake.

My hope is we can work with others in the world with respect to non-proliferation and with respect to protecting all of us from those who would be aggressive in our future.

By the way, my colleague suggested, because I said you can almost always find a general to support a program at the Pentagon—that I denigrated generals. My point was not to denigrate generals. But every program that exists, and every idea, has sponsors and support. You show me a program, I will show you a number of people who are involved in that program, believe in that program, and want that program to move. It is the generals and colonels and captains and lieutenants, and that is the way the system works.

Now, I promised I was going to compliment the manager and the ranking member. I did it before, but let me do it again. This is a big piece of legislation, hard to put together, and not easy to manage. But they have been on the floor now for some while trying to move this legislation through. Much of it is very important for this country. I hope we can move to final passage in an expedited way.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3198

Mr. LEAHY. Mr. President, I call up amendment No. 3198.

The PRESIDING OFFICER. The amendment is pending.

Mr. LEAHY. I make a point of order that it is legislation on an appropriations bill.

The PRESIDING OFFICER. The point of order is sustained. The amendment falls.

Mr. LEAHY. I thank the Chair.

While I have the floor, I understand my good friend, the Senator from New Jersey, is concerned. There appears not to be parity between the northern border and the southern border. I share his concern about some of the issues of racism that have been floated into the debate regarding our southern border. I think he would admit that there are differences between the northern border and the southern border. We are blessed to have friends on both our northern and southern borders. The failure of the administration to take a truly bipartisan approach to comprehensive immigration reform and the failure of this body to go forward and work its way all the way through to a final immigration bill reflects some of the problems we have.

The way to solve them is not to close the border to a historic neighbor on the longest unguarded frontier in the world, one of our largest trading partners. We already have policies of this administration that are about to cost us hundreds of billions of dollars in jobs in the United States, which do nothing to enhance our security, with the cockamamie idea from the State

Department and the Department of Homeland Security requiring passports to cross between Canada and the United States. This will do very little to improve our security. Instead of working with Senators on both sides of the aisle to find a way where we could have safe, easy transfer between the two countries, keep commerce going, especially after this administration has so badly handled our economy that our dollar has slipped dramatically, the administration wants to hastily implement ill-conceived barriers to cross-border travel. We seem to want to poke our thumb in the eye of a good neighbor.

I do not fault the Senator from New Jersey for his amendment. I understand the reason he does it. As he can well understand, I disagree with the idea of a fence along the Canadian border, just as I voted against erecting a fence along the southern border last year. I wish we could show some sense in real immigration policy with our southern border. It is a fault in this country to pretend we don't have illegal immigrants looking for a better life and to think that we are going to solve the problem by denying them access to social programs, deny their children access to our schools, deny them access to assistance with food, deny them access to health care, and to threaten prosecution of our churches if they show their respect for the commandments and actually want to help the least among us.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I appreciate the views of my distinguished colleague from Vermont. I particularly appreciate his support for comprehensive immigration reform for which he has been a champion. However, I must take the opportunity to note that the underlying amendment Senator SALAZAR and I were addressing, for which no point of order was raised against and which, in essence, was adopted by the Senate, goes to the very heart of this issue.

As a matter of fact, there was a colloquy between Senator TESTER and Senator GRAHAM that basically said to some degree that, in fact, the resources Senator GRAHAM had in his amendment, adopted by the Senate, could go to the northern border. What Senator SALAZAR and I want to make clear is that, in fact, either we protect all of the country or we protect none of it.

Mr. LEAHY. Will the Senator yield for a question?

Mr. MENENDEZ. I am happy to.

Mr. LEAHY. I want to make sure: The Senator would have been within his rights to have made a point of order against the Graham amendment had he wanted to; is that correct?

Mr. MENENDEZ. Unfortunately, I didn't have notice of it before it was called up for a vote; otherwise, I would have had the opportunity.

Mr. LEAHY. I had heard about an hour before the vote that we were having it.

Mr. MENENDEZ. I would note for the Senator, however, that his concern was in the underlying Graham amendment as well. So here we are, where we as a body consistently pursue one course of action on one part of the U.S. border, and on the other border we actually say it is quite different. The reality is, some of us on this issue believe there has to be some consistency because, if not, some of us believe either it is about securing the country or it is not. If it is about securing the country, you can't secure one border and say the other border is free for people to cross undetected, as has been well documented by the Government Accountability Office, by the 9/11 Commission, and by the fact that the millennium bomber came through, and a host of other things. Either we are going to have security, which means north and south, or we are not going to have security. If it is only about the southern border, then it is about a lot more than security. It is about who happens to be crossing we don't like. What is the color of their skin? What is their ethnicity? Why is that such a threat when the only real terrorist threat we have ever had came through the northern border?

This Senator, for one, intends to ensure moving forward that as we have other appropriations bills, I will make it my business to be on the Senate floor to raise points of order because either it is about securing all of the country or it is about securing none of it.

I yield the floor.

The PRESIDING OFFICER. What is the will of the Senate?

Mr. INOUE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 3146 WITHDRAWN

Mr. INOUE. Mr. President, with the approval of Senator ALLARD, I ask unanimous consent that amendment No. 3146 be withdrawn.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. That is the Allard amendment?

The PRESIDING OFFICER. The Allard amendment.

Mr. ALLARD. Mr. President: I want to speak at this point with Senators INOUE and STEVENS on the amendment offered by Senator SALAZAR and myself designating \$5 million—the amount requested by the Pentagon and previously approved by the House—for the Missile Defense Space Experimentation Center, a facility within the Missile

Defense Integration and Operations Center on Schriever Air Force Base in Colorado Springs, CO. May I ask, are the chairman and ranking member of the Defense Subcommittee aware of the potentially valuable work proposed for this center?

Mr. INOUE. I am.

Mr. STEVENS. I am as well, and I note that this amendment was submitted yesterday—coincidentally on the day when it became obvious that our Nation's missile defense system is, according to today's New York Times, "up and running."

Mr. ALLARD. Exactly. We hear frequent mention on this floor about the other, non-Iraq dangers facing this country, and our national missile defense system is designed to deal with some of the most worrisome of those threats—an accidental or rogue nation launch of ballistic nuclear weapons against our country. I am sure the chairman and ranking member agree on the value of this system, and that a system as technologically complex as this one requires constant analysis, demonstration, and integration?

Mr. INOUE. Certainly.

Mr. STEVENS. Yes.

Mr. ALLARD. I further, then, suggest that the Missile Defense Space Experimentation Center fulfills this role, and also supports advanced technology and algorithm development, and other mission areas such as space situation awareness, technical intelligence, and battle space characterization.

The MDSEC facility buildout began in fiscal year 2006 and continued through fiscal year 2007 under the STSS program. As the MDSEC supports multiple satellite operations and experiments, the fiscal year 2008 request of \$5 million is contained within the MDA Space Program Element. The MDSEC provides the Missile Defense Agency a common support infrastructure and connectivity to the BMDS for the two satellites to be launched in 2008. It will also integrate space data in support of the missile defense mission such as ongoing experiments using Defense Support Program data for missile defense, planned experiments with data from MDA and other defense and national security systems. MDSEC further supports mission integration of space-based missile track—boost and midcourse phases—sensor and weapons cueing via C2BMC, features and discrimination, kill and impact point assessments into C2BMC, Aegis, terminal high altitude area defense—THAAD—global missile defense—GMD—and other non-MDA mission areas to include space situation awareness, technical intelligence, and battle space characterization.

I believe the mission and task for the MDSEC require our support and I urge the distinguished chairman and ranking member of this committee to give their full support to this program.

Mr. INOUE. I pledge to my friend from Colorado that when we sit down to discuss this matter with the House I

will continue to support the ballistic missile defense system. Let me assure you, as well, that we will carefully examine the merits of the programs at the MDSEC and the unique capabilities of the MDIOC when we have our conference negotiations with the House.

Mr. STEVENS. I concur.

Mr. ALLARD. I thank you both.

Mr. INOUE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Ms. CANTWELL). Without objection, it is so ordered.

Mr. INOUE. Madam President, I yield to the Senator from Alaska.

Mr. STEVENS. Madam President, I call up Senate amendment No. 3166.

The PRESIDING OFFICER. The amendment is pending.

AMENDMENT NO. 3207 TO AMENDMENT NO. 3166

Mr. STEVENS. I send an amendment to the desk and ask for its consideration. It is an amendment to this amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alaska [Mr. STEVENS] proposes an amendment numbered 3207 to amendment No. 3166.

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

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

The amendment is as follows:

AMENDMENT NO. 3207 TO AMENDMENT NO. 3166

On page 1 of Amendment 3166, after line 7 insert the following:

"Not later than 45 days after the date of enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on mechanisms for expanding public-private partnerships with military and family organizations for the purpose of increasing access to family support, in particular, for the minor dependent children of deployed servicemembers.

"Such report shall identify: the adjustment needs of minor children of deployed service personnel, including children who have experienced multiple deployments of one or more parents or guardians; alternative support and recreational activities which have been shown to be effective in improving coping skills in young children of deployed servicemembers; support networks beyond educational settings that have been effective in addressing the needs of children of deployed servicemembers, to include summer and after-school recreational, sports and cultural activities; programs which can be accessed without charge to military families; gaps in services for minor dependent children of deployed personnel, and; opportunities for expanding public and private partnerships in support of such programs.

"Prior to submission of the report required by this section, the Secretary shall consult with military family advocacy organizations, and include the comments of such organizations within the required report to congressional defense committees.

"Plan Required:

"Not later than 60 days after submission of the report required by this section, the Secretary shall submit a plan to the congressional defense committees to address the needs and gaps in services identified in the report. Such a plan shall also address the comments and recommendations of military family advocacy organizations, as required by this section."

Mr. STEVENS. Madam President, I would say to the Senate that this is an addition to the Boxer amendment that does not affect the Boxer amendment per se.

I ask unanimous consent that the amendment to the amendment be agreed to.

Mr. INOUE. I have no objection.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 3207) was agreed to.

The amendment (No. 3166), as amended, was agreed to.

Mr. INOUE. Madam President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

Mr. INOUE. Madam President, I ask unanimous consent to be listed as a cosponsor of the Boxer amendment.

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

Mr. STEVENS. Madam President, to my knowledge, the Senator from Alabama is here now for his amendment. The Sessions amendment is the last amendment that I know of on this side. Does the Senator from Hawaii have additional amendments on his side?

Mr. INOUE. No.

Mr. STEVENS. We would be prepared to enter into an agreement that there be no further amendments.

Mr. INOUE. I ask unanimous consent that the Sessions amendment be the last one considered.

Ms. STABENOW. Madam President, I would ask for a moment before making that final decision to talk to the chairman about an amendment. It is the amendment you have in front of you, but I came down to speak to the chairman about that. So I wonder if we might take a moment to consider the Sessions amendment and allow me to have just a moment before that decision is made.

Mr. STEVENS. So we will proceed at this time with the Sessions amendment.

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

AMENDMENT NO. 3192

Mr. SESSIONS. Madam President, I call up amendment No. 3192.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Alabama [Mr. SESSIONS] proposes an amendment numbered 3192.

Mr. SESSIONS. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

AMENDMENT NO. 3192

(Purpose: To fund Operation Jump Start, the deployment of National Guard personnel, to the southern border, through September 30, 2008)

On page 114, lines 6 and 7, strike “\$22,445,227,000: *Provided,*” and insert “\$23,239,227,000: *Provided,* That not less than \$794,000,000 of such amount shall be made available for Operation Jump Start in order to maintain a significant durational force of the National Guard on the southern land border of the United States to assist the United States Border Patrol in gaining operational control of that border, in addition to any other amounts made available under this Act for such purpose: *Provided further,*”.

Mr. SESSIONS. Madam President, I ask unanimous consent that Senators DOMENICI, DOLE, and ENSIGN be added as cosponsors.

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

Mr. SESSIONS. Madam President, it is unfortunate and sad, I think, that the Senate—and I would say the administration—has made a decision to prematurely draw down the National Guard presence at the southern border. That is an unwise event, and it signals uncertainty about our commitment to completing the lawful strategy we have for immigration at our border.

It is not impossible for us to create a lawful system of immigration, but we have to do some things. We have allowed unlawfulness to continue for an extraordinary amount of time, to the extent that it is going to take us some effort now to reestablish a rule of law. But the whole world will be better off and everyone who wants to come to our country will be better off if they know what the rules are, how to apply, and have an understanding that their competitors who would like to come here are not going to be allowed to come illegally and then be rewarded by amnesty while they wait in line to come lawfully.

So the amendment I have offered will fully fund Operation Jump Start at its original level—the 6,000 National Guard troops—through the end of fiscal year 2008. Currently, the Department of Defense has plans only to keep 3,000 at the border instead of the full 6,000 who were to be deployed through 2008. Furthermore, Operation Jump Start is actually now scheduled to end completely on July 1, 2008. So the increased funding provided for here—and I do believe it is an emergency and it is a legitimate emergency expenditure to create lawfulness at our border, which will protect the national security of the United States—this increased funding will be needed to do these things: keep Operation Jump Start at the deployment level that has been so successful and keep Operation Jump Start running until this time next year.

On May 15, 2006, President Bush announced Operation Jump Start, which was the employment of up to 6,000 National Guard members to the southern

land border. According to Operation Jump Start Year 1 Review, its intent was to provide:

An immediate means to enhance border enforcement operations while Border Patrol increased its own internal enforcement resources through hiring additional Border Patrol agents, mission support personnel, and procuring and applying new technology and infrastructure.

It goes on to say:

OJS is providing interim support as Border Patrol recruits, hires, and trains 6,000 additional Border Patrol agents by the end of calendar year 2008—

End of calendar year 2008; that is December of 2008.

My amendment would simply carry the strength of the National Guard through September 30, 2008, the fiscal year. That is important because we are facing a rather substantial drawdown without this amendment.

So deployments began on June 15, 2006, to give us a bit of a background. By August 2006, an average of 5,677 National Guard personnel were deployed. By June 2007—that is June of this year—an average of 5,759 were deployed.

Since the beginning, on the border, the National Guard has supported the Department of Homeland Security by providing, among other things, the following skills: construction of tactical infrastructure; that is, fencing, roads, and lighting and those kinds of things that are really critical if we are serious about making sure people just don't walk across our border. You have to have those things. We made some progress in that regard, although, in truth, we should have made more. They are involved in fence repair, welding, and facility maintenance. Many of these are engineer Guard units with a lot of capabilities in this area. They provide vehicle and fleet maintenance. Many of these are transportation units that are skilled at fleet maintenance. Entry identification teams, surveillance and reconnaissance teams, law enforcement communication assistance, intelligence analysis—we have a lot of those capabilities in the National Guard.

So I would say they are not being utilized on a daily basis to patrol the border and make arrests. We decided that would not be what they are deployed for. But they are really providing a lot of capability that frees up a limited number of Border Patrol agents to be the front-line troops, to go out and make the arrests and do the day-to-day work that has to be done.

The success of the operation is undeniable. By early December of 2006, just 6 months after the deployment began, Robert Gilbert, the chief Border Patrol agent for the Border Patrol's El Paso sector, stated:

Jointly, we are making a definite impact on the border. The professionalism and dedication and training the Guard units have brought to our mission and our fight, the way they have made it their mission and their fight, is more than we expected.

That same month, the Chief of the National Guard Bureau, LTG Steve Blum, stated:

I was here 2½ months ago and things that I didn't think would be possible in a year have already been accomplished. Infrastructure is up, fencing is up, roads are built, lighting is up, and apprehensions are down.

Those aren't just words. The success of Operation Jump Start is tangible.

According to the Year 1 Review:

Force multiplication has allowed more Border Patrol agents to remain in the enforcement mode, not the support mode. The additional manpower has allowed DHS to return 563 agents to frontline positions. The result is referred to as “badges back to the border.”

The Guard presence has added 337 miles of expanded border surveillance capabilities along the southwest border. Guard personnel provide 6,500 hours of camera monitoring. Somebody has to monitor the cameras. There is no doubt that an electronic fence, as some have said, is not a worthless idea. You can use cameras and electronic technology to enhance our capabilities at the border, but in the high-traffic areas, it is not a question of seeing people, it is a question of how you can detain them if they are coming illegally. So I think we made progress there with the help of the National Guard.

Guard personnel have assisted in apprehending more than 10 percent of the aliens apprehended during the past year—a total of 84,878 apprehensions. Overall, apprehensions of illegal immigrants trying to cross the border are down by 25 percent. What most experts conclude that means is that an estimated 25 percent fewer illegal immigrants are attempting to cross. The Guard's presence is, in fact, having a deterrent effect.

With the help of the National Guard, marijuana seizures are up 22 percent. The Guard was responsible for seizing 201,000 pounds of marijuana at the border.

As a matter of fact, when we talk about security and the need to do something about openness and illegality at our border, we have to consider drugs to be a big part of that. Guard personnel have assisted in the seizure of 4,783 pounds of cocaine, 703 vehicles, and \$60,000 in currency. So this is an important matter in the success we are having.

The Guard presence has produced sizable gains in critically needed tactical infrastructure along the border. They have already repaired 428 miles of roads. You have to have roads if you are going to be effective in maintaining a border. And 16 miles of all-weather roads have been repaired and maintained. They have installed 58 miles of vehicle barriers. At least it prohibits people from driving into our country loaded with drugs or illegal items.

They have constructed 18.2 miles of fencing, which is a disappointing number. After all that we funded in this Congress, which was 700 miles of fencing, we have only 18 miles completed.

We voted for it. We talked about it. We go back home and tell our constituents we have done it. The President says we are doing it. The Secretary of Homeland Security says we are doing it. We have not accomplished much, but the Guard has played a role by using their engineering capability. Frankly, if they had been focused more on actual barriers, they probably would have accomplished more.

The real reason is the way we planned this out has been very slow in development, in terms of building our fencing. In fact, we are informed that the fencing numbers are improving right now; that miles of fencing are appearing and coming much more rapidly on line than before. If you examine the situation closely, you will see there appears to be a move afoot to draw this out and end up with far less fencing than the Congress contemplated both with our authorization and appropriations bills.

The Department of Homeland Security indicates that the Guard's presence will have an even greater impact on tactical infrastructure over the next year:

The deployments will be focused on providing a greater residual value by raising the percentage of troops that are working on tactical infrastructure projects. This infrastructure will greatly enhance the ability of the men and women of the border patrol to access the border and be more effective in the enforcement efforts for many years to come.

OK. What they are saying is they have projected in the coming months that the Guard is going to be even more effective because they will be providing a greater residual value by raising the percentage of troops working on infrastructure projects. Now, there are people who don't want infrastructure at the border, and they would like to bring the troops home, I suppose, before that happens. That would be a big mistake.

The National Guard is helping the border to save lives. In the last year, they have rescued 91 people—illegal aliens—in the area who were in desperate trouble for lack of water or being lost. They rescued them. Now, this is what has happened. Despite the proven success of the program, the operation is scheduled to stop by next July. Troops are already being reduced. By the end of July, troops were down to 4,500; that is July of 2007. By the end of August of this year, troops were down to 3,500. So it dropped even more. Today, only 3,000 personnel are on Operation Jump Start orders, and, of those, only 2,300 are actually at the border.

So already there has been a draw-down of more than half of the National Guard personnel, and not communicating that to the American people is leaving us in a difficult situation, I suggest. The National Guard was supposed to fill the gap until 6,000 new Border Patrol agents could be recruited, hired, trained, and stationed at the border. That goal has only been

accomplished halfway. Only 3,000 new agents have joined the 1,000 who were on the border when President Bush announced Operation Jump Start. The National Guard is assisting in fence and other critical infrastructure construction.

The Secure Fence Act that we passed mandated that the Department of Homeland Security construct more than 700 miles of new fencing. The administration's goal apparently is not to do that. Apparently it is to just complete 300 miles by the end of the whole next year, 2008. So with 2 years of authorization and funding, they will have only completed less than half of the fencing. To date, only 70 new miles have been constructed, for a total of 145 miles of fencing on the border. That is not the kind of signal we need to be sending.

The reason that is important is because it has a psychological impact, as well as an actual apprehension impact. What about alien apprehensions? To date, alien apprehensions on the border are down 25 percent. While this is positive, because it indicates the attempts at crossings are likely down by 25 percent as well, the job is certainly not finished. The year before that, we arrested 1 million people at the border. Can you imagine that? One million people were arrested at the border. It is not an exaggeration to say that it is a wide-open, lawless area that needs attention from our Government. If we don't give it, we are breaking faith with the American people because we have said we are going to fix that, we are going to do something about it. We just haven't.

I have to tell you there are some people who really don't care about it. They talk about it, but they don't care. We have some progress; 25 percent is a lot. It is not insignificant. But if we really got that fencing up and built, if we kept the National Guard down at the border, if we broaden the Border Patrol and motivate them to be as effective as they possibly could be, I absolutely believe—absolutely believe—we can reach a tipping point where the whole world begins to say the border of the United States is no longer wide open; that you can get in trouble going across there. Most people are getting caught. It is an entirely different place, so maybe we better not try it this time. Maybe somebody suggested we can do that, but that is not a good idea. But for the last 20 years-plus, it has been a well-known fact worldwide that you can just walk across our border, if you have very much initiative, and be successful at it. If they catch you, nothing ever happens.

Now, I will conclude by noting that, according to the year review of Operation Jump Start:

OJS is one of the many enforcement initiatives employed to expand enforcement capabilities to gain better operational control along the Southwest border. OJS, combined with other initiatives, such as Operation Streamline, Zero Tolerance, Arizona Border

Control Initiative, and the Expedited Removal Program, has resulted in a cumulative, positive impact on current levels of border control.

Good news. A positive impact. What it should do is give us encouragement. If we will just follow through, expand what we are doing, adjust to the changing tactics of those who want to enter illegally, and do it with will and determination and a positive attitude, we can make a difference. We can end this open border, end the illegality that has made the immigration system a mockery of law and an embarrassment to our people.

Operation Jump Start is a proven success. It is a critical component of our strategy. Guardsmen are filling critical law enforcement roles. They are building fencing and infrastructure and interdicting narcotics and conducting surveillance and reconnaissance; and, by the way, a substantial majority of our cocaine and methamphetamines, for that matter, are coming into our country through Mexico. I talk to law enforcement officers in Alabama all the time. They say we used to get a lot out of Miami and south Florida. Now it is all coming across the Mexican border. So we have a law enforcement interest in this also.

There is no reason Operation Jump Start should end this June. At a minimum, it should be extended until all 6,000 Border Patrol agents are on duty. The way we have been going, we authorize it and say we are going to add 6,000 Border Patrol agents, and they don't get added, if you want to know the truth. We have seen that happen time and time again. They said we were going to continue this Operation Jump Start and the National Guard, but we have already reduced our Guard personnel by more than half. That adds credibility problems with the American people. No wonder they are suspicious about what we are doing here. This amendment will provide the needed funding to keep Operation Jump Start at its original capacity, 6,000 Guard personnel, instead of what they have planned now. It makes no sense to the American people to say we found something that is effective, that is beginning to work to reduce the illegality we are facing, but we are stopping the program before the job is done. The border is not yet secure. It is too early to end this program. We need to step it up, and I think we will be in a position to have greater progress than anyone can imagine.

Madam President, to sum up, the good news is we have made some progress, but we have not really begun to get to finishing up. If we get the fencing up and keep our Guard there full-time and get our new Border Patrol agents up and we move to ending the catch-and-release and adopt the Texas plan, where individuals are prosecuted for violating the laws by entering illegally—that has reduced border crossings in that area by 45 percent or more—and if we can do other things

like that, this will work and we can make good progress.

The problem is, I think some are not desirous of us being successful. Everything that tends to work seems to be delayed and slowed down and undermined. If we move forward, we can send a message to the world that our National Guard is there, our troops are there, the Border Patrol has been increased, we are building barriers, and you are not going to get in easily anymore, so you better wait in line and come here lawfully, and the whole country will be better off. This amendment will be a big part of doing that.

I yield the floor.

Mr. STEVENS. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. STEVENS. What is the pending amendment?

The PRESIDING OFFICER. The Sessions amendment is the pending amendment.

Mr. SESSIONS. Madam President, I ask that amendment be accepted by voice vote.

Mr. STEVENS. We agree.

The PRESIDING OFFICER. If there is no further debate, without objection, the amendment is agreed to.

The amendment (No. 3192) was agreed to.

Mr. STEVENS. Madam President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

AMENDMENT NO. 3131

Mr. INOUE. Madam President, I send to the desk an amendment in behalf of Senator STABENOW and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Hawaii [Mr. INOUE], for Ms. STABENOW, proposes an amendment numbered 3131.

The amendment is as follows:

(Purpose: To make available from Research, Development, Test, and Evaluation, Army, \$4,000,000 for the Virtual Systems Integrated Laboratory-Armored Vehicle Components and Systems Simulated In Cost-Effective Virtual Design and Test Environment)

At the end of title VIII, add the following:
SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY", up to \$4,000,000 may be available for the Virtual Systems Integrated Laboratory-Armored Vehicle Components and Systems Simulated In Cost-Effective Virtual Design and Test Environment.

Mr. INOUE. I ask for its immediate consideration.

The PRESIDING OFFICER. Is there further debate? If not, without objection, the amendment is agreed to.

The amendment (No. 3131) was agreed to.

Mr. INOUE. Madam President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

STRYKER BRIGADE COMBAT TEAMS

Mr. SMITH. Madam President, I rise to enter into a colloquy with my good friend, the Senior Senator from Hawaii, chairman of the Senate Defense Appropriations Subcommittee, Mr. INOUE, ranking member of the Senate Defense Appropriations Subcommittee, Senator STEVENS, and my colleague from Oregon, Senator WYDEN, regarding the need for additional Stryker Brigade Combat Teams in our Army National Guard.

Mr. INOUE. I would be happy to discuss this important issue with the Senators from Oregon.

Mr. SMITH. Sir, we have all watched with pride the bravery of our men and women in uniform as they defend freedom around the world. We are particularly proud of the members of the National Guard, who fight side-by-side with active duty forces. These guardsmen and women deserve the same protection and equipment as the active force with which they stand shoulder to shoulder. In combat operations, the Stryker vehicle has performed exceptionally and proven itself to be a superior fighting vehicle that protects the precious lives of our servicemembers. I would like to express my strong support for our guardsmen and women and ask that the Army ensure that funding for additional Stryker vehicles with the intent of forming a second Stryker Bridge Combat Team for the National Guard figures prominently in immediate planning.

Mr. WYDEN. I would like to join my colleague from Oregon in recognizing the Guard soldiers who leave their community to fight for their country. And I agree that they deserve the best equipment available, including the Stryker vehicles. I think it is also important to point out that in the hands of the Guard the Stryker vehicles would also be used during domestic disaster situations as well as combat overseas. Our citizen soldiers deserve the same equipment as the active duty Army, and I too hope that the Army will see the wisdom of establishing a Stryker Brigade Combat Team for the National Guard.

Mr. INOUE. I thank the Senators from Oregon for unwavering support of our men and women in the Army National Guard. We all recognize and are deeply grateful for the service that the National Guard has provided in domestic disasters and international conflict. It is well-documented that the Stryker brigades have indeed performed exceptionally in Iraq. The House has added over \$1 billion for Strykers. Your and

your colleagues' views on Strykers for the Guard are noted and will be taken into consideration as we enter into conference.

Mr. STEVENS. I wish to echo my colleague's support for the men and women in the National Guard. I am extremely grateful for their service and dedication to our country. I reiterate my colleague's sentiment that we will take into consideration our colleague's views on a Stryker Brigade for the National Guard.

IMPROVED ENGINEERING DESIGN PROCESS

Ms. COLLINS. Madam President, I rise to express my support for a program sponsored by the U.S. Navy, which will significantly streamline the process for planning and executing repair and modernization of our submarine fleet at our naval shipyards. The Improved Engineering Design Process uses advanced 3-D digital scanning techniques to accurately capture the "as is" layout of specific ship spaces that will be impacted in the repair process. These digital 3-D images can then be easily shared to allow collaboration among our public shipyards to facilitate greater efficiency in planning and executing repairs and modernization. Because of the high operating tempo of our fleet, it is essential that we find ways to accomplish these repairs faster and return our submarines to operational readiness more quickly. I understand that implementation of this process in our public shipyards has the potential to produce annual savings of \$30 million. I ask the distinguished ranking member of the Appropriations Committee if he would agree such a program should be further developed and implemented as quickly as possible?

Mr. STEVENS. The project described by the Senator from Maine appears to have great merit. Savings of this magnitude are especially important at a time when our resources are stretched very thinly.

Ms. COLLINS. The distinguished ranking member makes a very important point regarding the need for pursuing initiatives of this kind so that our scarce dollars can go further. I understand that the Navy believes strongly in the merits of this program and has considered this program for inclusion in future budget requests. I encourage the Navy to not only include it in its budget request, but to also identify existing funds that may be applied to keeping this program moving forward. In addition, I ask the committee ranking member to join me in encouraging the Navy to continue supporting this critical program and, if possible, to identify potential fiscal year 2008 funds that could be made available as we finalize those budget deliberations. I thank the Senator for his interest in and support for this important initiative.

Mr. STEVENS. I thank the Senator from Maine for bringing this important program to my attention.

HAWKLINK

Mr. CHAMBLISS. Madam President, along with my colleagues from Georgia, Senator ISAKSON, and Florida, Senator MARTINEZ, I rise to address the issue of funding for a key common data link system which will provide sensor connectivity for the Navy's MH-60R light airborne multipurpose, LAMPS, helicopters with ships in our Navy's carrier battle groups. I want to express my sincere appreciation to Chairman INOUE for his willingness to consider our concerns regarding this vital program. The MH-60R LAMPS helicopter provides the fleet's primary capability to detect, identify, and destroy surface and subsurface threats to the carrier battle group. Essential air-to-ship sensor connectivity will be provided by CDL Hawklink, a high-speed, air-to-ship, common data link—CDL—compliant, digital data link that transmits tactical, video, radar, acoustic, IFF, and raw sensor data from MH-60R helicopters to host surface ships. CDL Hawklink will provide a significant improvement over current capabilities and will greatly improve fleet interoperable communications, dramatically enhance transmission of threat identification and targeting data for shipboard analysis, and replace current hardware facing critical obsolescence and parts non-availability.

The Navy requested \$31.8 million for this shipboard equipment for fiscal year 2008. While the House bill would provide full funding, the Senate bill would cut \$9.6 million from the request. I understand the committee cut the request due to excessive cost growth. While we agree that this is a reasonable basis for the committee to make such cuts, Senator ISAKSON, Senator MARTINEZ, and I have asked Chairman INOUE to consider some of the reasons for the cost growth and the detrimental impact such a cut would have on this important program.

Mr. ISAKSON. I thank my colleagues, Senator CHAMBLISS and Senator MARTINEZ, for their work on this issue, as well as Chairman INOUE for his consideration and willingness to work with us to restore full funding for this critical program. This is an important program for the Navy and the Department of Defense. The proposed reduction of \$9.6 million equates to a 30-percent reduction to the Navy's request. A funding reduction of this magnitude will result in a quantity reduction of seven of the 10 data link units intended to be procured in fiscal year 2008. A quantity reduction of this magnitude will significantly increase the average unit cost for these units and drive up costs to the total program. The initial operational capability for the program would also be delayed for at least 1 year, negatively impacting the integration of the MH-60R helicopter with the Carrier Strike Group. I appreciate the committee's consideration, and I, along with my colleagues, appreciate very much the chairman's willingness to work with us to restore

funding for this essential program in conference.

Mr. MARTINEZ. I wish to join my friends and colleagues from Georgia in supporting funding for the LAMPS MK III procurement line at the full authorized level of \$31.8 million. This vital program, which the Senate Armed Services Committee on which Senator CHAMBLISS and I serve, fully authorized the President's request, brings needed capability to the pilots and crews of the MH-60 aircraft and the carrier battle groups with which they work. Mr. Chairman, I thank you and your committee for your hard work on this crucial spending bill and ask that as you go to conference with the House you consider our support and the support of the Navy and administration for this important program.

Again, I thank my colleagues from Georgia as well as Chairman INOUE and Senator STEVENS for their time and hard work.

Mr. INOUE. I appreciate very much the diligent work of these three Senators in researching this important issue regarding the critical air-to-ship sensor connectivity within our Navy's carrier battle groups and bringing it to my attention. I appreciate that they understand the rationale for the reduction in funding we have proposed for this program, and I have listened carefully to their description of the impacts that such a reduction might cause in the program. I assure my friends, Senator CHAMBLISS, Senator ISAKSON, and Senator MARTINEZ, that I will continue to examine this program carefully as we proceed to conference.

Mr. CHAMBLISS. I thank the chairman for his generous consideration of our concerns, and I also thank my colleagues for their hard work on this issue. Senator INOUE is one of the great heroes of our country and continues to earn our highest respect and admiration every day here in the Senate. It is a privilege and an honor to work with him on these important issues.

Mr. ISAKSON. I join my colleagues in expressing our sincere appreciation to Chairman INOUE for his willingness to address our concerns. We all appreciate his great service to our Nation—as a courageous soldier and a great Senator as well.

Mr. MARTINEZ. I thank my colleagues for their work on this issue and Chairman INOUE for listening to our concerns. We all appreciate his commitment to our Nation.

BATTLEFIELD SURVEILLANCE AND MANAGEMENT RADAR SYSTEM

Mr. DODD. Madam President, I rise today to discuss the need to continue development of a vital next-generation battlefield surveillance and management radar system. Battlefield surveillance and management is more important than ever for the safety and effectiveness of our military, engaged in a variety of combat operations. With the advent of increasingly difficult-to-track targets, new technology is criti-

cally important to keep pace with expanding threats to our men and women in uniform. Indeed, U.S. technology should be honed to detect threats such as cruise missiles, rockets, as well as slow moving land based targets common on the battlefield in counterterrorism operations.

Mr. INOUE. I thank the Senator from Connecticut for raising this important issue and for his recent letter informing me of the criticality of this program.

Mr. DODD. As the distinguished chairman of the Defense Appropriations Subcommittee knows, production of the Joint Surveillance and Target Attack Radar aircraft, or JSTARS—our Nation's principal platform for performing these vital missions—was canceled in 2003, with its last delivery occurring in 2005. The E-10 multisensor command and control aircraft was intended to replace this platform, but that too was canceled last year. Fortunately, after constructive discussions with the Department of Defense, the Pentagon agreed to continue developing the high-tech sensor and radar technologies that were being designed to outfit the E-10, the multiplatform radar technology insertion program, or MP-RTIP. Unfortunately, the Department of Defense would only commit to developing the system via supplemental appropriations instead of the standard Defense budgeting process. I remain concerned that such an uncertain funding strategy could jeopardize our Nation's ability to develop the critical tools our military needs to maintain modern intelligence, surveillance, and reconnaissance capabilities.

Mr. LIEBERMAN. I thank my colleagues for bringing up this critical matter. The threats that our troops face on the battlefield continue to grow. We, and they, are fortunate that they have JSTARS and its radar to give them a critical edge. JSTARS has proven its value on the battlefield many times, beginning with Desert Storm when it was rushed to the field to give our commanders an unprecedented view of the battlefield. Since then, every warfighting commander that has testified before us has said that JSTARS is absolutely essential to success. Indeed, as the senior Senator from Connecticut has pointed out, the cancellation of the E-10 means that JSTARS will remain essential for years to come. But the radar on JSTARS is aging at the same time that the battlefield is getting more complex and threats harder to detect. Fortunately, MP-RTIP can be available to put on JSTARS. I believe we must move quickly to develop a version of MP-RTIP and install it on our JSTARS aircraft to give our commanders and soldiers the absolute best capability that we can. In fact, the Pentagon acknowledged in its most recent Quadrennial Defense Review the critical importance of the United States improving its ability to detect incoming cruise missiles and slow-moving ground

vehicles. Current technologies such as JSTARS are simply inadequate to track small airborne targets that may easily be used to attack our forces with little warning and with horrible effect.

Mr. DODD. I would like to add to my distinguished colleague from Connecticut's remarks. While our troops deserve nothing less than the best equipment, it is also essential that we maintain the ability to domestically produce this type of advanced technology. I am convinced that failure to support MP-RTIPs continued advancement would result in a devastating loss to our domestic industrial base, essential for producing this type of crucial radar technology. Additionally, it would seem as though we had wasted the \$1 billion already invested in this vital program. Now is not the time to forgo dominance in the realm of battlefield surveillance and management—and that is precisely what would happen if we ended domestic production of this vital system.

Mr. INOUE. I thank the Senators from Connecticut for bringing this issue before us today. I assure you that I will examine this program carefully as the committee reviews the supplemental appropriations bill.

Mr. DODD. I thank the chairman for his leadership on this important issue.

PATRIOT MISSILES

Mr. KENNEDY. Mr. President, I would like to engage in a brief colloquy with my good friend from Hawaii, Senator INOUE, on Patriot missiles. It is my understanding that the Patriot missile is the Army's only fielded air and missile defense capability. With only 13 total deployable battalions in the force, the Army operational and personnel capacity to respond to the needs of the combatant commanders is severely stressed.

Mr. INOUE. I thank the Senator for raising this very important issue. As the Senator knows, I am a strong supporter of the Patriot.

Mr. KENNEDY. Your support is well known and very much appreciated. This year is a very active year for Patriot—the Patriot pure fleet effort will upgrade three tactical battalions from the PAC-2 to the PAC-3 configuration and the Patriot "Grow the Army" effort to upgrade two nontactical battalions of Patriot equipment from the PAC-2 to the PAC-3 configuration, and purchase the remaining new equipment for stand-up of these battalions.

It is my understanding that the funding for this effort is a little complicated. The Army requested \$208 for the Patriot pure fleet effort and \$294 million in the amended fiscal year 2008 President's budget request to fund the activation and equipping of the first additional battalion fiscal year 2008 with the second in fiscal year 2010. This fiscal year 2008 funding is critical to this schedule to procure long lead materials to prevent slip into fiscal year 2012 and beyond. I understand that providing these funds in fiscal year 2008 avoids almost \$100 million in costs.

And if that funding is provided, the plan for Patriot pure fleet and the "Grow the Army" initiative is executable and not ahead of the need to establish the two additional battalions. I believe that fully funding the Army's amended request in fiscal year 2008 is in the best interests of the taxpayer and will avoid almost \$100 million in costs if the Army can award all this work under one contract.

I strongly support conforming the Senate bill to the House mark, which included the \$294 million for the "Grow the Army" effort.

Mr. INOUE. I thank the Senator. As the Senator surely knows, we fully funded the Patriot pure fleet effort, one of the Army's top priorities in the past 2 years. We will certainly consider the additional information provided as we conference the bill.

UNMANNED AERIAL VEHICLE

Mr. BAYH. Madam. President, I wish to engage in a colloquy with the esteemed Senator from Hawaii in order to speak about the important role medium to high altitude unmanned aerial vehicles, UAVs, play in operations across the world today. We are concerned that the DOD is simply not fielding enough of these systems. Despite constant increases in procurement and assurance from the Department that they are working to address this requirement, medium to high altitude UAVs remain a low density high demand asset.

Mr. INOUE. I thank the Senator from Indiana for raising this important issue and agree with my good friend that improving our intelligence, surveillance, and reconnaissance capabilities is a critical issue for our military today.

Mr. BAYH. As my chairman is already fully aware, today's counterinsurgency and counterterror operations remain intelligence driven. The ultimate success of so many of our military's missions depends on the effectiveness of our intelligence capabilities. Truly, each and every single operation has an intelligence component.

I do not believe that these assets can ever replace people or the human intelligence they produce, but they remain highly valuable given their limited footprint and ability to collect data across multiple spectrums. Simply put, they are force multipliers. Systems like the Predator, Reaper, and Sky Warrior have long loiter times and an ability to strike immediately. Further, they do not have to wait on the arrival of other manned assets before engaging a target, which is something that we cannot currently duplicate.

I have visited Iraq and Afghanistan, where I was told over and again the importance of these ISR assets. Further, during a recent Armed Services hearing, I was able to question our new Special Operations Commander, Admiral Olson, about medium to high altitude UAV requirements. He told the committee that there is currently a 30 UAV orbit requirement in CENTCOM.

However, we only have 12 orbits available today. I find this unacceptable.

In both major theaters of operation, we have been told how difficult it can be to have constant surveillance of suspected enemy hideouts. Given that insurgents are nearly always local, these hideouts and safe havens can often be in the midst of innocent bystanders and be difficult to observe covertly. Having eyes on a site to provide the target discrimination our commanders need is invaluable.

No matter how long American forces remain in either theater, I strongly believe that some of the last assets to leave will be ISR collection in nature. Medium to high altitude UAVs do just that, and I ask that my colleague from Hawaii look to address this significant shortfall in the upcoming fiscal year 2008 supplemental appropriations bill.

Mr. INOUE. I can assure the junior Member from Indiana that my committee will examine this program carefully and give this request all due consideration as the committee reviews the supplemental appropriations bill. I thank my colleague for his concern and leadership on this important issue.

Mr. BAYH. And I thank my colleague from Hawaii for his continued dedication to the men and women who serve in our Armed Forces.

ARMY R & D—FED

Mr. LEVIN. I would like to enter into a colloquy with my friend from Hawaii, the Chairman of the Defense Appropriations Subcommittee, Senator INOUE.

The bill before us includes two significant cuts to the President's budget request in the area of Army research and development on combat vehicle and automotive technology. The House-passed version of this bill and both the House and Senate-passed versions of the National Defense Authorization Act do not include these cuts.

The first cut of \$10 million eliminated funding for a fuel efficiency ground vehicle demonstrator, FED. This program is scheduled to be a 3-year effort by the ground vehicle experts at the U.S. Army Tank-Automotive Research, Development, and Engineering Center to develop a tactical ground vehicle that is significantly lighter and more fuel efficient than current high mobility multipurpose wheeled vehicles, HMMWVs. Specifically, this program will focus on the overall design of the vehicle as well as components including hybrid electric propulsion systems, fuel cells, advanced batteries, and new armor solutions.

This project is key to advancing technologies that will allow the Department of Defense to meet the fuel efficiency goals it has established. Additionally, this project is complementary to the development of the new joint light tactical vehicle and will provide an opportunity to demonstrate a number of new technologies, including on-board power solutions, that can

be spun into the vehicle as its development moves forward. Lastly, this project provides the opportunity to test technologies that will give our military new capabilities, including silent overwatch and mobile power sources on the battlefield.

The second cut of \$14.215 million eliminated funding for future combat systems, FCS, science and technology activities in the area of robotics. FCS is the Army's only major transformation project, and we must remain committed to this program. These funds would be used to support the development of electronics and control systems for unmanned ground vehicles that will eventually be integrated into the FCS network. Without these funds, the Army will not have the ability to build a large scale unmanned ground vehicle demonstrator to test new robotics technologies.

These funds are critical to advancing and testing new robotics technologies so they can be rapidly deployed to our warfighters around the world. Cutting these funds will reduce the Army's ability to develop and test robotics technologies needed by our troops and increase the risk that they will not be available for rapid transition into the hands of warfighters.

I am sure my colleague would agree that we should do more, not less, to achieve increased fuel efficiency in our military ground vehicles and more rapidly mature the capabilities of unmanned ground vehicle technologies.

Mr. INOUE. My colleague from Michigan raises some important points. Reducing fuel consumption in the field is an urgent need of our military. It will not only reduce costs but also reduce the risk to our troops because fewer fuel deliveries will need to be made to dangerous areas.

I also agree that future combat systems, and especially the new robotics technologies it will bring, are critically important to our troops. These technologies will continue to play an important role in the transition of our military to a more mobile, lethal, and effective force.

I commit to my colleague from Michigan that the committee will reevaluate the cuts he has highlighted when the bill goes to conference with the House.

Mr. CONRAD. Madam President, I rise to offer for the RECORD, the Budget Committee's official scoring of H.R. 3222, the Department of Defense Appropriations Act for fiscal year 2008.

The bill, as reported by the Senate Committee on Appropriations, provides \$459.3 billion in discretionary budget authority for fiscal year 2008, which will result in new outlays of \$312.2 billion. When outlays from prior-year budget authority are taken into account, discretionary outlays for the bill will total \$476 billion.

The Senate-reported bill is at its section 302(b) allocation for budget authority and \$3 million below its allocation for outlays. No points of order lie against the committee-reported bill.

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

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

H.R. 3222, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2008

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

	Defense	General purpose	Total
Senate-Reported Bill:			
Budget Authority	459,332	0	459,332
Outlays	475,977	0	475,977
Senate 302(b) allocation:			
Budget Authority .....	.....	.....	459,332
Outlays .....	.....	.....	475,980
House-passed bill:			
Budget Authority	459,319	13	459,332
Outlays	473,026	53	473,079
President's Request:			
Budget Authority	462,879	0	462,879
Outlays	477,836	8	477,844
Senate-Reported Bill Compared To:			
Senate 302(b) allocation:			
Budget Authority .....	.....	.....	0
Outlays .....	.....	.....	-3
House-passed bill:			
Budget Authority	13	-13	0
Outlays	2,951	-53	2,898
President's Request:			
Budget Authority	-3,547	0	-3,547
Outlays	-1,859	-8	-1,867

• Mr. MCCAIN. Madam President, the Defense Appropriations Act for Fiscal Year 2008 is one of the most important of the appropriations measures that we will consider this year. This legislation will provide critical funding for the men and women in our Armed Forces who, at this very moment, are in harm's way. Because we must continue to support them, I support the passage of this bill, but I have serious concerns over the earmarks contained in the committee report accompanying this bill.

The bill reported out of committee appropriates over \$448 billion. This is more than \$3.5 billion below the President's request and, notably, does not include any additional funds for ongoing operations in Iraq and Afghanistan. As is the case with so many of the appropriations bills that come to the floor, the report accompanying it contains numerous earmarks that were neither requested nor authorized, to the tune of over \$5 billion. During a time of war, we should be making every effort to support the President's budget request instead of slashing it and then adding earmarks for favored projects.

Every day, we ask the brave men and women who fight for freedom on behalf of our great Nation, and their families, to make sacrifices. They sacrifice in Iraq, Afghanistan, and elsewhere throughout the globe. We in the Congress should exercise some degree of self-restraint and sacrifice, as well.

Let me mention a few of the add-ons that were included in the bill's accompanying report: \$2 million for a project involving brown tree snakes; a total of \$3 million for an electronic futures trading program; \$2 million for research on high-pressure microwave processing for meals-ready-to-eat; \$2 million for the Marines to buy boot socks cushioned with merino wool; \$2

million to buy extended cold-weather gloves for the Army; \$2 million for research on a technology that extracts pure water from the air; \$2 million for research on a multispectral fingerprint device; \$4 million to study the Northern Lights; \$6.5 million for small instrument development for Magdalena Ridge Observatory; and \$10 million for Eielson Utilidors.

Once again, there are also many earmarks that may be for worthy causes, but there is no compelling national defense reason for these items to be funded through this legislation. These earmarks include \$150 million for a peer-reviewed breast cancer research program; \$80 million for a similar prostate cancer research program; \$10 million for ovarian cancer research; \$27.5 million for the Hawaii Federal Health Care Network; \$10 million to a program called Ceros, for river and oceanic research; \$6.1 million for research on a new engine called homopolar hybrid drive; \$2 million for research into putting humans into a state similar to hibernation so they can be kept alive long enough for doctors to administer treatments; and \$3 million for research for a 2D-3D face-recognition system.

As we are engaged fully in the global war on terror, it is imperative that we get the most out of each and every defense dollar. The money that is being diverted to projects like the ones I have mentioned could instead be used for body armor or other critical needs to protect our troops and help win the war on terror. The earmarks I have mentioned are just a small sampling of the many unrequested earmarks that fill the accompanying report. These earmarks are draining our precious resources and are not vital to our long-term national security. I strongly encourage the Federal agencies affected to use their judgement to ensure they are not allocating resources to projects that are not legislatively mandated or authorized but rather, are merely the wish lists of the committee.

In the report accompanying the bill, there are several authorizing provisions, which by their nature have no place in an appropriations vehicle, including language directing the Air Force to provide funding to continue the operation of the 36th Rescue Flight assigned to Fairchild AFB in Washington State and a provision requiring funding for Naval archeology programs in the Lake Champlain Basin.

Similarly, in the bill, a provision directs the Air Force to complete upgrades and additions to Alaskan range infrastructure and training areas, as well as at Hickman AFB in Hawaii. A similar provision calls for \$3 million to be spent on upgrades and maintenance at the Pacific Missile Range Facility. Another provision prohibits the disestablishment of the 53rd Weather Reconnaissance Squadron in Mississippi.

Some of these authorizing provisions are outside of the scope of defense policy, including language providing for the Navy to transfer up to \$20 million

to the Interior Department for any expenses associated with the construction of the USS Arizona Memorial Museum and Visitors Center.

I would also like to discuss the "Buy America" restrictions that cost the Department of Defense and the American taxpayers. Like in previous appropriations bills, this year's bill imposes a number of "Buy America" restrictions. For example, the bill would prevent the Defense Department's purchase of particular welded shipboard anchor and mooring chain; carbon alloy or armor steel plate; ball and roller bearings, unless they are manufactured in the United States. It would put similar restrictions on the Department's buying public vessels, food, certain textile materials, particular Navy supply ships, as well as its purchase of coal as a fuel source for certain military installations in Germany. Another "Buy America" provision prohibits the Department's buying any supercomputer that is not manufactured in the United States.

I continue to be very concerned about the potential impact on readiness of our restrictive trade policies with our allies. From a philosophical point of view, I oppose these types of policies as protectionist. I believe free trade is an important element in improving relations among all nations and essential to economic growth. From a practical standpoint, "Buy America" restrictions, such as those contained in this bill, could seriously impair our ability to compete freely in international markets and also could result in the loss of existing business from long-standing trade partners.

I have no doubt that some of these provisions may be important while others are questionable at best. What is important is that we follow the authorization process and restrain ourselves from using appropriations bills to authorize projects on this bill that have not been requested by the Department of Defense, nor approved by the authorizing committee.

Mr. President, there can be no doubt that this legislation is very important to the ultimate success of our ongoing war on terror. Yet I believe it is important to point out to the American taxpayer where some of their money is going and some of it is not going to projects that have anything to do with our defense.●

Mr. CARDIN. Madam. President, I rise today to express my support for H.R. 3222, the fiscal year 2008 Department of Defense Appropriations bill. We have no greater obligation as elected officials, than to take care of our troops and their families who have sacrificed on our behalf. I am proud to support my colleagues on the Appropriations Committee who have crafted a bill that sets the right priorities for our military and our country by providing critical equipment and training, strengthening military health care for our troops and their families, and giving our military families the pay raise they deserve.

The legislation before us today provides over \$1 billion more for National Guard equipment than the administration requested. This funding is critical, not only to support National Guard troops who are fighting for our country overseas but to the Guard's ability to protect us here at home. National Guard units across the country have been giving up the great majority of their equipment to units headed to Iraq and Afghanistan. The resulting shortages were felt just recently in Greenburg, KS, when that town was flattened by a tornado. Kansas Governor Kathleen Sebelius said the State's response was hampered because much of the equipment usually positioned around the State to respond to emergencies was in Iraq.

While Maryland does not face the same threat of tornadoes, my home State, like every State, has its own unique challenges. Maryland must be prepared to respond not only to hurricanes and severe snow storms but to attacks against Federal assets in the national capital region. After the mobilization of several Maryland Guard units to Iraq, the Guard has said it is without the necessary equipment to provide the robust response that Marylanders and the rest of our Nation expect. H.R. 3222 takes action to address this critical shortfall in my State and every State.

This important bill provides military personnel 3.5 percent pay raise, half a percent more than the administration requested. President Bush has threatened to veto this bill over the 0.5 percent additional increase stating that the "[t]roops don't need bigger pay raises." Well, I disagree.

The 3 percent raise would be enough to keep pace with the average increase in private sector wages last year. The 3.5 percent raise is enough to not just match the private sector but to slightly close the estimated 4 percent gap that remains between average military and private sector raises. This gap hurts recruiting and retention for our All-Volunteer Force and is not a handicap our military should shoulder when the war effort has forced the military to increase its overall size at the same time it has depressed recruiting efforts.

H.R. 3222 makes care for our mentally and physically wounded military men and women a priority. The legislation adds \$948.9 million above the President's request for military health care, totaling \$23.5 billion. Of the \$23.5 billion, \$486 million was added to reverse planned cuts to military hospitals.

In addition, H.R. 3222 provides significant funds to develop treatments for the signature injuries of the wars in Iraq and Afghanistan including brain injury and loss of limbs. Uncontrolled internal or external hemorrhage is the foremost preventable cause of death in the prehospital period for military combat trauma. Some 50 percent of the deaths our troops have suffered in Iraq and Afghanistan could have been pre-

vented if better products were available to control bleeding.

The measure provides \$73 million to fund programs authorized in the Senate-passed Dignified Treatment of Wounded Warrior Act. The Wounded Warriors bill addresses the urgent medical needs of wounded servicemembers, especially those suffering from post-traumatic stress disorder and traumatic brain injuries.

I am particularly proud that H.R. 3222 funds promising techniques being pioneered in Maryland to develop bandages that are capable of stopping severe bleeding in the field and limb and tissue transplants that are viable over the many years we hope our young wounded warriors will live after returning home from war.

H.R. 3222 places a premium not only on providing our troops the equipment they need to avoid injury in the first place but to develop better technology going forward. The legislation provides \$75.4 billion, \$268.9 million above the administration's request for research, development, test, and evaluation of new technologies. Some money will go to folks in Maryland developing methods of detecting explosives at a greater distance as well as hybrid and alternative fuel source engines. These engines not only reduce our dependence on oil and decrease emissions; they reduce the need to ship fuel along supply routes in Iraq and Afghanistan that have been a point of vulnerability for our forces.

Today, I am proud to be part of a body that is meeting its obligations to our troops, their families, and our military as an institution. I applaud Senators BYRD, COCHRAN, INOUE, and STEVENS and my other colleagues on the Appropriations Committee for their excellent work and look forward to quick passage of this critical legislation.

Mr. INOUE. Madam President, I ask unanimous consent that no further amendments be in order and that the bill be read a third time.

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

The question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

Mr. INOUE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. SESSIONS. Madam President, I wish to take a moment to say that my wife and I watched closely Ken Burns' production of "The War" or, as Katharine Phillips Singer from Mobile,

called it, "The Wah." Some of the people we know there have enjoyed and been so impressed with the remarks of Senator INOUE as he was interviewed about his experiences during World War II. His heroism and commitment to America was demonstrated in so many different ways in that program. He spoke so eloquently and so insightfully about the nature of war, the difficulty and brutality of war. I think not only did he affirm the courageousness of our soldiers, but he gives us cause to look for ways to avoid such events in the future. It is worth noting.

Hopefully, that whole production will be seen around the country and more people will get a better picture of the enormity, the breadth, the commitment our Nation gave during that decisive period in our history.

Senator STEVENS also, of course, was a person who served courageously in that conflict. It is an honor for me today to be with these two fine patriots as we apparently move to final passage of this important legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Madam President, I thank the Senator from Alabama for his generous remarks. I thank him very much.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. REID. Madam President, there will be no more rollcall votes tonight. We received permission from both sides to voice vote the matter that is now before the Senate.

Mr. STEVENS. Madam President, I ask unanimous consent that Senator KYL be added as cosponsor to amendment No. 3192.

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

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. INOUE. Madam President, I ask unanimous consent that the Senate proceed to vote on passage of the bill, that upon passage, the Senate insist on its amendment, request a conference with the House on the disagreeing votes of the two Houses, and the Chair be authorized to appoint conferees on the part of the Senate with the subcommittee appointed as conferees.

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

The bill having been read the third time, the question is on the passage of the bill, as amended.

The bill (H.R. 3222), as amended, was passed.

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

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER (Mr. CASEY). Under the previous order, the Senate insists on its amendment and requests a conference with the House, and the Chair appoints Mr. INOUE, Mr. BYRD, Mr. LEAHY, Mr. HARKIN, Mr. DORGAN, Mr. DURBIN, Mrs. FEINSTEIN, Ms. MIKULSKI, Mr. KOHL, Mrs. MURRAY, Mr. STEVENS, Mr. COCHRAN, Mr. SPECTER, Mr. DOMENICI, Mr. BOND, Mr. MCCONNELL, Mr. SHELBY, Mr. GREGG, and Mrs. HUTCHISON as conferees on the part of the Senate.

Mr. AKAKA. Mr. President, today, I was pleased to support the fiscal year 2008 Defense Appropriations Act. I would like to thank the Chairman of the Defense Appropriations Subcommittee, my good friend and colleague from Hawaii, Senator INOUE and Ranking Member STEVENS for their leadership in managing this bill with such impartiality and expediency. Not only does this bill fully support the facility, training and equipment requirements of our men and women in uniform, but it also provides a much needed increase in funds for military health over the President's budget request to ensure that members of our Armed Forces receive the care that they deserve. As chairman of the Veteran's Affairs Committee, I strongly supported the additional inclusion of \$73 million to fund the programs authorized in the Dignified Treatment of Wounded Warrior Act which addresses shortfalls in the care provided to our injured or ill soldiers.

I also applaud the inclusion in this bill of a provision which recognizes the dedication and sacrifices made by both the members of our Armed Forces and their civilian counterparts by providing a 3.5 percent increase in basic pay for all servicemembers and civilian personnel, a 0.5 percent increase above the President's request. I was also pleased to support the addition of \$1 billion to properly equip the National Guard and Reserve forces who risk their lives to defend our nation.

As this bill moves toward conference I will continue to work with my colleagues in both the Senate and the House to ensure that our military members and their families have the resources they need and the support they have earned.

TRIBUTE TO PAUL CROWLEY

Mr. REED. Mr. President, I rise today, joined by my friend, Senator WHITEHOUSE, to recognize the life of Paul Crowley, a Rhode Island State

Representative who distinguished himself with an extraordinary career as a business leader and particularly as a civic leader in the State of Rhode Island.

Paul passed away on September 24, 2007, after serving nearly 27 years as a member of the Rhode Island General Assembly. Indeed, I had the privilege and pleasure of serving with Paul years ago. He was a friend to me. He was a source of wise counsel, and he was someone who was universally admired for his commitment, particularly his commitment to children.

Paul's passion was to try to reform the educational system of Rhode Island. He brought that passion with him every day to the State House in Providence. He was someone who was unafraid of taking on anybody when it came to helping children perform better in school. It was not confrontation for the sake of confrontation; it was constructive, robust debate—always with the focus on improving the opportunities for children to learn in our State so they can take those skills and build strong families, a strong community, and a great nation.

Paul is a contemporary. He was born, as I was, in 1949. He graduated from the University of Rhode Island in 1973 and was first elected as a Democrat from Newport in 1981. In the intervening years he has, more than any one person in Rhode Island, profoundly shaped education policy for our State. As I said, he took it upon himself with a passion, with a commitment, with a sense that this country is all about opportunity, and the greatest engine of opportunity for Americans is a good public education.

He was an unstinting advocate. He was someone who understood the nature of the educational process. He worked ceaselessly, tirelessly, and he bore the frustrations of public service with a sense of purpose. At the end of his career, he could look back at profound changes for the better in the educational system of Rhode Island.

He was way ahead of his time in terms of emphasizing school accountability, standards-based reform, and measuring student progress. Years before these ideas were embraced and supported at the Federal level, Paul was talking about them at the State level and led a State-wide reform effort. He was committed to making sure education was available for all our citizens, regardless of race, background, or income; that they would have access to a high-quality public education as a foundation to higher education.

He was also an advocate for career and technical education, understanding that one size does not fit all; that the essence of education is finding the talent in that child and giving that child the opportunity to use that talent. For many, it is career and technical education.

He understood that in this new global economy, Americans could not stand pat when it came to education. They