

“(2) PERFORMANCE MEASUREMENT.—All measurements of Amtrak performance, including decisions on whether, and to what extent, to provide operating subsidies, shall be based on Amtrak’s ability to carry out the mission described in paragraph (1).”; and (C) by redesignating paragraphs (9) through (11) in subsection (c) as paragraphs (10) through (12), respectively, and inserting after paragraph (8) the following:

“(9) provide redundant or complimentary intercity transportation service to ensure mobility in times of national disaster or other instances where other travel options are not adequately available.”

(2) CONFORMING AMENDMENT.—The chapter analysis for chapter 241 is amended by striking the item relating to section 24101 and inserting the following:

“24101. Findings, mission, and goals”.

On page 18, line 7, strike “and”.

On page 18, strike lines 8 and 9 and insert the following:

(12) prior fiscal year and projected operating ratio, cash operating loss, and cash operating loss per passenger on a route, business line, and corporate basis;

(13) prior fiscal year and projected specific costs and savings estimates resulting from reform initiatives;

(14) prior fiscal year and projected labor productivity statistics on a route, business line, and corporate basis;

(15) prior fiscal year and projected equipment reliability statistics; and

(16) capital and operating expenditure for anticipated security needs.

**SA 3486.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 105, between lines 13 and 14, insert the following:

“(12) To review rail crossing safety improvements, including improvements using new safety technology.”

**SA 3487.** Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 95, between lines 2 and 3, insert the following:

“(13) A review of the safety of all public railway-highway grade crossings, including security measures, safety conditions, past accidents, possible safety improvements, and any other factors that the Secretary considers relevant.”

**SA 3488.** Mrs. HUTCHISON submitted an amendment intended to be proposed by her to the bill S. 294, to reauthorize Amtrak, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. 224. SENSE OF THE SENATE REGARDING THE NEED TO MAINTAIN AMTRAK AS A NATIONAL PASSENGER RAIL SYSTEM.**

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

(1) In fiscal year 2007, 3,800,000 passengers traveled on Amtrak’s long distance trains, an increase of 2.4 percent over fiscal year 2006.

(2) Amtrak long-distance routes generated \$376,000,000 in revenue in fiscal year 2007, an increase of 5 percent over fiscal year 2006.

(3) Amtrak operates 15 long-distance trains over 18,500 route miles that serve 39 States and the District of Columbia. These trains provide the only rail passenger service to 23 States.

(4) Amtrak’s long-distance trains provide an essential transportation service for many communities and to a significant percentage of the general public.

(5) Many long-distance trains serve small communities with limited or no significant air or bus service, especially in remote or isolated areas in the United States.

(6) As a result of airline deregulation and decisions by national bus carriers to leave many communities, rail transportation may provide the only feasible common carrier transportation option for a growing number of areas.

(7) If long-distance trains were eliminated, 23 States and 243 communities would be left with no intercity passenger rail service and 16 other States would lose some rail service. These trains provide a strong economic benefit for the States and communities that they serve.

(8) Long-distance trains also provide transportation during periods of severe weather or emergencies that stall other modes of transportation.

(9) Amtrak provided the only reliable long-distance transportation following the September 11, 2001 terrorist attacks that grounded air travel.

(10) The majority of passengers on long-distance trains do not travel between the endpoints, but rather between any combination of cities along the route.

(11) Passenger trains provide transportation options, mobility for underserved populations, congestion mitigation, and jobs in the areas they serve.

(12) Passenger rail has a positive impact on the environment compared to other modes of transportation by conserving energy, reducing greenhouse gas emissions, and cutting down on other airborne particulate and toxic emissions.

(13) Amtrak communities that are served use passenger rail and passenger rail stations as a significant source of economic development.

(14) This Act makes meaningful and important reforms to increase the efficiency, profitability and on-time performance of Amtrak’s long-distance routes.

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

(1) long-distance passenger rail is a vital and necessary part of our national transportation system and economy; and

(2) Amtrak should maintain a national passenger rail system, including long-distance routes, that connects the continental United States from coast to coast and from border to border.”

**SA 3489.** Mr. SCHUMER submitted an amendment intended to be proposed by him to the bill S. 294, to reauthorize Amtrak, and for other purposes; which was ordered to lie on the table; as follows:

On page 60, after line 22, add the following:

**SEC. 224. PASSENGER RAIL COST STUDY.**

(a) IN GENERAL.—The National Railroad Passenger Corporation shall conduct a study to determine the potential cost and economic impact of passenger rail service between Scranton, Pennsylvania and Binghamton, New York.

(b) SUBMISSION.—Not later than 1 year after the date of the enactment of this Act, Amtrak shall submit a report containing the results of the study conducted under this section to—

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

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

#### SEQUENTIAL REFERRAL EXTENSION

Ms. CANTWELL. Madam President, as in executive session, I ask unanimous consent that the sequential referral of the nomination of Julia L. Myers, of Kansas, to be an Assistant Secretary of Homeland Security, to the Committee on Judiciary be extended until November 2, 2007; further that if the nomination is not reported at that time, the nomination then be automatically discharged and placed on the Executive Calendar.

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

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 255, R. Lyle Laverty to be Assistant Secretary for Fish and Wildlife; that the nomination be confirmed; the motion to reconsider be laid upon the table; the President be immediately notified of the Senate’s action and the Senate then return to legislative session.

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

The nomination considered and confirmed is as follows:

#### DEPARTMENT OF THE INTERIOR

R. Lyle Laverty, of Colorado, to be Assistant Secretary for Fish and Wildlife.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

#### CONGRATULATING THE BOSTON RED SOX

Ms. CANTWELL. Madam President, I ask unanimous consent that the Senate now proceed to the immediate consideration of S. Res. 359, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 359) congratulating the Boston Red Sox on winning the 2007 World Series.

There being no objection, the Senate proceeded to consider the resolution.

Ms. CANTWELL. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, en bloc, and any statements be printed in the RECORD.

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

The resolution (S. Res. 359) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 359

Whereas on October 28, 2007, the Boston Red Sox won the 2007 World Series by a 4-game sweep of the Colorado Rockies;

Whereas the Colorado Rockies deserve great credit for their historic performance during the 2007 baseball season and post-season, in which the Rockies won a remarkable 21 of the final 22 games heading into the World Series;

Whereas the Boston Red Sox victory was the second world title of the Red Sox in 4 years and the seventh world title in the 107-year history of the revered New England team;

Whereas the 2007 Red Sox world championship team, like the 2004 Red Sox world championship team, epitomized the very best in sportsmanship, team spirit, and heart in the course of winning the American League Championship Series and the World Series;

Whereas the 2007 Red Sox world championship team honored the careers of all former Red Sox legends, including Bobby Doerr, Carl Yastrzemski, Carlton Fisk, Jimmie Foxx, Cy Young, Johnny Pesky, Dom DiMaggio, Joe Cronin, Jim Rice, and Ted Williams;

Whereas the Red Sox were led back to the World Series this season by the determination of 2004 world championship team veterans, including Manny Ramirez, David Ortiz, Tim Wakefield, Curt Schilling, Jason Varitek, Mike Timlin, Kevin Youkilis, and Doug Mirabelli;

Whereas the 2007 season produced new Red Sox stars, including Josh Beckett, Jacoby Ellsbury, Dustin Pedroia, Julio Lugo, Mike Lowell, Jonathan Papelbon, Hideki Okajima, Daisuke Matsuzaka, J.D. Drew, Jon Lester, and rookie right-hander Clay Buchholz, who in his second major league start, pitched the 17th no-hitter in Red Sox history;

Whereas Red Sox manager Terry Francona has won a remarkable 2 World Series in the past 4 years at the helm of the Red Sox and assembled one of the greatest Red Sox teams of all time;

Whereas Red Sox owners John Henry and Tom Werner and Red Sox president and chief executive officer Larry Lucchino and general manager Theo Epstein ended an 86-year World Series drought in 2004 and ushered in a new era in Boston baseball that has been confirmed in 2007;

Whereas the Red Sox, playing before 44,588 Cleveland Indian fans who stood just one game away from celebrating their team's first World Series appearance in a decade, demonstrated the highest qualities of teamwork and determination by winning the first

game of a historic run reminiscent of the 2004 American League Championship Series;

Whereas the Red Sox outscored their opponents 59-15 during a 7-game winning streak ending in a victory in game 4 of the World Series in Colorado;

Whereas the Red Sox have won their last 8 consecutive World Series games;

Whereas Josh Beckett, Jonathan Papelbon, and Daisuke Matsuzaka delivered masterful post-season pitching performances, and Curt Schilling demonstrated again why he is considered to be one of the most dominant post-season pitchers in baseball history;

Whereas Jon Lester exhibited incredible courage and determination and provided inspiration to many by pitching 5 2/3 shutout innings in game 4 of the World Series, just 1 year after undergoing chemotherapy for lymphoma;

Whereas Mike Lowell, who led the Red Sox with 120 runs-batted-in during 2007, batted .400 during the World Series, with 6 runs scored and 4 runs-batted-in, to earn the most valuable player award;

Whereas pitching phenomena Daisuke Matsuzaka and Hideki Okajima have helped produce close ties between the people of New England and Japan with their extraordinary play this year;

Whereas the entire Red Sox organization has a strong commitment to charitable causes in New England, demonstrated by the team's 54-year support of the "Jimmy Fund" of the Dana-Farber Cancer Institute, contributing to the ongoing battle against childhood cancers;

Whereas fans of the Red Sox are found in every corner of the United States and across the globe, far beyond Boston and New England; and

Whereas the members of the "Red Sox Nation" express their immense gratitude to the entire Red Sox team for an inspiring 2007 season and for bringing another world championship title to Boston: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates—

(A) the Boston Red Sox for winning the 2007 Major League Baseball World Series and the players, manager, coaches, support staff, and team owners and executives whose ability, hard work, dedication, and spirit made this season possible; and

(B) the Colorado Rockies for their extraordinary success during the 2007 season in winning the National League Championship; and

(2) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Red Sox manager Terry Francona;

(B) Red Sox general manager Theo Epstein;

(C) Red Sox president and chief executive officer Larry Lucchino;

(D) Red Sox principal owner John Henry; and

(E) Red Sox chairman Tom Werner.

ORDERS FOR TUESDAY, OCTOBER 30, 2007

Ms. CANTWELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Tuesday, October 30; that on Tuesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that there then be period of morning business for 60 minutes, with Senators permitted to speak therein for up to 10 minutes each, with Republicans controlling the first half and the majority controlling the final half; that following morning business, the Senate resume consideration of S. 294, the Amtrak legislation; that on Tuesday, the Senate stand in recess from 12:30 until 2:15 p.m. for the respective party conference meetings; further, I ask unanimous consent that the Members have until 12 noon to file any second-degree amendments.

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

#### PROGRAM

Ms. CANTWELL. Madam President, as a reminder to Members, a couple of votes with respect to amendments are expected to occur prior to the cloture vote; therefore, up to three rollcall votes could occur prior to the Senate recessing for the caucus meetings.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Ms. CANTWELL. Madam President, if there is no further business, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 7:19 p.m., adjourned until Tuesday, October 30, 2007, at 10 a.m.

#### CONFIRMATION

Executive nomination confirmed by the Senate Monday, October 29, 2007:

##### DEPARTMENT OF THE INTERIOR

R. LYLE LAVERTY, OF COLORADO, TO BE ASSISTANT SECRETARY FOR FISH AND WILDLIFE.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.