

to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3435. Mr. CONRAD (for himself and Mr. BROWNBACk) submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3436. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3437. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3438. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3439. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3440. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3441. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3442. Mrs. HUTCHISON (for herself and Mr. CORNIN) submitted an amendment intended to be proposed by her to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3443. Mr. HATCH (for himself and Mr. BENNETT) submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3444. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3445. Mr. DORGAN (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill H.R. 3043, supra; which was ordered to lie on the table.

SA 3446. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3404. Mr. SCHUMER (for himself and Mrs. HUTCHISON) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 126, between lines 7 and 8, add the following:

SEC. 521. Section 106(d) of the American Competitiveness in the Twenty-first Century Act of 2000 (Public Law 106-313; 8 U.S.C. 1153 note) is amended—

(1) in paragraph (1)—

(A) by inserting “1996, 1997,” after “available in fiscal year”; and

(B) by inserting “group I,” after “schedule A.”;

(2) in paragraph (2)(A), by inserting “1996, 1997, and” after “available in fiscal years”; and

(3) by adding at the end the following:

“(4) PETITIONS.—The Secretary of Homeland Security shall provide a process for reviewing and acting upon petitions with respect to immigrants described in schedule A

not later than 30 days after the date on which a completed petition has been filed.”.

SA 3405. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Not later than 9 months after the date of enactment of this Act, the Government Accountability Office shall submit a report to Congress that contains an assessment of the process for hiring and managing administrative law judges and makes recommendations on ways to improve the hiring and management of administrative law judges.

SA 3406. Mr. BROWNBACk (for himself and Mr. DEMINT) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Notwithstanding any other provision of law, a local educational agency that receives funds appropriated under this title shall not distribute any form of contraceptives to students under the age of 16.

SA 3407. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Notwithstanding any other provision of this Act, under the heading “OFFICE OF NATIONAL COORDINATOR FOR HEALTH INFORMATION” an additional \$2,500,000 shall be available under section 241 of the Public Health Service Act to carry out Health Information Technology Network Development, and the amount available under the heading “GENERAL DEPARTMENTAL MANAGEMENT” under the heading “OFFICE OF THE SECRETARY” shall be decreased by \$2,500,000.

SA 3408. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. In addition to any other amounts appropriated in this Act, up to \$2,000,000 shall be available to the Centers for Disease Control and Prevention and the Health Resources and Services Administration for the Traumatic Brain Injury (TBI) Surveillance, Registries, Prevention, and National Education/Public Awareness Program under the Traumatic Brain Injury Act of 1996 (as amended by the Children’s Health Act of 2000, Public Law 106-310) and the State Traumatic Brain Injury (TBI) Grant Program under such Act (as so amended).

Registries, Prevention, and National Education/Public Awareness Program under the Traumatic Brain Injury Act of 1996 (as amended by the Children’s Health Act of 2000, Public Law 106-310) and the State Traumatic Brain Injury (TBI) Grant Program under such Act (as so amended).

SA 3409. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. In addition to any other amounts appropriated in this Act, \$1,000,000 shall be available to the Centers for Disease Control and Prevention for the Traumatic Brain Injury (TBI) Surveillance, Registries, Prevention, and National Education/Public Awareness Program under the Traumatic Brain Injury Act of 1996 (as amended by the Children’s Health Act of 2000, Public Law 106-310) and \$1,000,000 shall be available to the Health Resources and Services Administration for the State Traumatic Brain Injury (TBI) Grant Program under such Act (as so amended).

SA 3410. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 41, line 14, insert before the period the following: “, of which \$800,000 shall be made available to fund epilepsy patient education, awareness, outreach, and surveillance activities to be conducted by the CURE Epilepsy Foundation”.

SA 3411. Mr. DURBIN (for himself and Mr. BUNNING) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 106, line 24, insert before the period the following: “Provided further, That funds may be made available for grants to Federal commissions that support museum and library activities, in partnership with libraries and museums that are eligible for funding under programs carried out by the Institute of Museum and Library Services”.

SA 3412. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) Notwithstanding any other provision of this Act, the amount appropriated under the heading “LIMITATION ON ADMINISTRATIVE EXPENSES” under the heading “SOCIAL SECURITY ADMINISTRATION” shall be increased by \$150,000,000.

(b) Section 205(c)(2)(G) of the Social Security Act (42 U.S.C. 405(c)(2)(G)) is amended—
(1) by inserting “(i)” after “(G)”; and
(2) by adding at the end the following new clause:

“(ii)(I) Beginning January 1, 2008 and ending December 31, 2008, the Commissioner of Social Security shall impose the applicable fee determined under subclause (II) for each replacement social security card issued to an individual. The Commissioner of Social Security may waive the imposition of the fee required under this clause if such imposition would be against equity and good conscience.

“(II) For purposes of subclause (I), the applicable fee determined under this subclause is—

“(aa) for 2008, \$30.00; and

SA 3413. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated in this Act may be provided to any local education agency that has a policy that allows for the distribution of birth control to a child under 18 years of age, without the separate, prior, written consent of a parent or guardian of such child.

SA 3414. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

In section 110, add at the end the following:

(c) Notwithstanding section 115(e) of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 825(e)), any requirement of a regulation issued under section 115(e) that requires that a mine rescue team participate at least annually in 2 local mine rescue contests or at least annually in mine rescue training at the underground coal mine covered by the team shall not apply to a State-sponsored mine rescue team—

(1) that is composed of State employees;

(2) whose members are familiar with the operations of the mines the team covers through the performance of the members' regular duties; and

(3) that conducts mine rescue training at least once semi-annually.

SA 3415. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) The Comptroller General of the United States shall conduct a study of

the effectiveness and timeliness of the four-tiered system used to determine the frequency and priority for surveying and certifying providers and suppliers participating or desiring to participate in the Medicare or Medicaid program. The study shall include an examination of the impact of such system on health care providers and suppliers that have not previously been surveyed and certified for participation in either such program.

(b) Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the study conducted under subsection (a), together with such recommendations as the Comptroller General determines appropriate.

SA 3416. Mr. INHOFE (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 76, strike line 24 and all that follows through line 7 on page 77.

SA 3417. Mr. INHOFE (for himself and Mr. ENZI) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 77, line 7, insert before the period the following: “, and in addition only where allowed by and in accordance with the policies of the publishers who have conducted the peer-review and accepted the manuscripts for publication”.

SA 3418. Mr. LIEBERMAN (for himself and Mr. DODD) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated or otherwise made available in this Act or any other Act making appropriations to the agencies funded by this Act may be used to close or otherwise cease to operate the field office of the Social Security Administration located in Bristol, Connecticut, before the date on which the Commissioner of Social Security submits to the appropriate committees of Congress a comprehensive and detailed report outlining and justifying the process for selecting field offices to be closed. Such report shall include—

(1) a thorough analysis of the criteria used for selecting field offices for closure and how the Commissioner of Social Security analyzes and considers factors relating to transportation and communication burdens faced by elderly and disabled citizens as a result of field office closures, including the extent to which elderly citizens have access to, and competence with, online services; and

(2) for each field office proposed to be closed during fiscal year 2007 or 2008, including the office located in Bristol, Connecticut, a thorough cost-benefit analysis for each such closure that takes into account—

(A) the savings anticipated as a result of the closure;

(B) the anticipated burdens placed on elderly and disabled citizens; and

(C) any costs associated with replacement services and provisional contact stations.

SA 3419. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) The Comptroller General of the United States shall conduct a study to evaluate the Social Security Administration's plan to reduce the hearing backlog for disability claims at the Social Security Administration and the Social Security Administration's current and planned initiatives to improve the disability process, as contained in the report submitted to the Senate on September 13, 2007, pursuant to Senate Report 110-107.

(b) Not later than 5 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the study conducted under subsection (a), together with such recommendations as the Comptroller General determines appropriate.

SA 3420. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. (a) The Comptroller General of the United States shall conduct a study to evaluate the Social Security Administration's plan to reduce the hearing backlog for disability claims at the Social Security Administration and the Social Security Administration's current and planned initiatives to improve the disability process, as contained in the report submitted to the Senate on September 13, 2007, pursuant to Senate Report 110-107.

(b) Not later than 6 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the study conducted under subsection (a), together with such recommendations as the Comptroller General determines appropriate.

SA 3421. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated in this Act may be provided to any local education agency that has a policy that allows

for the distribution of birth control to a child under 17 years of age, without the separate, prior, written consent of a parent or guardian of such child.

SA 3422. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated in this Act may be provided to any local education agency that has a policy that allows for the distribution of birth control to a child under 16 years of age, without the separate, prior, written consent of a parent or guardian of such child.

SA 3423. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated in this Act may be provided to any local education agency that has a policy that allows for the distribution of birth control to a child under 15 years of age, without the separate, prior, written consent of a parent or guardian of such child.

SA 3424. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated in this Act may be provided to any local education agency that has a policy that allows for the distribution of birth control to a child under 14 years of age, without the separate, prior, written consent of a parent or guardian of such child.

SA 3425. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. None of the funds appropriated in this Act may be provided to any local education agency that has a policy that allows for the distribution of birth control to a child under 13 years of age, without the separate, prior, written consent of a parent or guardian of such child.

SA 3426. Ms. MURKOWSKI (for herself and Mr. STEVENS) submitted an

amendment intended to be proposed by her to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) In addition to amounts otherwise appropriated under this title for the National Health Service Corps, there shall be made available to the National Health Service Corps an additional amount so that the total amount available for such Corps is \$131,500,000.

(b) Notwithstanding any other provision of this Act, amounts made available under this Act for the administrative and related expenses for the Department of Labor, the Department of Health and Human Services, and the Department of Education shall be reduced on a pro rata basis by the amount necessary to provide for the additional amount made available under subsection (a).

SA 3427. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert:

It is the sense of the Senate that a portion of the funds at the National Institute of Diabetes and Digestive and Kidney Diseases be used for hemodialysis clinical trials.

SA 3428. Mr. MENENDEZ submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 79, between lines 4 and 5, insert the following:

SEC. _____. (a) In addition to any other amounts appropriated or otherwise made available under this Act, \$8,000,000 shall be available to carry out activities under the Patient Navigator Outreach and Chronic Disease Prevention Act of 2005 (Public Law 109-18).

(b) Amounts made available under this Act for consulting services for the Departments of Labor, the Department of Health and Human Services, and the Department of Education shall be further reduced on a pro rata basis by the percentage necessary to decrease the overall amount of such spending by \$8,000,000.

SA 3429. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 12, line 8, before the period, insert the following: “*Provided further*, That not later than 365 days after the date of the enactment of this Act, the Secretary of Labor shall submit to Congress a report regarding

the impact of the North American Free Trade Agreement (in this section, referred to as the ‘Agreement’) on jobs in the United States. The report shall cover the period beginning on the date the Agreement entered into force with respect to the United States through December 31, 2007, and shall include on a industry-by-industry basis, the information regarding the number and type of jobs lost in the United States as a result of the agreement and the number and type of jobs created as a result of the Agreement.”

SA 3430. Mr. FEINGOLD submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, add the following:

SEC. _____. (a) Not later than May 31, 2009, the Comptroller General of the United States shall submit a report to Congress on student preparation techniques to meet State academic achievement standards and achieve on State academic assessments.

(b) The report required under subsection (a) shall include a compilation of data collected from surveying a representative sample of schools across the Nation to determine the range of techniques that schools are using in order to prepare students to meet State academic achievement standards and achieve on State academic assessments, including the extent to which schools have—

- (1) extended the school day;
- (2) hired curriculum specialists to train teachers or work with individual students or small groups of students;
- (3) de-emphasized academic subjects of which State academic achievement standards and assessments are not required under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);
- (4) used commercial test preparation material;
- (5) provided increased professional development for teachers;
- (6) targeted low-performing students for specialized instruction or tutoring;
- (7) instituted formative or benchmark exams;
- (8) distributed old exam questions to teachers and students and focused instruction on these old exam questions;
- (9) increased instructional time on tested subjects; or
- (10) used any other techniques to prepare students to meet State academic achievement standards and achieve on State academic assessments.

(c) The data collected pursuant to this section shall be reported—

- (1) as data for all schools; and
- (2) as data disaggregated by—

 - (A) high-poverty schools;
 - (B) low-poverty schools;
 - (C) schools with a student enrollment consisting of a majority of minority students;
 - (D) schools with a student enrollment consisting of a majority of non-minority students;
 - (E) urban schools;
 - (F) suburban schools;
 - (G) rural schools; and
 - (H) schools identified as in need of improvement under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316).

(d) The representative sample described in subsection (b) shall be designed in such a manner as to provide valid, reliable, and accurate information as well as sufficient sample sizes for each type of school described in subsection (c).

SA 3431. Ms. LANDRIEU (for herself and Mr. ALEXANDER) submitted an amendment intended to be proposed by her to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 3, strike the period at the end and insert “*Provided further*, that of such funds \$251,394,000 shall be for public charter schools, of which \$214,783,000 shall be for Charter Schools Grants and \$36,611,000 of which shall be for the Credit Enhancement for Charter School Facilities Program.”.

SA 3432. Mr. REED submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) In addition to other amounts made available in this title, \$6,000,000 shall be made available for trauma care activities.

(b) Amounts made available under this Act for consulting services for the Department of Labor, the Department of Health and Human Services, and the Department of Education shall be reduced on a pro rata basis by the percentage necessary to decrease the overall amount of such spending by \$6,000,000.

SA 3433. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III, insert the following:

SEC. _____. Prior to January 1, 2008, the Secretary of Education may not terminate any voluntary flexible agreement under section 428A of the Higher Education Act of 1965 (20 U.S.C. 1078-1) that exists on the date of enactment of this Act. With respect to an entity with which the Secretary of Education has a voluntary flexible agreement under section 428A of the Higher Education Act of 1965 (20 U.S.C. 1078-1) on the date of enactment of this Act that is not cost neutral, the Secretary of Education shall, not later than December 31, 2007—

(1) negotiate to enter, and enter, into a new voluntary flexible agreement with such entity so that the agreement is cost neutral, unless such entity does not want to enter into such agreement; or

(2) renegotiate such existing voluntary flexible agreement so that the agreement is cost neutral.

SA 3434. Mr. BURR (for himself and Mr. GREGG) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 66, line 7, strike “\$756,556,000” and insert “\$786,556,000”.

On page 66, line 10, strike the period and insert “, and of which \$189,000,000 shall be used to support advanced research and development of medical countermeasures, consistent with section 319L of the Public Health Service Act.”.

On page 79, between lines 4 and 5, insert the following:

SEC. _____. Notwithstanding any other provision of this Act, amounts appropriated in this Act for the administration and related expenses for the departmental management of the Department of Labor, the Department of Health and Human Services, and the Department of Education shall be reduced by a pro rata percentage required to reduce the total amount appropriated in this Act by \$30,000,000.

SA 3435. Mr. CONRAD (for himself and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. **PERMANENT AUTHORIZATION OF CONRAD STATE 30 PROGRAM.**

Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182 note) is amended by striking “and before June 1, 2008”.

SA 3436. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

“*Provided further*, That the Secretary of Education shall assess the impact on education felt by students in states with a high proportion of federal land compared to students in non-public land states. The study shall consider current student teacher ratios, trends in student teacher ratios, the proportion of property tax dedicated to education in each state, and the impact of these and other factors on education in public land states. The Secretary shall submit the report not later than 1 year after the date of the enactment of this Act.”

SA 3437. Mr. ENZI submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. Notwithstanding any other provision of law, no funds shall be made available under this Act to modify the HIV/AIDS funding formulas under title XXVI of the Public Health Service Act.

SA 3438. Mr. BINGAMAN submitted an amendment intended to be proposed

by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

GENERAL PROVISIONS

SEC. 401. (a) Notwithstanding any other provision of this Act, the amount appropriated under the heading “**LIMITATION ON ADMINISTRATIVE EXPENSES**” under the heading “**SOCIAL SECURITY ADMINISTRATION**” shall be increased by \$160,000,000.

(b) Notwithstanding sections 1816(c) and 1842(c)(2) of the Social Security Act (42 U.S.C. 1395h(c) and 1395u(c)(2)) or any other provision of law—

(1) any payment from the Federal Hospital Insurance Trust Fund under section 1817 of the Social Security Act (42 U.S.C. 1395i) or from the Federal Supplementary Medical Insurance Trust Fund under section 1841 of such Act (42 U.S.C. 1395t) for claims submitted under part A or B of title XVII of such Act for items and services furnished under such part A or B, respectively, that would otherwise be payable during the period beginning on September 29, 2008, and ending on September 30, 2008, shall be paid on the first business day of October 2008; and

(2) no interest or late penalty shall be paid to an entity or individual for any delay in a payment by reason of the application of paragraph (1).

(c) Section 323 of title 31, United States Code, is amended to read as follows:

“**§ 323. Investment of operating cash**

“(a) To manage United States cash, the Secretary of the Treasury may invest any part of the operating cash of the Treasury for not more than 90 days. The Secretary may invest the operating cash of the Treasury in—

“(1) obligations of depositories maintaining Treasury tax and loan accounts secured by pledged collateral acceptable to the Secretary;

“(2) obligations of the United States Government; and

“(3) repurchase agreements with parties acceptable to the Secretary.

“(b) Subsection (a) of this section does not require the Secretary to invest a cash balance held in a particular account.

“(c) The Secretary shall consider the prevailing market in prescribing rates of interest for investments under subsection (a)(1) of this section.

“(d)(1) The Secretary of the Treasury shall submit each fiscal year to the appropriate committees a report detailing the investment of operating cash under sub-section (a) for the preceding fiscal year. The report shall describe the Secretary’s consideration of risks associated with investments and the actions taken to manage such risks.

“(2) For purposes of paragraph (1), the term ‘appropriate committees’ means the Committees on Financial Services and Ways and Means of the House of Representatives and the Committees on Finance and Banking, Housing, and Urban Affairs of the Senate.”

SA 3439. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows

At the end of title IV, add the following:

GENERAL PROVISIONS

SEC. 401.(a) Notwithstanding any other provision of this Act, the amount appropriated under the heading “LIMITATION ON ADMINISTRATIVE EXPENSES” under the heading “SOCIAL SECURITY ADMINISTRATION” shall be increased by \$160,000,000.

(b) Notwithstanding any other provision of this Act, an additional \$25,000,000 of the funds provided under the first paragraph under the heading “LIMITATION ON ADMINISTRATIVE EXPENSES” under the heading “SOCIAL SECURITY ADMINISTRATION” shall be used to conduct re-determinations of eligibility under title XVI of the Social Security Act.

(c) Section 323 of title 31, United States Code, is amended to read as follows:

§ 323. Investment of operating cash

“(a) To manage United States cash, the Secretary of the Treasury may invest any part of the operating cash of the Treasury for not more than 90 days. The Secretary may invest the operating cash of the Treasury in—

“(1) obligations of depositories maintaining Treasury tax and loan accounts secured by pledged collateral acceptable to the Secretary;

“(2) obligations of the United States Government; and

“(3) repurchase agreements with parties acceptable to the Secretary.

“(b) Subsection (a) of this section does not require the Secretary to invest a cash balance held in a particular account.

“(c) The Secretary shall consider the prevailing market in prescribing rates of interest for investments under subsection (a)(1) of this section.

“(d)(1) The Secretary of the Treasury shall submit each fiscal year to the appropriate committees a report detailing the investment of operating cash under subsection (a) for the preceding fiscal year. The report shall describe the Secretary’s consideration of risks associated with investments and the actions taken to manage such risks.

“(2) For purposes of paragraph (1), the term ‘appropriate committees’ means the Committees on Financial Services and Ways and Means of the House of Representatives and the Committees on Finance and Banking, Housing, and Urban Affairs of the Senate.”.

SA 3440. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IV, add the following:

GENERAL PROVISIONS

SEC. 401.(a) Notwithstanding any other provision of this Act, the amount appropriated under the heading “LIMITATION ON ADMINISTRATIVE EXPENSES” under the heading “SOCIAL SECURITY ADMINISTRATION” shall be increased by \$90,000,000.

(b) Section 1848(1)(2)(A) of the Social Security Act (42 U.S.C. 1395w-4(1)(2)(A)), as amended by section 6 of the TMA, Abstinence Education, and QI Programs Extension Act of 2007 (Public Law 110-90), is amended by striking “\$1,350,000,000” and inserting “\$70,000,000, but in no case shall expenditures from the Fund in fiscal year 2008 exceed \$720,000,000” in the first sentence.

(c) Section 323 of title 31, United States Code, is amended to read as follows:

“§ 323. Investment of operating cash

“(a) To manage United States cash, the Secretary of the Treasury may invest any part of the operating cash of the Treasury for not more than 90 days. The Secretary may invest the operating cash of the Treasury in—

“(1) obligations of depositories maintaining Treasury tax and loan accounts secured by pledged collateral acceptable to the Secretary;

“(2) obligations of the United States Government; and

“(3) repurchase agreements with parties acceptable to the Secretary.

“(b) Subsection (a) of this section does not require the Secretary to invest a cash balance held in a particular account.

“(c) The Secretary shall consider the prevailing market in prescribing rates of interest for investments under subsection (a)(1) of this section.

“(d)(1) The Secretary of the Treasury shall submit each fiscal year to the appropriate committees a report detailing the investment of operating cash under subsection (a) for the preceding fiscal year. The report shall describe the Secretary’s consideration of risks associated with investments and the actions taken to manage such risks.

“(2) For purposes of paragraph (1), the term ‘appropriate committees’ means the Committees on Financial Services and Ways and Means of the House of Representatives and the Committees on Finance and Banking, Housing, and Urban Affairs of the Senate.”.

SA 3441. Mrs. BOXER submitted an amendment intended to be proposed by her to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services shall offer to enter into a contract with the National Academy of Sciences under which the Academy shall complete—

(1) not later than 20 months after the date of enactment of this Act, a report to assess the toxicological, epidemiological, and related scientific evidence on the effects of lead on sensitive subpopulations, particularly children, including—

(A) an examination of the relationships of blood lead levels, including levels below 10 micrograms lead per deciliter of blood, with deficits in cognitive functioning and other health effects, including public health impacts;

(B) a review of estimates, trends, and distributions of lead exposures in children and other sensitive subpopulations;

(C) an identification of the scientific basis for residential lead standards, practices for lead sampling in buildings, and data gaps; and

(D) recommendations for future research; and

(2) not later than 2 years after the date of enactment of this Act, a report to assess existing and forthcoming research on the links between chemical contaminants and reproductive health, including—

(A) a review of developmental effects, including effects on fetal development and long-term effects that may be manifested in adults in the form of infertility, impaired fertility, and related conditions;

(B) a review of the current state of efforts by practitioners to compile environmental histories of patients with reproductive disorders, including infertility, poor pregnancy outcomes, and reproductive tract abnormalities and cancers;

(C) a review of available research on the value of environmental histories;

(D) guidance for health care professionals as to the most effective methods of compiling environmental histories described in subparagraph (C); and

(E) criteria for determining the reproductive and developmental toxicity of chemicals, including early indicators of potential reproductive and developmental toxicity.

(b) The Secretary shall use to pay the cost of completing the report under subsection (a)(1) \$750,000, and to pay the cost of completing the report under subsection (a)(2) \$1,000,000, which amounts shall be derived by transfer, on a pro rata basis, from each account from which travel expenses for the Department of Labor, the Department of Health and Human Services, and the Department of Education are paid, so as to decrease the overall amounts available for those travel expenses by \$1,750,000.

SA 3442. Mrs. HUTCHISON (for herself and Mr. CORNYN) submitted an amendment intended to be proposed by her to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SECTION 1. RECAPTURE OF UNUSED EMPLOYMENT-BASED VISA NUMBERS.

(a) IN GENERAL.—Section 106(d) of the American Competitiveness in the Twenty-first Century Act of 2000 (Public Law 106-313; 8 U.S.C. 1153 note) is amended—

(1) in paragraph (1)—

(A) by inserting “1994, 1996, 1997, 1998” after “available in fiscal year”;

(B) by striking “or 2004” and inserting “2004, or 2006”; and

(C) by striking “be available” and all that follows and inserting the following: “be available only to—

“(A) employment-based immigrants under paragraph (1), (2), and (3)(A)(i) and (ii) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b));

“(B) the family members accompanying or following to join such employment-based immigrants under section 203(d) of such Act (8 U.S.C. 1153(d));

“(C) those immigrant workers who had petitions approved based on Schedule A, Group I under section 656.5 of title 20, Code of Federal Regulations, as promulgated by the Secretary of Labor; and

“(D) aliens seeking immigrant visas who:

(1) are otherwise admissible under the INA;

(2) achieve the highest scores on the Scholastic Aptitude Test or the American College Testing placement exam administered in that fiscal year; and

(3) take the exams described in (2) above in the English language.”;

(2) in paragraph (2)—

(A) in subparagraph (A), by striking “1999 through 2004” and inserting “1994, 1996 through 1998, 2001 through 2004, and 2006”; and

(B) in subparagraph (B), by amending clause (ii) to read as follows:

“DISTRIBUTION OF VISAS.—The total number of visas made available under paragraph (1) from unused visas from the fiscal years

1994, 1996 through 1998, 2001 through 2004, and 2006 shall be distributed as follows:

“(I) The total number of visas made available for immigrant workers who had petitions approved based on Schedule A, Group I under section 656.5 of title 20, Code of Federal Regulations, as promulgated by the Secretary of Labor, shall not be less than 61,000.

“(II) The total number of visas made available for qualifying immigrants under paragraph (1)(D) of section 106(d) of the American Competitiveness in the Twenty-first Century Act of 2000 (Public Law 106-313; 8 U.S.C. 1153 note), as amended by this Act shall not be greater than 17,000.

“(III) The total number of visas remaining from the total made available under paragraph (I) shall be allocated to employment-based immigrants with approved petitions under paragraph (1), (2), or (3)(A)(i) and (ii) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) and their family members accompanying or following to join under section 203(d) of such Act (8 U.S.C. 1153(d)).”

(3) by adding at the end the following:

“(4) FEE FOR RECAPTURE OF UNUSED EMPLOYMENT-BASED IMMIGRANT VISAS.—

“(A) IN GENERAL.—In addition to required filing fees, the Secretary shall impose a \$1,500 recapture fee upon each petitioning employer who uses a visa number recaptured under this section.

“(B) The fee required under paragraph (A) shall not be imposed for the use of such visas if the employer demonstrates to the Secretary that—

“(I) the employer is a health care facility that is located in a county or parish that received individual and public assistance pursuant to Major Disaster Declaration number 1603 or 1607; or

“(II) the employer is a health care facility that has been designated as a Health Professional Shortage Area facility by the Secretary of Health and Human Services as defined in section 332 of the Public Health Service Act (42 U.S.C. 254e).”

“(5) DOMESTIC WORKER ENHANCEMENT ACCOUNT.—

“(A) ESTABLISHMENT.—There is established in the general fund to the Treasury a separate account which shall be known as the “Domestic Worker Enhancement Account.” Notwithstanding any other provision of law, there shall be deposited as offsetting receipts into the account all fees collected under this section.

“(B) USE OF FUNDS.—Amounts deposited pursuant to paragraph 1(C) shall be made available to the Secretary of Health and Human Services for programs and projects described in subpart 1 of part A of title VIII of the Public Health Service Act (42 U.S.C. §§201 et seq.). Amounts deposited pursuant to paragraph 1(A) and (B) shall be made available to the Secretary of Labor for programs and projects described in Workforce Investment Act of 1998 (P.L. 105-220).

SECTION 2. CAPITATION GRANTS TO INCREASE THE NUMBER OF NURSING FACULTY AND STUDENTS.

Part D of title VIII of the Public Health Service Act (42 U.S.C. 296p et seq.) is amended by adding at the end the following:

SEC. 832. CAPITATION GRANTS.

“(a) IN GENERAL.—For the purpose described in subsection (b), the Secretary, acting through the Health Resources and Services Administration, shall award a grant each fiscal year in an amount determined in accordance with subsection (c) to each eligible school of nursing that submits an application in accordance with this section.”

“(b) PURPOSE.—A funding agreement for a grant under this section is that the eligible school of nursing involved will expend the

grant to increase the number of nursing faculty and students at the school, including by hiring new faculty, retaining current faculty, purchasing educational equipment and audiovisual laboratories, enhancing clinical laboratories, repairing and expanding infrastructure, or recruiting students.

“(c) GRANT COMPUTATION.—

“(1) AMOUNT PER STUDENT.—Subject to paragraph (2), the amount of a grant to an eligible school of nursing under this section for a fiscal year shall be the total of the following:

“(A) \$1,800 for each full-time or part-time student who is enrolled at the school in a graduate program in nursing that—

“(i) leads to a master’s degree, a doctoral degree, or an equivalent degree; and

“(ii) prepares individuals to serve as faculty through additional course work in education and ensuring competency in an advanced practice area.

“(B) \$1,405 for each full-time or part-time student who—

“(i) is enrolled at the school in a program in nursing leading to a bachelor of science degree, a bachelor of nursing degree, a graduate degree in nursing if such program does not meet the requirements of subparagraph (A), or an equivalent degree; and

“(ii) has not more than 3 years of academic credits remaining in the program.

“(C) \$966 for each full-time or part-time student who is enrolled at the school in a program in nursing leading to an associate degree in nursing or an equivalent degree.

“(2) LIMITATION.—In calculating the amount of a grant to a school under paragraph (1), the Secretary may not make a payment with respect to a particular student—

“(A) for more than 2 fiscal years in the case of a student described in paragraph (1)(A) who is enrolled in a graduate program in nursing leading to a master’s degree or an equivalent degree;

“(B) for more than 4 fiscal years in the case of a student described in paragraph (1)(A) who is enrolled in a graduate program in nursing leading to a doctoral degree or an equivalent degree;

“(C) for more than 3 fiscal years in the case of a student described in paragraph (1)(B); or

“(D) for more than 2 fiscal years in the case of a student described in paragraph (1)(C).

“(d) ELIGIBILITY.—In this section, the term ‘eligible school of nursing’ means a school of nursing that—

“(1) is accredited by a nursing accrediting agency recognized by the Secretary of Education;

“(2) has a passage rate on the National Counsel Licensure Examination for Registered Nurses of not less than 80 percent for each of the 3 academic years preceding submission of the grant application; and

“(3) has a graduation rate (based on the number of students in a class who graduate relative to, for a baccalaureate program, the number of students who were enrolled in the class at the beginning of junior year or, for an associate degree program, the number of students who were enrolled in the class at the end of the first year) of not less than 80 percent for each of the 3 academic years preceding submission of the grant application.

“(c) REQUIREMENTS.—The Secretary may award a grant under this section to an eligible school of nursing only if the school gives assurances satisfactory to the Secretary that, for each academic year for which the grant is awarded, the school will comply with the following:

“(1) The school will maintain a passage rate on the National Council Licensure Examination for Registered Nurses of not less than 80 percent.

“(2) The school will maintain a graduation rate (as described in subsection (d)(3)) of not less than 80 percent.

“(3)(A) Subject to subparagraphs (B) and (C), the first year enrollment of full-time nursing students in the school will exceed such enrollment for the preceding academic year by 5 percent or 5 students, whichever is greater.

“(B) Subparagraph (A) shall not apply to the first academic year for which a school receives a grant under this section.

“(C) With respect to any academic year, the Secretary may waive application of subparagraph (A) if—

“(i) the physical facilities at the school involved limit the school from enrolling additional students; or

“(ii) the school has increased enrollment in the school (as described in subparagraph (A)) for each of the 2 preceding academic years.

“(4) Not later than 1 year after receiving a grant under this section, the school will formulate and implement a plan to accomplish at least 2 of the following:

“(A) Establishing or significantly expanding an accelerated baccalaureate degree nursing program designed to graduate new nurses in 12 to 18 months.

“(B) Establishing cooperative intradisciplinary education among schools of nursing with a view toward shared use of technological resources, including information technology.

“(C) Establishing cooperative interdisciplinary training between schools of nursing and schools of allied health, medicine, dentistry, osteopathy, optometry, podiatry, pharmacy, public health, or veterinary medicine, including for the use of the interdisciplinary team approach to the delivery of health services.

“(D) Integrating core competencies on evidence-based practice, quality improvements, and patient-centered care.

“(E) Increasing admissions, enrollment, and retention of qualified individuals who are financially disadvantaged.

“(F) Increasing enrollment of minority and diverse student populations.

“(G) increasing enrollment of new graduate baccalaureate residency programs to prepare nurses for practice in specialty areas where nursing shortages are most severe.

“(I) Increasing integration of geriatric content into the core curriculum.

“(J) Partnering with economically disadvantaged communities to provide nursing education.

“(K) Expanding the ability of nurse managed health centers to provide clinical education training sites to nursing students.

“(5) The school will submit an annual report to the Secretary that includes updated information on the school with respect to student enrollment, student retention, graduation rates, passage rates on the national Council Licensure Examination for Registered Nurses, the number of graduates employed as nursing faculty or nursing care providers within 12 months of graduation, and the number of students who are accepted into graduate programs for further nursing education.

“(6) The school will allow the Secretary to make on-site inspections, and will comply with the Secretary’s request for information, to determine the extent to which the school is complying with the requirements of this section.

“(f) REPORTS TO CONGRESS.—The secretary shall evaluate the results of grants under this section and submit to Congress—

“(1) not later than 18 months after the date of enactment of the ___ Act of 2007, an interim report on such results.

“(2) not later than September 30, 2010, a final report on such results.

“(g) APPLICATION.—An eligible school of nursing seeking a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require.

“(h) AUTHORIZATION OF APPROPRIATIONS.—The Secretary of the Treasury shall make available to the Secretary of Health and Human Services an amount equal to the total amount of fees collected in the Domestic Worker Enhancement Account, established under paragraph (5) of section 106(d) of the American Competitiveness in the Twenty-first Century Act of 2000 (Public Law 106-313; 8 U.S.C. 1153 note) as amended.

(d) ATTESTATION BY HEALTH CARE WORKERS.—

(1) ATTESTATION REQUIREMENT.—Section 212(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5)) is amended by adding at the end the following:

“(E) HEALTH CARE WORKERS WITH OTHER OBLIGATIONS.—

“(i) IN GENERAL.—An alien who seeks to enter the United States for the purpose of performing labor as a physician or other health care worker is inadmissible unless the alien submits to the Secretary of Homeland Security or the Secretary of State, as appropriate, an attestation that the alien is not seeking to enter the United States for such purpose during any period in which the alien has an outstanding obligation to the government of the alien's country of origin or the alien's country of residence.

“(ii) OBLIGATION DEFINED.—In this subparagraph, the term ‘obligation’ means an obligation incurred as part of a valid, voluntary individual agreement in which the alien received financial assistance to defray the costs of education or training to qualify as a physician or other health care worker in consideration for a commitment to work as a physician or other health care worker in the alien's country of origin or the alien's country of residence.

“(iii) WAIVER.—The Secretary of Homeland Security may waive a finding of inadmissibility under clause (i) if the Secretary determines that—

“(I) the obligation was incurred by coercion or other improper means;

“(II) the alien and the government of the country to which the alien has an outstanding obligation have reached a valid, voluntary agreement, pursuant to which the alien's obligation has been deemed satisfied, or the alien has shown to the satisfaction of the Secretary that the alien has been unable to reach such an agreement because of coercion or other improper means; or

“(III) the obligation should not be enforced due to other extraordinary circumstances, including undue hardship that would be suffered by the alien in the absence of a waiver.”

(2) EFFECTIVE DATE; APPLICATION.—

(A) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the date that is 180 days after the date of the enactment of this Act.

(B) APPLICATION BY THE SECRETARY.—Not later than the effective date described in subparagraph (A), the Secretary of Homeland Security shall begin to carry out subparagraph (E) of section 212(a)(5) of the Immigration and Nationality Act, as added by paragraph (1), including the requirement for the attestation and the granting of a waiver described in clause (iii) of such subparagraph (E), regardless of whether regulations to implement such subparagraph have been promulgated.

SA 3443. Mr. HATCH (for himself and Mr. BENNETT) submitted an amendment intended to be proposed by him

to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) The amount appropriated under the heading “SALARIES AND EXPENSES” under the heading “MINE SAFETY AND HEALTH ADMINISTRATION” in this title is increased by \$500,000.

(b) The amount appropriated under the heading “SALARIES AND EXPENSES” under the heading “DEPARTMENTAL MANAGEMENT” in this title is decreased by \$500,000.

(c)(1) The Secretary of Labor (acting through the Assistant Secretary of Labor for Mine Safety and Health), in consultation with the Secretary of Health and Human Services (acting through the Director of the National Institute for Occupational Safety and Health) shall, using the increased funds provided under subsection (a) conduct a study on the effects of the closure of the Western Mining Technology Center, closed in 2000. In conducting the study, the Secretary of Labor shall examine the effect of the Center's closure on the safety of deep cover mining, and shall provide an estimate of the resources necessary to establish a new center, located in the Intermountain West, relating to western mining technology. In conducting the study, the Secretary shall consult with interested groups representing business and labor organizations.

(2) The Secretary of Labor shall submit to the appropriate committees of Congress a report containing the results of the study conducted under paragraph (1).

SA 3445. Mr. DORGAN (for himself and Mr. CONRAD) submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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

SEC. _____. (a) In addition to amounts otherwise appropriated under this Act, there is appropriated, out of any money in the Treasury not otherwise appropriated, an additional \$3,000,000 for the Centers for Disease Control and Prevention to make grants under the State Heart Disease and Stroke Prevention Program.

(b) Amounts made available under this Act for consulting services for the Department of Labor, the Department of Health and Human Services, and the Department of Education shall be further reduced on a pro rata basis by the percentage necessary to decrease the overall amount of such spending by \$3,000,000.

SA 3446. Ms. LANDRIEU submitted an amendment intended to be proposed to amendment SA 3325 proposed by Mr. HARKIN (for himself and Mr. SPECTER) to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

On page 85, line 10, strike the colon and insert

“Provided further, That, no less than 25% of the new grants under the Elementary and Secondary School Counseling program, shall be awarded to local education agencies that demonstrate a need for additional counseling services due to the impact of a federally declared major disaster or emergency.”

SA 3444. Mr. HATCH submitted an amendment intended to be proposed by him to the bill H.R. 3043, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes; which was ordered to lie on the table; as follows:

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