

one Senator. I am not a member of that committee. That will be up to Senators LEAHY and SPECTER to run as they see fit and to bring the nominations forward. I will do what I can, working with Senator LEAHY, to expedite the judicial process, but I do not want to interfere with their work other than to say what I have said. I hope people understand the relationship Senator MCCONNELL and I have as to how the Senate runs is extremely important. There are times, I can tell my colleagues without any reservation, when I wish I were the Speaker of the House. The Speaker of the House doesn't have to worry about the minority; they run over everybody. That is the way it is set up. But here, the Founding Fathers those many years ago when they came up with this unique experiment called the Congress, a bicameral legislature, these wise men set up this situation so that one House, if you are in control—if one party is in control, they can do anything they want, and in the other House—the Senate—if one party is in control, they can do some things they want but not everything, because the minority has tremendous power in the Senate. I know. I have been in the minority quite a bit.

So I want the RECORD to reflect I will continue to work with Senator MCCONNELL to move these judges as quickly as we can, and I hope this statement reflects my position on judges. I will do my very best, and if any problems arise regarding judges and people don't understand my position, if I haven't explained it clearly enough today, I will try to do so again if any questions arise.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

#### JUDICIAL NOMINEES

Mr. MCCONNELL. Mr. President, seeing the occupant of the Chair and realizing he is new to the Senate and learning the process here, I think the majority leader had it right. One thing that is important for everyone to remember is that in the Senate, if you are here for a while, sooner or later the shoe is on the other foot. The position you are in today is the position your adversary may be in very soon in the future. So the precedents we set in the Senate are extremely important.

The majority leader and I, as he indicated this morning, talked about this issue at the beginning of the session and we agreed that the process of confirming circuit court judges had become entirely too contentious, and it was largely a waste of time to try to cast blame as to who was most at fault in that situation developing. To the maximum extent possible, we agreed we wanted to have a clean, fresh start that would honor the traditions of the Senate.

A good way to look at it is to look at the last three Presidents. Each of them in the last 2 years of their tenure in office had a Senate controlled by the opposition party. So the question is, how did the opposition party in the Senate treat the President on circuit court nominees? Looking at the statistics, President Bush, 41; President Clinton and President Bush, 43; and we will see how he comes out, President Bush, President Clinton, and President Reagan, there were an average of 17 circuit court judges confirmed in similar situations.

The majority leader, in one of our discussions on the floor back in February, said:

This is not our last circuit court judge, but the first of a significant number who can at least meet the standards of Congresses similarly situated as ours.

That was an accurate public reflection by the majority leader back in February of the numerous conversations he and I have had, both publicly and privately, about the standard we ought to achieve here in this Congress. I think that is a standard that can still be met. Three circuit judges have been confirmed this year—a little slower process than frankly I had thought, particularly since we are in the early part of the Congress where presumably it would be more easily done than later. The majority leader was entirely correct, and I commend him, for referring to the gesture the President made at the beginning of this Congress about not resubmitting four or five highly contentious nominees that it is clear the new Democratic majority, as well as the Democratic minority in the past, did not want to see confirmed. The President took those off the table, sent up new nominees, and most of them are completely without controversy. One of them will have a hearing beginning at 10 o'clock this morning, and how that turns out and how that individual is treated will tell us a lot about where we are going to be able to go from here to achieve the standard the majority leader referred to that he and I wish to meet for this Congress.

I thank my friend from Nevada for his observations. I agree with them. I think they accurately reflect our mutual desire here to have this Congress do no worse than the last three Congresses—this Senate—in the last 2 years with Presidents of the opposite party. It is a standard that can be met. It is a standard that should be met.

One day, in spite of the best efforts of people like myself, there will be a Democratic President. One of the things we know around here is that precedents established and lessons learned are hard to undo. So I say to our good friends on the other side, heed the advice of the majority leader. It is in your best interests for us to have a less contentious and more successful treatment of circuit judges during this Congress.

Mr. President, I yield the floor.

#### ORDER OF PROCEDURE

Mr. REID. Mr. President, how much time is left prior to the vote?

The PRESIDING OFFICER. There is 5 minutes remaining prior to the vote.

Mr. REID. I ask that the time be divided equally between Senators BOXER and INHOFE, and that the vote occur immediately after their statements.

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

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### WATER RESOURCES DEVELOPMENT ACT OF 2007—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to H.R. 1495, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to the bill (H.R. 1495) to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes.

The PRESIDING OFFICER. Under the previous order, the time until 9:55 a.m. shall be equally divided and controlled between the chair and the ranking member of the Environmental and Public Works Committee.

Mrs. BOXER. Mr. President, Senator INHOFE and I wish to be heard for 3 minutes each, if we could have the vote at the end of that. We ask unanimous consent to please accommodate us so we would have the vote 6 minutes from now and divide the time for 3 minutes each.

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

Mrs. BOXER. Mr. President, will you tell me when my 3 minutes has expired so I can then yield the remainder to my friend?

The PRESIDING OFFICER. The Senator will be informed.

Mrs. BOXER. Mr. President, around here we have a lot of tough issues. We have a lot of disagreements. We try to work together. I have to say on this bill, this Water Resources Development Act, we have a bill that is the product of major bipartisan cooperation. Senator INHOFE and I are very proud of the work that has been done on both sides of the aisle. We have had tremendous help from our committee. The chair and ranking member of the subcommittee that oversees this, Chairman BAUCUS and Ranking Member ISAKSON, have been extraordinarily helpful, and all colleagues have as well.

It is rare to have a bill that is supported by the National Association of Manufacturers and the Laborers Union, the American Farm Bureau and the Carpenters Union, the National Waterways Conference, the Associated General Contractors, and the Operating

Engineers. So we are here today to tell the Senate that this bill is a win-win for everyone in this country. We urge our colleagues who have amendments to consider them carefully, because we have worked so hard to balance this bill. It is a delicate balance. I know I have colleagues on my side who have ideas that I support, but I have an agreement, as does Senator BAUCUS, as do Senator ISAKSON and Senator INHOFE, that we will oppose all amendments that are not unanimously agreed to by the four of us in order to keep the balance in this bill. If we have amendments all four of us can agree to, they will be placed in a managers' package.

We want colleagues to please come to this floor as soon as possible with their amendments so we can see how we can dispose of them. Even though we will probably not be voting tomorrow or Monday, we will be working here on this bill.

This bill makes a huge commitment to the people of Louisiana. It puts Louisiana's coast on a category 5 protection path. It is fiscally responsible.

At this time I ask unanimous consent to do something very important, which is to have printed in the RECORD the CBO cost estimate associated with the substitute text that will be considered by the Senate.

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

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, May 8, 2007.

Hon. BARBARA BOXER,  
Chairman, Committee on Environment and Public Works, U.S. Senate, Washington, DC.

DEAR MADAM CHAIRMAN: As you requested, CBO has reviewed a proposed amendment in the nature of a substitute to S. 1248, the Water Resources Development Act of 2007, as ordered reported by the Senate Committee on Environment and Public Works on March 29, 2007. The amendment was provided to CBO by your office on May 7, 2007. Based on a preliminary review of the amendment, CBO estimates that implementing S. 1248 with the proposed amendment would increase discretionary outlays by \$7.1 billion over the 2008–2012 period and by an additional \$6.8 billion over the 10 years after 2012, assuming appropriation of the necessary sums. In addition, CBO estimates that enacting the bill with the proposed amendment would increase direct spending by \$6 million in 2008, by \$4 million over the 2008–2012 period, and by \$5 million over the 2008–2017 period. Enacting the bill would not affect federal revenues.

The bill with the proposed amendment contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). Federal participation in the levee safety program and in water resource projects and programs authorized by this bill would benefit state, local, and tribal governments. Any costs incurred by those governments to comply with the conditions of this federal assistance would be incurred voluntarily.

Based on a preliminary review of the bill, CBO found no new private-sector mandates as defined in UMRA.

The estimated budgetary impact of the legislation with the proposed amendment is shown in the following table.

	By fiscal year, in millions of dollars—				
	2008	2009	2010	2011	2012
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated authorization level .....	1,649	1,725	1,648	1,571	1,454
Estimated outlays	909	1,448	1,651	1,599	1,501
CHANGES IN DIRECT SPENDING: <sup>1</sup>					
Estimated budget authority .....	6	-2	*	*	*
Estimated outlays	6	-2	*	*	*

NOTE: \* = less than \$500,000.

<sup>1</sup> Annual changes in direct spending after 2012 would sum to less than \$500,000 a year.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Tyler Kruzich.

Sincerely,

PETER R. ORSZAG,  
Director.

#### WATER RESOURCES DEVELOPMENT ACT OF 2007

Summary: The Water Resources Development Act of 2007 would authorize the Army Corps of Engineers (Corps) to conduct water resource studies and undertake specified projects and programs for flood control, inland navigation, shoreline protection, and environmental restoration. The bill would authorize the agency to conduct studies on water resource needs, to complete feasibility studies for specified projects, and to convey ownership of certain federal properties. Finally, the bill would extend, terminate, or modify existing authorizations for various water projects and would authorize new programs to develop water resources and protect the environment.

Assuming appropriation of the necessary amounts, including adjustments for increases in anticipated inflation, CBO estimates that implementing the legislation would cost about \$5.5 billion over the 2008–2012 period and an additional \$26 billion over the 10 years after 2012. In particular, section 1003(0) would effectively authorize the Corps to construct projects in southern Louisiana to protect the region from a hurricane storm surge that results from a category 5 hurricane. Cost estimates to provide that level of protection in the New Orleans region are not available. However, based on the anticipated cost of flood protection projects envisioned for this region, CBO expects that additional flood protection efforts would cost at least \$15 billion during the decade following 2012 and perhaps much more. (Some construction costs and operations and maintenance would continue or commence after those first 15 years.)

The bill would convey parcels of land to various nonfederal entities and would forgive the obligation of some local government agencies to pay certain project costs. The bill also would allow the Corps to collect and spend fees charged for training courses offered by the Corps and for processing certain permits issued by the Corps. CBO estimates that enacting those provisions would increase net direct spending by \$6 million in 2008, by \$4 million over the 2008–2012 period, and by \$5 million over the 2008–2017 period. Enacting the bill would not affect revenues.

The legislation contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). Federal participation in the levee safety program and in water resource projects and programs authorized by this bill would benefit state, local, and tribal governments. Any costs incurred by those governments to comply with the conditions of this federal assistance would be incurred voluntarily.

Estimated cost to the Federal Government: The estimated budgetary impact of the legislation is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—				
	2008	2009	2010	2011	2012
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Estimated authorization level .....	1,224	1,350	1,265	1,209	1,197
Estimated outlays	674	1,112	1,272	1,233	1,197
CHANGES IN DIRECT SPENDING: <sup>1</sup>					
Estimated budget authority .....	6	-2	*	*	*
Estimated outlays	6	-2	*	*	*

Note: \* = less than \$500,000.

<sup>1</sup> Annual changes in direct spending after 2012 would sum to less than \$500,000 a year.

Basis of estimate: For this estimate, CBO assumes that the bill will be enacted before the start of fiscal year 2008 and that the necessary amounts will be appropriated for each fiscal year.

#### SPENDING SUBJECT TO APPROPRIATION

The bill would authorize new projects related to environmental restoration, shoreline protection, and navigation. It also would modify many existing Corps projects and programs by increasing the amounts authorized to be appropriated to construct or maintain them or by increasing the federal share of project costs. Assuming appropriation of the necessary funds, CBO estimates that implementing the bill would cost \$5.5 billion over the 2008–2012 period and an additional \$26 billion over the 10 years after 2012, including at least \$15 billion that would be authorized by section 1003(0).

For newly authorized water projects specified in the bill, the Corps provided CBO with estimates of the annual budget authority needed to meet project design and construction schedules. CBO adjusted those estimates to reflect the impact of anticipated inflation during the time between project authorization and the appropriation of construction costs. Estimated outlays are based on historical spending rates for Corps projects.

Significant New Authorizations. The legislation would authorize the Corps to conduct water resource studies and undertake specified projects and programs for flood control, inland navigation, shoreline protection, and environmental restoration. For example, the bill would authorize the construction of enhanced navigation improvements for the Upper Mississippi River at an estimated federal cost of \$1.8 billion and an ecosystem restoration project, also on the Upper Mississippi River, at an estimated federal cost of \$1.6 billion. Another large project that would be authorized by this bill is the Indian River Lagoon project in the Florida Everglades at an estimated federal cost of \$683 million. Construction of those projects would likely take more than 15 years.

Hurricane Damage. Several provisions in title I would authorize coastal restoration projects and water control infrastructure in Louisiana that are needed to correct hurricane damage. For example, the Morganza to the Gulf of Mexico Hurricane Protection Project would seek to reduce hurricane and flood damages across 1,700 square miles of coastal Louisiana at an estimated federal cost of \$576 million. Other projects would improve flood protection infrastructure within New Orleans and its vicinity. The cost of those provisions would approach \$2 billion. CBO expects that most of those projects would be built over the next five to 10 years. Improvements resulting from the completion of those projects could reduce the costs of damages from future storms and the amount of federal funds needed for recovery from such events.

Section 1003(o) of the bill would authorize the Secretary to construct projects in southern Louisiana that would provide protection

for a storm surge equivalent to a category 5 hurricane (or a 500-year storm, which is a storm that has a 1-in-500 chance of hitting the city in any given year) if the Senate Committee on Environment and Public Works and the House Committee on Transportation and Infrastructure each pass a resolution approving those projects.

Very preliminary cost estimates from Corps officials indicate that the cost of protecting New Orleans from a hurricane storm surge that has a 1-in-100 chance of flooding the city in any given year could reach a total of \$15 billion. No preliminary cost estimates are available for the resources that would be needed to protect southern Louisiana from the storm surge that would result from a category 5 hurricane. CBO estimates that at least \$15 billion would be needed to provide storm-surge protection under section 1003(o) from much more severe storms.

**Federal Share of Project Costs.** Most projects undertaken by the Corps are required to have a specific portion of costs covered by local interests, and the remaining costs are considered the federal share of the total project cost. Section 2001 would allow local interests that have provided in-kind contributions for the construction of water resources projects to have the value of such contributions credited toward the local share of the total construction cost of such projects. Under the bill, the Corps would be authorized to credit in-kind contributions of local participants on projects. Based on information from the Corps, CBO expects that any credit toward in-kind contributions would not significantly affect the federal share of total project costs.

**Deauthorizations.** The bill would withdraw the authority for the Corps to build more than 50 projects authorized in previous legislation. Based on information from the Corps, however, CBO does not expect that the agency would begin any significant work under current law for most of those projects during the next five years (or longer). Some of those projects do not have a local sponsor to pay nonfederal costs, others do not pass certain tests for economic viability, and still others do not pass certain tests for environmental protection. Consequently, CBO estimates that cancelling the authority to build those projects would provide no significant savings over the next several years.

#### DIRECT SPENDING

CBO estimates that enacting the legislation would increase net direct spending by \$6 million in 2008, by \$4 million over the 2008–2012 period, and by \$5 million total over the 2008–2017 period. Components of this estimate are described below.

**Various Land Conveyances.** The bill would authorize the conveyance at fair market value of 650 acres of federal land at the Richard B. Russell Lake in South Carolina to the state. The bill also would authorize the conveyance at fair market value of 900 acres of federal land located in Grayson County, Texas, to the town of Denison, Texas. Based on information from the Corps, CBO estimates that the federal government would receive about \$3 million in each of 2008 and 2009 from those sales.

The bill also would convey certain federal land in Arkansas, Missouri, Georgia, Kansas, and Oregon. CBO estimates that those conveyances would have no significant impact on the federal budget.

**Arcadia Lake, Oklahoma.** Section 3078 would eliminate the obligation of the city of Edmond, Oklahoma, to pay outstanding interest due on its water storage contract with the Corps. CBO estimates that this provision would result in a loss of receipts of about \$9 million in 2008. The city has no further obli-

gations to pay the federal government under this storage contract after 2008.

**Waurika Lake Project.** Section 3082 would eliminate the obligation of the Waurika Project Master Conservancy District in Oklahoma to pay its outstanding debt related to the construction of a water conveyance project. Because of an accounting error, the Corps inadvertently undercharged the district for costs associated with a land purchase related to the water project in the early 1980s. Under terms of the construction contract, the district is required to pay all costs associated with building the project, including the full cost of the land purchases. The section would eliminate the requirement for the district to pay the difference between the full cost of the property and the initial (undercharged) amounts. CBO estimates that enacting this section would cost less than \$200,000 a year over the 2008–2017 period.

**Fees for Training and Processing Permits.** Title II would allow the Corps to accept and spend fees collected in conjunction with its training courses. Title II also would make permanent the Corps' current authority to accept and spend funds contributed by private firms to expedite the evaluation of permit applications submitted to the Corps. CBO estimates that the Corps would collect and spend less than \$500,000 during each year under those provisions and that the net budgetary impact would be negligible.

**Intergovernmental and private-sector impact:** The legislation contains no intergovernmental or private-sector mandates as defined in UMRA. Grant funds authorized in the bill would benefit state governments that participate in a national program to improve levee safety. State, local, and tribal governments also would benefit from water resource projects and other programs authorized in the bill. Governments that choose to participate in those programs and projects would incur costs to comply with the conditions of the federal assistance, including cost-sharing requirements, but such costs would be incurred voluntarily. In addition, some state and local governments participating in ongoing water resources projects would benefit from provisions in the bill that would alter existing cost-sharing obligations. Many of those provisions would make it easier for non federal participants to meet their obligations by giving them credit for expenses they have already incurred or by expanding the types of expenditures counted towards the nonfederal share.

**Previous CBO estimate:** On March 29, 2007, CBO transmitted a cost estimate for H.R. 1495, the Water Resources Development Act of 2007, as ordered reported by the House Committee on Transportation and Infrastructure on March 15, 2007. Assuming appropriation of the necessary amounts, CBO estimated that implementing H.R. 1495 would cost about \$6.7 billion over the 2008–2012 period and an additional \$6.5 billion over the 10 years after 2012. In addition, CBO estimated that enacting H.R. 1495 would decrease net direct spending by \$6 million in 2008, \$9 million over the 2008–2012 period, and \$8 million over the 2008–2017 period. The differences in the cost estimates stem from different levels of authorized funding and from differences in direct spending provisions. In particular, the House bill does not contain the provision regarding Arcadia Lake, Oklahoma.

**Estimate prepared by:** Federal Costs: Tyler Kruzich; Impact on State, Local, and Tribal Governments: Lisa Ramirez-Branum; Impact on the Private Sector: Amy Petz.

**Estimate approved by:** Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

**Mrs. BOXER.** Mr. President, what we are very proud of, both Senator INHOFE

and I, is that the CBO comes in with a cost estimate that is \$13.9 billion, which is about \$2 billion less than the House-passed bill.

So for all of those reasons, we urge a “yes” vote on this motion to proceed on this bill.

I yield the remaining time to my friend and colleague Senator INHOFE.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

**Mr. INHOFE.** Mr. President, I thank the leader and the chairman of the committee. Let me make one comment which I think is very important. We had such a short period of time to talk before this, and I hope anyone who has any concern over this bill at least will go ahead on the motion to proceed.

Let me make one comment that surprises a lot of people. It is true I used to chair this committee before the Democrats took the majority, and now Senator BOXER is the chairman. Senator BOXER is a very proud liberal Democrat and I am a very proud conservative Republican. I think it is important for people to understand that, because there are areas where we agree. We understand we have a crisis in this country on infrastructure.

I have often said—and I am ranked No. 1 as the most conservative Member of the Senate—I feel we need to spend in areas of national defense and infrastructure, and this bill is the second most important infrastructure bill that is out there. We are far beyond the time we should have had this. It has been some 7 years since we have had an infrastructure bill.

Let me say to my conservative friends, it was misreported that this is going to be a \$30.5 billion bill. It is less than half of that. It is less than the House has sent over. I can tell my colleagues this: If we don't pass this—this is not a spending bill; this is a reauthorization bill. This is not an appropriations bill. So if we don't do this, then it will be done without any guidelines. We followed guidelines. Perhaps they are not quite as good as they were a year ago, but still, they are guidelines in terms of what we will consider and what we won't. But if we don't pass this, then we will be doing it without any type of discipline at all. So I think it is very important that we agree to move on to the bill.

I yield my last minute to the Senator from Georgia, who is the ranking member of the subcommittee.

**Mr. ISAKSON.** Mr. President, I thank the ranking member and I commend the chairman on great work on this bill. I want to make one point. This is not a spending bill; this is an investment bill. It is an investment in safe drinking water. It is an investment in storm water management. It is an investment in flood control and water resources of the United States of America. It is fiscally responsible and it is accountable. We have worked together in an absolutely bipartisan way to accomplish that.

I encourage each of our Members to come and vote for the motion to proceed. If they have an amendment, bring it early, and let's go forward with the most important bill we may do in this session of the Congress of the United States.

I want to add to that it is bipartisan, it is fiscally responsible, and it is the

first time we have reauthorized it in 7 years. It is long overdue and important for us to do it now.

Mrs. BOXER. Mr. President, even though the disclosure requirements of S. 1 have not been enacted, Senator INHOFE and I believe we should comply with the intent of that legislation, so I ask unanimous consent to have printed

in the RECORD a listing of all the project-related provisions of the substitute text and the proponents of those provisions.

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



WATER RESOURCES DEVELOPMENT ACT OF 2007

Section	Project Name	Senator	Senator
Section 1005 - SMALL PROJECTS FOR NAVIGATION	CROW RIVER, ROCKFORD, MINNESOTA	Coleman	Klobuchar
	SOUTH BRANCH OF THE WILD RICE RIVER, BORUP, MINNESOTA	Coleman	Klobuchar
	CHEYENNE, WYOMING	Thomas	
	BARROW HARBOR, ALASKA	Stevens	Murkowski
	NOME HARBOR, ALASKA	Stevens	Murkowski
	OLD HARBOR, ALASKA	Lincoln	Frost
	LITTLE ROCK PORT, ARKANSAS	Kennedy	Kerry
	EAST BASIN, MASSACHUSETTS	Kennedy	Kerry
	MERRIMACK RIVER, MASSACHUSETTS	Kennedy	Kerry
	OAK BLUFFS HARBOR, MASSACHUSETTS	Kennedy	Kerry
	WOODS HOLE GREAT HARBOR, MASSACHUSETTS	Kennedy	Kerry
	AJ SABLE RIVER, MICHIGAN	Stabenow	Stabenow
	CLINTON RIVER, MICHIGAN	Levin	Levin
	ONTONAGON RIVER, MICHIGAN	Levin	Levin
	TRAVERSE CITY, MICHIGAN	Levin	Levin
SEBOWING RIVER, MICHIGAN	Coleman	Klobuchar	
TOWER HARBOR, MINNESOTA	Stabenow	Stabenow	
OUTER CHANNEL AND INNER HARBOR, MENOMINEE HARBOR, MICHIGAN AND WISCONSIN	Volnovich		
MIDDLE BASS ISLAND STATE PARK, MIDDLE BASS ISLAND, OHIO	Kohn		
MILWAUKEE HARBOR, WISCONSIN			
Section 1006 - SMALL PROJECTS FOR AQUATIC ECOSYSTEM RESTORATION	BLACK LAKE, ALASKA	Stevens	Murkowski
	SAN DIEGO RIVER, CALIFORNIA	Boxer	
	SUISON MARSH, SAN PABLO BAY, CALIFORNIA	Boxer	
	CHATTahoochee FALL LINE, GEORGIA	Chambliss	Isakson
	MILL POND, LITTLETON, MASSACHUSETTS	Kennedy	Kerry
	MILFORD POND, MILFORD, MASSACHUSETTS	Kennedy	Kerry
	PINE TREE BROOK, MILTON, MASSACHUSETTS	Levin	Stabenow
	CLINTON RIVER, MICHIGAN	Burr	
	CALDWELL COUNTY, NORTH CAROLINA	Burr	
	MECKLENBERG COUNTY, NORTH CAROLINA	Wyden	Smith
	JOHNSON CREEK, GRESHAM, OREGON	Reed	Whitehouse
	BLACKSTONE RIVER, RHODE ISLAND	Warner	
	COLLEGE LAKE, LYNCHBURG, VIRGINIA		
	TYBEE ISLAND, GEORGIA	Chambliss	Isakson
	BURNS WATERWAY HARBOR, INDIANA	Lugar	Bayh
Section 1007 - SMALL PROJECTS TO PREVENT OR MITIGATE DAMAGE CAUSED BY NAVIGATION PROJECTS	BURNS WATERWAY HARBOR, INDIANA	Nelson (NE)	
	Section 1008 - SMALL PROJECTS FOR AQUATIC PLANT CONTROL		
	Title II - General Provisions		
	Subtitle A - Provisions		
	Section 2011 - CONSTRUCTION OF FLOOD CONTROL PROJECTS BY NON-FEDERAL INTERESTS		
	THORNTON RESERVOIR, COOK COUNTY, ILLINOIS	Durbin	Obama
	BUFFALO BAYOU, TEXAS	Hutchison	Cornyn
	HALLS BAYOU, TEXAS	Hutchison	Cornyn
	Section 2012 - REGIONAL SEDIMENT MANAGEMENT	Kohn	
	MENOMINEE RIVER WATERSHED, WISCONSIN		
	FIRE ISLAND INLET, SUFFOLK COUNTY, NEW YORK	Clinton	
	FLETCHER COVE, CALIFORNIA	Boxer	
	DELAWARE RIVER ESTUARY, NEW JERSEY AND PENNSYLVANIA	Laubenberg	Menendez
	TOLEDO HARBOR, LUCAS COUNTY, OHIO	Volnovich	
	Section 2016 - ECOSYSTEM RESTORATION BENEFITS		
GRAYSON'S CREEK, CALIFORNIA	Boxer		
SEVEN OAKS, CALIFORNIA	Boxer		

WATER RESOURCES DEVELOPMENT ACT OF 2007

Section 2001	OXFORD, CALIFORNIA	Bower	
Section 2002	WALNUT CREEK, CALIFORNIA	Bower	
Section 2003	WILCOX PHASE 1, CALIFORNIA	Bower	
Section 2004	SMALL PROJECTS FOR THE REHABILITATION AND REMOVAL OF DAMS	Chenilles	Isakson
Section 2005	LEON CREEK, GEORGIA	Durbin	Obama
Section 2006	MCINTOSH LAKE, GEORGIA	Leahy	Baugh
Section 2007	MCINTOSH LAKE POND DAM, FULTON COUNTY, INDIANA	Leahy	Stabenow
Section 2008	HAMILTON DAM, FLINT RIVER, MICHIGAN	Specker	Casey
Section 2009	INGHAM SPRING DAM, SOLEBURY TOWNSHIP, PENNSYLVANIA	Specker	Casey
Section 2010	STILLWATER LAKE DAM, MONROE COUNTY, PENNSYLVANIA	Specker	Casey
Section 2011	ST. HERMAN AND ST. PAUL, HARBORS, KODIAK, ALASKA	Stevens	Murkowski
Section 2012	SITKA, ALASKA	Stevens	Murkowski
Section 2013	BLACK WARRIOR, TOMBIGBEE RIVERS, ALABAMA	Strahy	Murkowski
Section 2014	NOGALES WASH AND TRIBUTARIES FLOOD CONTROL PROJECT, ARIZONA	Kyl	
Section 2015	RIO DE FLAG FLAGSTAFF, ARIZONA	Kyl	
Section 2016	TULSON DRAINAGE AREA (TULSON ARROYO), ARIZONA	Kyl	
Section 2017	ALGUSTA AND CLARENDON, ARKANSAS	Lincoln	Pryor
Section 2018	EASTERN ARKANSAS ENTERPRISE COMMUNITY, ARKANSAS	Lincoln	Pryor
Section 2019	RED-QUACHITA RIVER BASIN LEVEES, ARKANSAS AND LOUISIANA	Lincoln	Pryor
Section 2020	ST. FRANCIS BASIN, ARKANSAS AND MISSOURI	Lincoln	Pryor
Section 2021	MCLELLAN-KERR ARKANSAS RIVER NAVIGATION SYSTEM, ARKANSAS AND OKLAHOMA	Lincoln	Pryor
Section 2022	CACHE CREEK BASIN, CALIFORNIA	Inhofe	
Section 2023	CALFED LEVEE STABILITY PROGRAM, CALIFORNIA	Bayer	
Section 2024	HAMILTON AIRFIELD, CALIFORNIA	Bayer	
Section 2025	LA-3 DREDGED MATERIAL OCEAN DISPOSAL SITE DESIGNATION, CALIFORNIA	Bayer	
Section 2026	LARKSPUR FERRY CHANNEL, CALIFORNIA	Bayer	
Section 2027	LAGAS CREEK, CALIFORNIA	Bayer	
Section 2028	MAGPIE CREEK, CALIFORNIA	Bayer	
Section 2029	PETALUMA RIVER, PETALUMA, CALIFORNIA	Bayer	
Section 2030	PINE FLAT DAM FISH AND WILDLIFE HABITAT, CALIFORNIA	Bayer	
Section 2031	REDWOOD CITY NAVIGATION PROJECT, CALIFORNIA	Bayer	
Section 2032	SACRAMENTO AND AMERICAN RIVERS FLOOD CONTROL, CALIFORNIA	Bayer	
Section 2033	SACRAMENTO RIVER BANK PROTECTION PROJECT, CALIFORNIA	Bayer	Felstein
Section 2034	CONDITIONAL DECLARATION OF NONNAVIGABILITY, PORT OF SAN FRANCISCO, CALIFORNIA	Bayer	Felstein
Section 2035	SALTON SEA RESTORATION, CALIFORNIA	Bayer	
Section 2036	SANTA BARBARA STREAMS, LOWER MISSION CREEK, CALIFORNIA	Bayer	
Section 2037	UPPER GUADALUPE RIVER, CALIFORNIA	Bayer	
Section 2038	YUBA RIVER BASIN PROJECT, CALIFORNIA	Bayer	
Section 2039	CHARLES HERVEY TOWNSHEND BREAKWATER, NEW HAVEN HARBOR, CONNECTICUT	Dodd	Lieberman
Section 2040	ANCHORAGE AREA, NEW LONDON HARBOR, CONNECTICUT	Dodd	Lieberman
Section 2041	NORWALK HARBOR, CONNECTICUT	Dodd	Lieberman
Section 2042	ST. GEORGE'S BRIDGE, DELAWARE	Gleason	Carper
Section 2043	ADDITIONAL PROGRAM AUTHORITY, COMPREHENSIVE EVERGLADES RESTORATION, FLORIDA	Nelson (FL)	Martinez
Section 2044	BREVARD COUNTY, FLORIDA	Nelson (FL)	Martinez
Section 2045	CRITICAL RESTORATION PROJECTS, EVERGLADES AND SOUTH FLORIDA ECOSYSTEM RESTORATION, FLORIDA	Nelson (FL)	Martinez
Section 2046	LAKE ONECHOBEE AND HILLSBORO AQUIFER PILOT PROJECTS, COMPREHENSIVE EVERGLADES RESTORATION, FLORIDA	Nelson (FL)	Martinez
Section 2047	LIDO KEY, SARASOTA COUNTY, FLORIDA	Nelson (FL)	Martinez
Section 2048	PORT SUTTON CHANNEL, TAMPA HARBOR, FLORIDA	Nelson (FL)	Martinez
Section 2049	TAMPA HARBOR, CUT B, TAMPA, FLORIDA	Nelson (FL)	Martinez
Section 2050	ALLATOONA LAKE, GEORGIA	Chambliss	Isakson
Section 2051	IPWOSHAK RESERVOIR IMPROVEMENTS, IDAHO	Craig	Crapo
Section 2052	LITTLE WOOD RIVER, GOODING, IDAHO	Craig	Crapo

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Section 3044	PORT OF LEWISTON, IDAHO	Craig	Claypo				
Section 3045	CACHE RIVER LEVEE, ILLINOIS	Durbin	Obama				
Section 3046	CHICAGO, ILLINOIS	Durbin	Obama				
Section 3047	ILLINOIS RIVER BASIN RESTORATION	Durbin	Obama				
Section 3048	MISSOURI AND ILLINOIS FLOOD PROTECTION PROJECTS RECONSTRUCTION PILOT PROGRAM	Durbin	Obama				
Section 3049	SPUNKY BOTTOM, ILLINOIS	Brand	Obama		McCaskill		
Section 3050	STRAWN CEMETERY, JOHN REDMOND LAKE, KANSAS	Brownback	Obama				
Section 3051	MILFORD LAKE, MILFORD, KANSAS	Brownback	Obama				
Section 3052	OHIO RIVER, KENTUCKY, ILLINOIS, INDIANA, OHIO, PENNSYLVANIA, AND WEST VIRGINIA	Spears	Obama				
Section 3053	HICKMAN BLUFF STABILIZATION, KENTUCKY	McCormack	Voinovich	Casey			
Section 3054	MALPINE LOCK AND DAM, KENTUCKY AND INDIANA	McCormack					
Section 3055	PUBLIC ACCESS, ATCHAFALAYA BASIN FLOODWAY SYSTEM, LOUISIANA	Landrieu	Vitter				
Section 3056	REGIONAL VISITOR CENTER, ATCHAFALAYA BASIN FLOODWAY SYSTEM, LOUISIANA	Landrieu	Vitter				
Section 3057	EAST BATON ROUGE PARISH, LOUISIANA	Landrieu	Vitter				
Section 3058	MISSISSIPPI RIVER GULF OUTLET RELOCATION ASSISTANCE, LOUISIANA	Landrieu	Vitter				
Section 3059	RED RIVER (J. BENNETT JOHNSTON) WATERWAY, LOUISIANA	Landrieu	Vitter				
Section 3060	CAMP ELLIS, SAGO, MAINE	Stowe	Collins				
Section 3061	ROCKLAND HARBOR, MAINE	Stowe					
Section 3062	SAGO RIVER, MAINE	Stowe					
Section 3063	BALTIMORE HARBOR AND CHANNELS, MARYLAND AND VIRGINIA	Stowe					
Section 3064	CHESAPEAKE BAY ENVIRONMENTAL RESTORATION AND PROTECTION PROGRAM, MARYLAND, PENNSYLVANIA, AND VIRGINIA	Mikulski	Cardin				
Section 3065	CUMBERLAND, MARYLAND	Wamer	Spears				
Section 3066	AUNT LYDIA'S COVE, MASSACHUSETTS	Mikulski	Cardin				
Section 3067	FALL RIVER HARBOR, MASSACHUSETTS AND RHODE ISLAND	Kennedy	Kenny				
Section 3068	NORTH RIVER, PEABODY, MASSACHUSETTS	Kennedy	Kenny				
Section 3069	ECORSE CREEK, MICHIGAN	Levin	Stabenow				
Section 3070	ST. CLAIR RIVER AND LAKE ST. CLAIR, MICHIGAN	Levin	Stabenow				
Section 3071	DULUTH HARBOR, MINNESOTA	Coleman	Klobuchar				
Section 3072	PROJECT FOR ENVIRONMENTAL ENHANCEMENT, MISSISSIPPI AND LOUISIANA ESTUARINE AREAS, MISSISSIPPI AND LOUISIANA	Cochran	Lott				
Section 3073	LAND EXCHANGE, PIKE COUNTY, MISSOURI	Bond	McCaskill				
Section 3074	L-15 LEVEE, MISSOURI	Bond	McCaskill				
Section 3075	UNION LAKE, MISSOURI	Bond	McCaskill				
Section 3076	LOWER YELLOWSTONE PROJECT, MONTANA	Baucus	Tester				
Section 3077	YELLOWSTONE RIVER AND TRIBUTARIES, MONTANA AND NORTH DAKOTA	Baucus	Tester				
Section 3078	WESTERN SARPY AND CLEAR CREEK, NEBRASKA	Baucus	Tester				
Section 3079	LOWER TRUCKEE RIVER, MCCARRAN RANCH, NEVADA	Hagel	Nelson (NE)				
Section 3080	COOPERATIVE AGREEMENTS, NEW MEXICO	Ernst					
Section 3081	MIDDLE RIO GRANDE RESTORATION, NEW MEXICO	Donnell	Bingaman				
Section 3082	LONG ISLAND SOUND OYSTER RESTORATION, NEW YORK AND CONNECTICUT	Donnell	Bingaman				
Section 3083	MAMARONECK AND SHELDRAKE RIVERS WATERSHED MANAGEMENT, NEW YORK	Clinton	Dodd				
Section 3084	ORCHARD BEACH, BRONX, NEW YORK	Schumer	Lieberman				
Section 3085	NEW YORK HARBOR, NEW YORK	Schumer	Clinton				
Section 3086	NEW YORK STATE CANAL SYSTEM	Schumer	Clinton				
Section 3087	SUSQUEHANNA AND UPPER DELAWARE RIVER WATERSHED MANAGEMENT, NEW YORK	Schumer	Clinton				
Section 3088	MISSOURI RIVER RESTORATION, NORTH DAKOTA	Clinton	Menendez				
Section 3089	OTHER GIRARD LAKE DAM, GIRARD, OHIO	Clinton					
Section 3090	TOLUSSANT RIVER NAVIGATION PROJECT, CARROLL TOWNSHIP, OHIO	Conrad					
Section 3091	ARGABA LAKE, OKLAHOMA	Voinovich	Voinovich				
Section 3092		Voinovich	Voinovich				
Section 3093		Voinovich	Voinovich				
Section 3094		Voinovich	Voinovich				
Section 3095		Voinovich	Voinovich				
Section 3096		Voinovich	Voinovich				



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Section 4008	NICHOLAS CANYON, LOS ANGELES, CALIFORNIA	Boxer	
Section 4007	OCEANSIDE, CALIFORNIA, SHORELINE RECREATION STUDY	Boxer	
Section 4006	COMPREHENSIVE FLOOD PROTECTION PROJECT, STELLA, CALIFORNIA	Boxer	
Section 4009	SAN FRANCISCO BAY, SACRAMENTO-SAN JOAQUIN DELTA, SHERMAN ISLAND, CALIFORNIA	Boxer	
Section 4010	SAN FRANCISCO BAY, SACRAMENTO-SAN JOAQUIN DELTA, SHERMAN ISLAND, CALIFORNIA	Boxer	
Section 4011	SAN CARLOS BAY WATERSHED RESTORATION, CALIFORNIA	Boxer	
Section 4012	FOUNTAIN CREEK, NORTH OF PUEBLO, COLORADO	Salazar	
Section 4013	SELENIUM STUDY, COLORADO	Capper	
Section 4014	DELAWARE INLAND BAYS AND TRIBUTARIES AND ATLANTIC COAST, DELAWARE	Reid	
Section 4015	HERBERT HOOVER DIKE SUPPLEMENTAL MAJOR REHABILITATION REPORT, FLORIDA	Wicker	
Section 4016	BOISE RIVER, IDAHO	Wicker	
Section 4017	PRIMONTORY POINT THIRD-PARTY REVIEW, CHICAGO SHORELINE, CHICAGO, ILLINOIS	Wicker	
Section 4018	VIDALA PORT, LOUISIANA	Stabenow	
Section 4019	LAKE ERIE AT LUNA PIER, MICHIGAN	Klobuchar	
Section 4020	WILD RICE RIVER, MINNESOTA	Coleman	
Section 4021	ASIAN CARP DISPERSAL BARRIER DEMONSTRATION PROJECT, UPPER MISSISSIPPI RIVER	Coleman	
Section 4022	FLOOD DAMAGE REDUCTION, OHIO	Voinovich	
Section 4023	MIDDLE BASS ISLAND STATE PARK, MIDDLE BASS ISLAND, OHIO	Voinovich	
Section 4024	OHIO RIVER, OHIO	Voinovich	
Section 4025	TOLEDO HARBOR DREDGED MATERIAL PLACEMENT, TOLEDO, OHIO	Voinovich	
Section 4026	TOLEDO HARBOR, MAUMEE RIVER, AND LAKE CHANNEL PROJECT, TOLEDO, OHIO	Voinovich	
Section 4027	WOOSOCKET LOCAL PROTECTION PROJECT, BLACKSTONE RIVER BASIN, RHODE ISLAND	Voinovich	
Section 4028	JASPER COUNTY PORT FACILITY STUDY, SOUTH CAROLINA	Voinovich	
Section 4029	JOHNSON CREEK, ARLINGTON, TEXAS	Voinovich	
Section 4030	ECOSYSTEM AND HYDROPOWER GENERATION DAMS, VERMONT	Reed	Whitehouse
Section 4031	EURASIAN MILFOIL	Hutchison	Cornyn
Section 4032	LAKE CHAMPLAIN CANAL STUDY, VERMONT AND NEW YORK	Sanders	
Section 4033	BAKER BAY AND ILWACO HARBOR, WASHINGTON	Clinton	Sanders
Section 4034	ELLIOT BAY SEAWALL REHABILITATION STUDY, WASHINGTON	Murray	Carroll
Section 4035	JOHNSONVILLE DAM, JOHNSONVILLE, WISCONSIN	Murray	Carroll
Section 4036	DEBRIS REMOVAL	Kohl	Vitter
Section 5001 - LAKES PROGRAM		Landrieu	Vitter
Section 5002	Lake Sakakweea, North Dakota	Conrad	
Section 5003	Lake Morley, Vermont	Sanders	
Section 5004	Lake Fairlee, Vermont	Sanders	
Section 5005	Lake Rogers, Caledonia, North Carolina	Dole	
Section 5006	Jackson County, Mississippi	Cochran	Loft
Section 5007	DeSoto County, Mississippi	Cochran	Loft
Section 5008	(77) Chattooga County, Georgia	Chambliss	Isakson
Section 5009	(78) Albany, Georgia	Chambliss	Isakson
Section 5010	(79) Moultrie, Georgia	Chambliss	Isakson
Section 5011	(80) Stephens County/City of Toccoa, Georgia	Chambliss	Isakson
Section 5012	(81) Dalton, Georgia	Chambliss	Isakson
Section 5013	(82) Banks County, Georgia	Chambliss	Isakson
Section 5014	(83) Bartow County, Georgia	Chambliss	Isakson
Section 5015	(84) City of East Point, Georgia	Chambliss	Isakson
Section 5016	(85) Armuchee Valley, Chattooga, Floyd, Gordon, Walker, and Whitfield Counties, Georgia	Chambliss	Isakson
Section 5017	(86) Alachua, Kansas	Roberts	
Section 5018	(87) Lafourche Parish, Louisiana	Landrieu	Vitter
Section 5019	(88) South Central Planning and Development Commission, Louisiana	Landrieu	Vitter
Section 5020	(89) Rapides Area Planning Commission, Louisiana	Landrieu	Vitter
Section 5021	(90) Northwest Louisiana Council of Governments, Louisiana	Landrieu	Vitter
Section 5022	(91) Lafayette, Louisiana	Landrieu	Vitter





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Section 5008 - RIO GRANDE ENVIRONMENTAL MANAGEMENT PROGRAM, COLORADO, NEW MEXICO, AND TEXAS	Domencid	Bingaman	Hutchison	Comyn	Scazzar				
Section 5009 - DELMARVA CONSERVATION CORRIDOR, DELAWARE AND MARYLAND	Biden	Casper							
Section 5010 - SUSQUEHANNA, DELAWARE, AND POTOMAC RIVER BASINS, DELAWARE, MARYLAND, PENNSYLVANIA, AND VIRGINIA	Werner	Werner	Specker	Carpenter	Casey				
Section 5011 - ANACOSTIA RIVER, DISTRICT OF COLUMBIA AND MARYLAND	Chambliss	Mikulski	Cardin						
Section 5012 - BIG CREEK, GEORGIA, WATERSHED MANAGEMENT AND RESTORATION PROGRAM	Reid	Isakson							
Section 5013 - METROPOLITAN NORTH GEORGIA WATER PLANNING DISTRICT	Chambliss								
Section 5014 - IDAHO, MONTANA, RURAL NEVADA, NEW MEXICO, RURAL UTAH, AND WYOMING	Reid	Craig	Bennett	Thomas	Crapo				
Section 5015 - MISSOURI RIVER AND TRIBUTARIES, MITIGATION, RECOVERY, AND RESTORATION, IOWA, KANSAS, MISSOURI, MONTANA, NEBRASKA	Saucier	Harkin	Conrad	Hagel	Nelson (NE)	Thune	Tester		
Section 5017 - SOUTHEAST LOUISIANA REGION, LOUISIANA	White								
Section 5018 - MISSISSIPPI	Cochran	Loft							
Section 5019 - ST. MARY PROJECT, BLACKFEET RESERVATION, MONTANA	Blanco	Tester							
Section 5020 - LOWER PLATTE RIVER WATERSHED RESTORATION, NEBRASKA	Hagel	Nelson (NE)							
Section 5021 - NORTH PLATTE RIVER WATERSHED RESTORATION, NEBRASKA	Blanco								
Section 5022 - NORTH RIVER BASIN	Unger								
Section 5023 - STATEWIDE ENVIRONMENTAL MANAGEMENT	Unger								
Section 5024 - STATEWIDE COMPREHENSIVE WATER PLANNING, OKLAHOMA	Inhofe								
Section 5025 - AYLENE RIVER SIOUX TRIBE, LOWER BRULE SIOUX TRIBE, AND TERRESTRIAL WILDLIFE HABITAT RESTORATION, SOUTH DAKOTA	Thune								
Section 5026 - TEXAS	Hutchison	Comyn							
Section 5028 - CONNECTICUT RIVER DAMS, VERMONT	Sanders								

## CLOTURE MOTION

The **PRESIDING OFFICER**. Under the previous order, and pursuant to rule XXII, the clerk will report the motion to invoke cloture.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 128, H.R. 1495, Water Resources Development Act.

Harry Reid, Robert P. Casey, Jr., Byron L. Dorgan, Patty Murray, Barbara Boxer, Dick Durbin, Claire McCaskill, Bernard Sanders, Tom Carper, Max Baucus, Frank R. Lautenberg, Ben Cardin, Robert Menendez, Ken Salazar, Edward Kennedy, H.R. Clinton, Amy Klobuchar.

The **PRESIDING OFFICER**. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 1495, an act to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. **DURBIN**. I announce that the Senator from South Dakota (Mr. **JOHNSON**) and the Senator from West Virginia (Mr. **ROCKEFELLER**) are necessarily absent.

Mr. **LOTT**. The following Senators are necessarily absent: the Senator from Idaho (Mr. **CRAPO**) and the Senator from Arizona (Mr. **MCCAIN**).

The **PRESIDING OFFICER** (Mr. **OBAMA**). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 89, nays 7, as follows:

[Rollcall Vote No. 162 Leg.]

## YEAS—89

Akaka	Durbin	Mikulski
Alexander	Enzi	Murkowski
Baucus	Feingold	Murray
Bayh	Feinstein	Nelson (FL)
Bennett	Graham	Nelson (NE)
Biden	Grassley	Obama
Bingaman	Hagel	Pryor
Bond	Harkin	Reed
Boxer	Hatch	Reid
Brown	Hutchison	Roberts
Brownback	Inhofe	Salazar
Burr	Inouye	Sanders
Byrd	Isakson	Schumer
Cantwell	Kennedy	Sessions
Cardin	Kerry	Shelby
Carper	Klobuchar	Smith
Casey	Kohl	Snowe
Chambliss	Kyl	Specter
Clinton	Landrieu	Stabenow
Cochran	Lautenberg	Stevens
Coleman	Leahy	Tester
Collins	Levin	Thomas
Conrad	Lieberman	Thune
Corker	Lincoln	Vitter
Cornyn	Lott	Voinovich
Craig	Lugar	Warner
Dodd	Martinez	Webb
Dole	McCaskill	Whitehouse
Domenici	McConnell	Wyden
Dorgan	Menendez	

## NAYS—7

Allard	DeMint	Sununu
Bunning	Ensign	
Coburn	Gregg	

## NOT VOTING—4

Crapo	McCain
Johnson	Rockefeller

The motion was agreed to.

The **PRESIDING OFFICER**. On this vote, the yeas are 89, the nays are 7. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Delaware.

Mr. **BIDEN**. Mr. President, I ask unanimous consent that I be able to speak in morning business under the time that is allotted to me postcloture.

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

## IRAQ FUNDING

Mr. **BIDEN**. Mr. President, last week, the Congress sent the President an emergency supplemental spending bill for Iraq. That bill provided every dollar our troops need and every dollar the President requested and then some.

It also provided what a majority of Americans expect and that is they expect a plan to start to bring home American troops, to bring this war to a responsible end, and to not escalate it indefinitely as this President is doing.

In vetoing the bill, the President not only denied our troops the funding they needed, but he denied the American people what they have clearly stated they want: a responsible path out of Iraq. That is what the 2006 election was about. That is what every poll is about. That is what the Senator from West Virginia, whom I see on the floor, and I and others have been saying for some time now. I might add, that is also what I think an awful lot of our Republican colleagues want.

I raised a few eyebrows when I said a month ago that I don't think there are more than a dozen members of the opposition who truly believe this policy of unrelenting escalation with no end in sight in Iraq is one they support. The question is: What do we do in the face of the President's recalcitrance?

We all know, and again I refer to my friend from West Virginia, the most learned person in the Senate—I don't go back as far as he does, but I go back to trying to end the war in Vietnam. I remember how painfully long that process was. Once the whole Nation and the Senate had turned against the war, it was still painfully difficult to end.

So if it were up to me, I would send the same emergency spending bill back to the President and have the votes, with the money for our troops and the plan that is in that legislation to end the war, which the people expect. I would send it back to him again and again and again and again and let him veto it again and again and again and again. Any reasonable person listening to my speaking might ask: Why would you do that, not a fool's errand? I believe the more we keep this front and center, the more we relentlessly push

on this President to abandon his flawed policy, the more pressure will be brought upon our colleagues who, in their hearts, know this is not the right policy but are voting with the President instead of with the troops.

I must admit straight up, this is about building pressure. We are going to need 67 votes to end this war—67 votes in the Senate. So that means, although I had a great conversation with **TIM JOHNSON** last night—I might say, he sounded wonderful—although that means until Senator **JOHNSON** comes back, we need 17 Republican Senators to change their minds. That is why we have to keep pushing. We have to let the President demonstrate time and again that he is totally out of touch with what our troops need, what the American people want, and where America's interests lie. In a sense, this reminds me a little bit of Richard Nixon. He seems divorced from reality. He seems divorced from what is going on around him. I don't quite understand it. I have been here 34 years. It reminds me of Nixon during Watergate.

Here we had the Attorney General testify before our Judiciary Committee with a terrible appearance, and the President says he did wonderfully. The President says the war is going well. The President said the response to Katrina initially was great. There seems to be a disconnect here. So the only thing I know to do is to continually force him to demonstrate again and again, until he changes his mind, how out of touch he is, to build pressure in the Congress.

The truth is, votes matter. We need the votes to stop this war because I am convinced this President has made a decision with his Vice President to keep this from completely blowing up and hand it off to the next President. The problem is, in the meantime, a lot of people are going to lose their lives—a lot of Americans and a whole lot more Iraqis. But I recognize, as I said, the reality that it takes 60 votes to send the same supplemental back to the President, as it would take 60 votes to formally deauthorize the war, as my friend from West Virginia is attempting to do, as I and Carl Levin talked about, and we introduced legislation similar to that, to deauthorize the war and reauthorize a more limited mission. We need, though, 60 votes. It is just as people talk about cutting off funding, we still need 60 votes. It would take, obviously, 67 votes then to overcome a Presidential veto.

The reason I say this is we all are frustrated on this floor. Right now, we don't have those votes. We don't have the votes right now to send back the same supplemental.

What should we do next? In my view, first, anything we send back to the President must and will provide every dollar the troops need. As long as we are on the frontlines, I will vote for the money to protect them. That money must include funding for additional Mine Resistant Ambush Protected Vehicles, so-called MRAPs.

The amendment I offered was overwhelmingly adopted. The vast majority of deaths and injuries are from roadside bombs. They are responsible for 70 percent of our casualties in Iraq. These new V-shaped hull vehicles that will take the place of heavily armored humvees have a four to five times greater prospect of protecting troops inside those vehicles. They can literally cut our casualty rates by two-thirds.

As a matter of fact, depending on what we do send back to the President, it is my intention, if somehow we make no progress, to take this money out for those vehicles and move it separately because it literally, literally, literally can change the lives of our soldiers in the field. Our military wants them; our soldiers need them.

Defense Secretary Gates said MRAPs are "the highest priority acquisition program. Any and all options to accelerate the production and fielding of this capability should be identified, assessed, and applied." I am happy to hear him say that because originally they didn't ask for this money to fast-forward the funding of these vehicles. The Secretary is right. I think it would be unconscionable not to get as many of these new vehicles as possible in the field as fast as possible.

Second, if we don't have the votes now for a hard timetable, which is what is in the bill that was vetoed, a hard timetable that came out of the language Senator LEVIN and I worked on putting in the bill, if, in fact, we don't have the votes now for that hard timetable to start getting our troops out of Iraq, any bill we send back to the President must limit dramatically the mission of the troops in Iraq.

We must get our troops out of the middle of this sectarian civil war that we cannot end militarily. Having 15,000, 20,000, 30,000 troops in a city of 6,200,000 people knocking on doors in the middle of a civil war is just foolhardy. Instead, we should focus our military on a much more limited mission that is in the national interest, that we can achieve with fewer troops, and that is doable; that is, training the Iraqi Army, preventing al-Qaida from occupying territory in parts of Anbar Province, and—and—force protection.

If we limit the mission in that way, the President will not be able to justify keeping 160,000 troops in Iraq, especially at a time when our military is dangerously overstretched, threatening the readiness of our troops and the ability to retain those now serving, to recruit those who may wish to serve in the future, and—and—to provide a National Guard at home that is needed for natural disasters at home, as we have recently seen in Kansas.

Just this week, we have seen how overstressing is hurting us at home. When a tornado wiped 80 square blocks of Greensburg, KS, off the map, the State's National Guard was slow in responding. Why? Because much of its manpower and equipment is in Iraq.

Across the country, our Governors have been warning for months that their National Guards are not prepared for the next local disaster because they are tied down overseas; or, even if they are home, because they took their equipment overseas when they were deployed and were unable to bring it back, they are ill prepared in terms of manpower and/or equipment. So if we limit the mission of our troops in Iraq to a more rational mission, the President will have to start bringing troops home now, with or without a hard timetable.

He will have to start listening to our Governors. He will have to start listening to our troops and their families who have told so many of us about the strain of going back to Iraq on third and fourth tours, about being ordered to stay longer each time they go, about not having the year at home between deployments that they were promised. He will have to start listening because he won't have an excuse not to.

Third, if we can't get a hard timeline into this emergency spending bill, we should add it to the next bill we vote on, and to the one after that, and to the one after that. We have to be relentless. Sooner or later, our colleagues will stop voting with the President and start backing what the American people want: a responsible end to this war.

Until we have the votes to force the President to change course, we have to keep the pressure on for change every single day. That is what I have been doing, and that is what I will continue to do until this policy levee that the President has erected breaks.

The fact is, the fundamental strategy under which the President has operated is flawed. The idea that through force we are going to be able to establish a strong central democratic government in Baghdad is simply not possible. It is simply not possible. It is not going to happen in the lifetime of any Member of this Senate.

Starting to get our troops out of Iraq, and getting most of them out by early next year, is the first step toward bringing this war to a responsible end. Just as important, we have to have a plan for what we leave behind so we do not trade a dictator for chaos in Iraq and the region that undermines our interests for decades.

I don't want my son going to Iraq, but I also don't want my grandson going to that part of the world in the next 15 years. How we leave and what we leave behind will impact on that second question. We have to have a plan to bring stability to Iraq as we leave, and that requires a political solution. Everyone—everyone—from the President on, says there is no military solution to Iraq; there is a political solution only. But he hasn't offered a political solution.

I know my colleagues have heard me talk about my plan for a political settlement in Iraq for more than a year now. It calls for separating the warring

factions, giving them breathing room in their own regions, as their constitution provides, with control over the fabric of their daily lives—such as police protection, education, marriage, jobs, religion—and a limited central government that would be responsible for distributing oil revenues, which should be the glue that holds this country together, responsible for the army and responsible for the borders.

Every passing day makes my plan, the Biden-Gelb plan, more urgent and more relevant. Look at what is happening in Ramadi, where al-Qaida has a stronghold. The administration rightly points to some successes in getting Sunni tribal leaders to turn on al-Qaida in Iraq and getting thousands of young Sunni men to sign up for the Ramadi police force and protection forces. Listen carefully to how this happened, as described by the Los Angeles Times:

Fed up with the insurgents' killings and their acts of intimidation in Ramadi, the Sunni sheiks came to the coalition in September to tell the U.S.-led force that they were ready to cooperate and would urge their tribes to supply recruits for the Iraqi army and police. Even the most optimistic U.S. colonel was not prepared for the flood of recruits once the sheiks got the word out that joining the Army, police, and provincial forces had their approval. Recently, 1,500 Iraqi youths showed up to enlist in the police, more than the recruiters could take.

Continuing to quote.

Another change that helped recruiting was a policy introduced in February promising recruits from Al Anbar that they would be based close to home if they enlisted. Within 2 days of that switch, 400 youths had signed up.

So you have Sunnis joining the police and army in their own regions, staying in their regions to deal with Sunni extremists in the midst of their own region, and becoming part of the anti-al-Qaida solution.

What is that all about? It is what I have been saying for a long time: give them local control and they will have the prospect of bringing this country to a peaceful settlement. That is a whole lot better than having them take the fight to the Shiites and becoming part of the sectarian nightmare.

It makes sense for our troops to be in Anbar, helping local Sunnis defeat al-Qaida. That is what we should limit their mission to. It does not make sense for them to be going door to door in Baghdad, a city of 6.2 million people, and getting caught in the crossfire of a self-sustaining civil war. It makes sense for us to focus on a political settlement by bringing problems and responsibilities down to the local level, giving each group an opportunity to advance its interests peacefully, not with bombs and death squads but with a political compromise.

It does not make sense to send more and more troops into Iraq in pursuit of a strategy that has virtually no prospect for success. The administration hopes the surge will buy time for Prime Minister Maliki's government to

get its act together. But there is no trust within that government, no trust of the government by the people it purports to serve, and no capacity on the part of the government to deliver the services or security that is needed. There is little prospect that the government will build that trust and capacity any time soon.

In short, the most basic premise of the President's approach, and that of some of my colleagues on this side of the aisle, is that the Iraqi people will rally behind a strong central government that looks out for their interests equally and is fundamentally fair. That whole notion, I have been saying for over 4 years, is fundamentally flawed. It is not achievable. So instead of escalating this war with no end in sight, we have to start bringing our troops home with the goal of getting most of them out by early next year.

As the President rails against those of us who have been proposing that, I remind him his former Secretary of State Baker, his father's former Secretary of State Eagleburger, were part of a commission that said we should get our troops out by March of 2008. The British, in Basra, did essentially what I am suggesting. They redeployed their troops out of the cities, did not engage in the civil war, and began to draw them down. Are they abandoning?

Instead of escalating this war, we have to start to bring our troops home, and we have to help Iraq make the transition to the decentralized federal system that is called for in their constitution. Making federalism work for all Iraqis is a strategy that can still succeed and allow our troops to leave without leaving chaos behind.

This war must end, but it is still within our power to end it responsibly. That is a mission that can unite Americans and protect our interests, and that is a mission that is long overdue.

Mr. President, I yield the floor, and 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. INHOFE. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. INHOFE. Mr. President, I am going to again invite Members to come to the floor. The order is H.R. 1495, the Water Resources Development Act. We have had a chance now to act on a motion to proceed. We are on that right now. I know there are several Members who have said they want to come to the floor with statements and amendments. I join Senator BOXER, the chairman of our committee, in encouraging people to bring their amendments down and give us a chance to look at them.

I have to say, I was a little disappointed that we did not have a unanimous vote on the motion to proceed. Let me again say this, and I say this to my conservative friends, the Water Re-

sources Development Act that is under consideration now is very similar to the one we acted on a year ago. In fact, it started out to be the same thing. I wanted to use the same criteria on the current bill that we used last year. However, on environmental infrastructure projects, there are a lot of people who wanted some of those to be considered. Frankly, I would have preferred not to. But nonetheless, that is now part of the criteria. There is a limited number of those projects.

We have criteria that go along the line of making sure there is local support. We do not have any waivers for local support of these efforts, so the participation has to be there from the local governments to demonstrate clearly these are important projects to be considered.

Speaking as a conservative, let me emphasize there are certain things conservatives believe Government should be doing. The top two in my category are armed services—we have to defend America; that is our function; that is what we are supposed to be doing—and second is infrastructure. Way back in the Eisenhower administration, we started a system of national highways. It has been very successful. But we have a problem in the way we have been funding them with user fees, with a Federal gasoline excise tax. It has worked fairly well. However, we are to the point now where the last bill we passed 2 years ago, the Transportation reauthorization bill, was one where, even though it was a very large bill in terms of spending that amount of money, it did nothing more than maintain what we currently have. That is not adequate.

You might say that has nothing to do with the Water Resources Development Act. It does. Right now, looking into the future, I see nothing but serious problems. We know 10 years from now the traffic on our highway system throughout America is going to double and probably triple in 20 years. If something is not done to increase the road capacity, it is going to be chaotic. The two things that have the most favorable effect on surface transportation are our rail and waterway system. That is what this is all about, our waterway system.

We are going to be talking in a lot more detail about this, but I want to say, particularly to those out there who believe there may be projects they don't like: These projects meet a criteria. If we were not to pass the Water Resources Development Act, if we were to say we are not going to pass it—maybe people are fabricating some reason, they don't like one or two projects that are in there—No. 1, as it is now, those projects have met the criteria, and, No. 2, if we do not pass this bill, we will have no spending discipline on these projects. They will simply go and get appropriations, and they can be things that have nothing to do with meeting important criteria.

Look at this as a criterion bill to reduce spending, runaway spending; to

reduce money being spent on things that do not meet the criteria in terms of the Corps of Engineers' reports to make sure they meet environmental and other requirements.

It may surprise a lot of people to know that in my State of Oklahoma, we actually have a navigational waterway. A lot of people are not aware of that. In fact, it was the best kept secret for many years. But we carry grain and oil products and petroleum products back and forth all the way from my city of Tulsa, OK, it is called the Port of Catoosa, down through the Arkansas and Mississippi Rivers and distributed throughout the water system. It is something absolutely necessary. If we did not have that, if we were not able to pass legislation to expand that capacity, then that traffic is going to fall on our highways.

I can assure you right now the same committee considering the water bill now is going to be considering the highway reauthorization, probably in a couple of years. It is going to make it that much more traumatic if we do not get this done.

I will give an example. In the State of Oklahoma, 98 percent of the way we have a 12-foot channel. However, if it is only 2 percent that is a 9-foot channel, that restricts the entire channel. I think we all understand that.

While that is not in this bill—I don't have anything self-serving about this comment because that has already been authorized, that has been authorized for years—it is that type of thing that, if we are to shut down for any reason or dramatically restrict our waterways, all that is going to fall on our highways. It is a serious problem.

I reemphasize to those who are my conservative friends—we have rankings around here. One of the unique things about the Senate and House of Representatives is that if people want to know how their Members are voting, if you are concerned about overtaxation, you have a number of organizations—the National Taxpayers Union, the National Tax Limitation Committee, and others—that rank us as to how we vote on tax increases. If you are concerned about overregulation of small business—I spent 35 years in small business so I know a little bit about overregulation—if you are concerned about that, the National Federation of Independent Businesses ranks all Members, Democrats and Republicans, House and Senate, as to how they vote on regulatory issues that might inhibit the expansion of small businesses.

The same thing is true with how people vote on defending America. The Center for Security Policy ranks all Democrats and Republicans, House and Senate, on how they vote on defense issues, which is a real critical thing that we are dealing with right now.

The same is true in terms of people who are conservatives. The American Conservative Union ranks all Members of the House and Senate. I have to say to my conservative friends, I am, as of

2 weeks ago, again, considered and ranked as the No. 1 most conservative Member of the Senate. I am proud of that. So I don't want anyone to run around saying we are passing a bill that is somehow going out and doing projects that should not be done.

Sure, there are some projects in here that I don't like as well as others. I might not have had the same criteria as someone on the other side of the aisle might. But I have to say this, with the chairman of our committee, Senator BOXER, she and I have worked for a long time on this. She, as I said before, is a proud liberal Democrat. I am a proud conservative Republican. We agree on these things. We know Government has the function of making sure we do certain things. Certainly, the greatest Nation in the world has to have an infrastructure system that will accommodate transportation.

This is a very important part of that. When we deploy units for training out of Oklahoma, we send the heavy equipment via channels.

I have not told this story in a long time, but since I see Senator BOXER, I will tell it. Many years ago when I was in the State Senate, it occurred to me that our navigation way that makes us navigable in the State of Oklahoma was something nobody knew about. They said: We know about the Intercoastal Waterway, we know about the Arkansas River, we know about the Mississippi River and the Great Lakes, but they didn't know anything about the State of Oklahoma and the fact you can get all the way up there with barge traffic into my hometown of Tulsa, OK.

A guy came to me with an idea. This is years ago. He was from Kellyville, OK. His name was Kelly. That must tell you something. He was the head of the World War II submarine veterans.

He came to me and said: If you want to get the message across that we are navigable in Oklahoma, I can raise money to get a World War II surplus submarine from Orange, TX. With volunteers we can, together, if you will do the legislation in the State of Oklahoma and come help us on this, we can bring that submarine all the way from Orange, TX, up their waterway, up the Mississippi, over the Arkansas, to the Port of Catoosa—actually, the Port of Muskogee is where it ended up—and we can let the whole world know we have this navigation way. We did.

All my political adversaries were against it. They said, in the State Senate, we are going to sink Inhofe with the submarine. It didn't work. The submarine is there now. It is proudly displayed in Muskogee, OK, letting all the world know we are able to barge material in and out of the State of Oklahoma.

I have to say it is the Nation's most inland port. I invite you to come out and take a trip, I say to my friend Senator BOXER.

The bottom line is this. We have to get the heavy stuff moved around. If it

is not going to be on rail, if it is not going to be on the channel system, the waterway system we are talking about today, then it will have to be on the other surface transportation or highway system that is going to be so congested.

That is what this is all about. I renew our request for Members who have amendments they want to bring to the floor, bring them now. We have lots of time. We have all day to be looking at these. We want to consider them. We want to give them our best consideration.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I say thank you to Senator INHOFE. People see us tangling on a host of issues. I think it gives them a good feeling to know there are times when we see eye to eye. I would say, when those times occur, it should mean we can get our legislation through pretty quickly because we have worked hard to accommodate the views of both sides of the aisle.

I am pleased the Senate voted overwhelmingly to start the process of considering the Water Resources Development Act of 2007. I hope, in short order, we will find out we can actually move to the bill. We are technically on a motion to proceed to the bill, which is slowing us up a bit, but we think there are other issues causing that. We hope they will be resolved.

This important legislation authorizes projects and policies of the Civic Works Program of the Army Corps of Engineers and, as I said, it has tremendous support both from my ranking member, Senator INHOFE, the entire Environment and Public Works Committee—which runs the gamut of philosophies and geographies and all the rest.

Colleagues asked to see the substitute bill we worked so hard on, that has a very good score from the Congressional Budget Office—less than the House-passed bill; fiscally responsible. A good chunk of it is aimed at Hurricane Katrina—which both Senator INHOFE and I feel very good about. We believe certainly Louisiana is in desperate need of help, and we have answered their call in a very strong way. I would say about 25 percent of the bill is actually dedicated to making sure Louisiana is made whole and is protected in the future.

We hope our colleagues from Louisiana will feel good about this. If there are other things they want to offer, we ask them to come down and show us what they are. Senator INHOFE, Senator ISAKSON, Senator BAUCUS, and I have an agreement that unless the four of us agree on these amendments, we are going to oppose them. That is hard for us to do. We don't like to give up our freedom. But on this we are going to do it. Why? This bill is 7 years overdue—7 long years. There is enough blame to go around as to why it hap-

pened. We don't need to get into it. It is not important. Right now we have an opportunity to make up for lost time and get to where we are back on a track that makes sense. This is a great economy in this country. We need an infrastructure that matches our ambitions and our future dreams for a thriving business community, a place where workers can get good jobs. So we need this bill.

What we are saying to colleagues is, first of all, some of you want to see the bill. Of course. The bill is available to you.

The bill is available in both cloakrooms. The bill will be printed in the RECORD tonight. You have all been part of it. I think you all will be pleased with it. There is a CBO score that has been placed in the RECORD for you to see. There is huge support out here in America for this bill. We have letters coming in from disparate groups in this country which include farmers, which include workers' unions, contractors, all kinds of businesses. This is a very powerful message to the Senate to move forward. The House has passed the bill. Let's get to conference. Let's get a bill to the President's desk.

Again, I say thank you to Senator INHOFE. I will say this a lot. But it has been a pleasure to work with him and his staff. My staff feels the same way. We have made great progress. This bill is a project of commitment, of bipartisan and partnership.

I mentioned Senators BAUCUS and ISAKSON. They have been very important in terms of working with us on this package. Many members of the committee went to Louisiana to see the problem there. Senators LANDRIEU and VITTER were determined to show us their needs, and they did. Again, a lot of the work in this bill is directed toward Louisiana.

I do want to thank members of the staff. Sometimes chairmen wait until the bill is finished to do that. But I want to do it now: My staff director, Bettina Poirier, and my deputy staff director, Ken Kopocis; Jeff Rosato and Tyler Rushforth for all their work. On Senator INHOFE's staff, I wanted to thank Andrew Wheeler, Ruth Van Mark, Angie Giancarlo, and Letmon Lee. Additionally, I thank Jo-Ellen Darcy and Paul Wilkins with Senator BAUCUS and Mike Quiello with Senator ISAKSON.

We have had many late-hour, emergency, stressful phone calls getting to this stage. We hope those phone calls will not have been in vain and that we have come up with a product everyone will be proud of.

In so many ways this is the start of a new day because I believe we are now on track to restore the regular process of meeting the Nation's water resources needs as they arise. But we will not get done with this bill if colleagues do not come to the floor and let us see their amendments.

I echo what Senator INHOFE said. Let's not play hide and seek with

amendments. Let's get those amendments out. I have already been very open. I have told everybody there is an agreement with the big four on the committee; that we need to agree to them, to support them. It may well be there is an amendment on Senator INHOFE's side that he wouldn't vote for because one of us said it is not acceptable. The same thing could well happen on our side. That does not diminish anyone's right to offer these amendments. They have the right to do it. We support their right to do it because if they come soon, maybe we can work on these amendments together and get them included in the managers' package. So that would be the best of all worlds.

I thank Senator FEINGOLD because he and I had a chat. He is going to offer an amendment I do not agree with on prioritization of Corps projects. But he is going to come over here at noon. He is going to take his time then, and then he is not going to talk about this anymore until we have a vote. And he will do it in 2 minutes on Tuesday so that we can get the debate on these amendments over with now.

So I ask other Senators with amendments, within the sound of our voices: Please come over with your amendments. We have all day, all day here with an open microphone for you. You can take as much time as you want. You can put your amendment out there. You can talk about it, and then Senator INHOFE and I can look it over, share it with Senators ISAKSON and BAUCUS.

We want to accommodate everybody. We really do. If you meet the criteria we have set out—I think the criteria is well thought out. We want to make sure every project in this bill can be defended. That is important because we have precious few dollars to waste. So we want you to come over with your amendments. We are going to try to help everyone. We have already done so much to help you. We want to do more. We both agree, Senator INHOFE and I, that WRDA is an important bill, and it is overdue 7 years—too long to wait for a bill that authorizes essential flood control, navigation, ecosystem restoration; 7 years of projects being ready to go and unable to begin because, for whatever reason.

Again, we did not—we could not get the political will, or we could not just push it over the finish line, as I like to say. So we had 7 years of communities in your State and mine and Oklahoma and other places, people waiting to shore up their infrastructure needs, many of them vital to protecting homes and families from catastrophic flooding.

Believe me, I can tell you, in my State flood control is one of the major priorities of Senator FEINSTEIN and I, as well as Governor Schwarzenegger. It is quite bipartisan in the State legislature as well.

So, yes, there are a lot of projects in the bill. It is the cost of waiting so

long to act. So I think it is remarkable that given all the time that has gone on, we were able to put together a bill that is fiscally responsible. The bill before the Senate is less expensive than the bill passed by the House. The original bill had some ambiguous language that drove up the score. But I believe Senator INHOFE and I and others, we have corrected this problem. It was not easy. It took discipline, but we worked cooperatively in a bipartisan way.

We have a bill that meets our communities' and our Nation's acute and unmet water infrastructure needs. It does it in a fiscally responsible way. Let me tell you what the bill does. Title I would authorize 47 projects consistent with completed chief of engineers reports. Now, that is very important because these reports lay out what we have to do, what the cost will be.

Those chief of engineers reports deal with flood control, navigation, and ecosystem restoration projects. These chief reports are the result of years of engineering science, economic analysis, environmental assessment, hours of Corps of Engineers work and expertise going into preparing these documents, concluding with the final review of the chief.

Title I would also authorize new locks on the upper Mississippi River, Illinois waterway system, and the concurrent ecosystem restoration plan for those waters. This project is important to waterway goods movement, particularly grains from the heartland of America. That is why the farmers support this bill. We have an amazing coalition of people supporting this bill.

If you cannot move goods, grain, from the heartland, we are in a lot of trouble. We will be in a lot of trouble if this bill does not get done. Senator INHOFE and I are committed to getting this done. We have our differences in this Chamber, and by the way, that is the way it should be. There are differences in this Chamber, but when it comes to this bill, it seems to me we have to set them aside. Those differences should be set aside.

Title I also includes authorization for the Louisiana Coastal Area Ecosystem Restoration Program, to revert wetland loss and provide hurricane and storm damage reduction benefits.

I will discuss this issue in depth at a later time. But we know the loss of wetlands is a major cause of flooding. Not even to get into the fact that our species need these wetlands, put that aside; the wetlands are flood control, natural flood control. We have lost so many wetlands that the Corps came to us and told us they believe it is a major cause of trouble now. We did not realize what we had until they were gone. So now we are restoring wetlands.

Finally, title I includes small projects for flood damage reduction, navigation, aquatic ecosystem restoration, under the continuing authority programs of the Corps.

Title II will make changes in Corps of Engineers authorities in how it carries

out its programs. Title II contains the administrative provisions that are commonly referred to as Corps reform. These important provisions include updating the Corps' planning process, the water resources planning coordinating committee, independent peer review, and improvements to the Corps' mitigation program.

Now, a lot of this language was new to the last bill. I thank my colleague, Senator INHOFE. When he was in charge of the committee, he took the lead on this section, and we kept that section intact. We made progress with Corps reform. These provisions will help ensure the Corps does its job more effectively and soundly, require in many cases an extra pair of eyes on its projects.

Senator INHOFE worked with Senator FEINGOLD and me and others. The language stands. We should be proud. Yes, there is Corps reform in this bill.

Now, I wanted to make it clear that Senator FEINGOLD wants to do more. One of his ideas is prioritization. Frankly, I think it is off the mark, and we are going to have a debate about it to see where the chips fall on that particular amendment. But I thank him for his cooperation. He is going to come down in a little while. He is going to take his time. He is going to debate this bill. Senator INHOFE and I, I am sure, will have a response, and then we will be able to have a very short continuation of the debate just a couple of minutes per side, hopefully, on Monday or Tuesday, and we will finish this bill.

Title II also contains the authorization for the National Levee Safety Program, a new program that helps identify failing levees and provides Corps resources and expertise to help improve and repair those levees.

Title III includes provisions that would affect existing, ongoing, or completed projects. These sections include making modifications to project cost ceilings, modifying project purposes, changing project boundaries, extending authorizations for annual programs, and correcting original deficiencies. Why is this important? Because so much time has passed that these projects need another look. Sometimes there is new technologies that can come in and meet the needs. Sometimes there is new cost estimates that need to be reflected. So Title III affects existing, ongoing, or completed projects.

I have just about 3 more minutes or 4 more minutes, then I will have to yield to whoever would like to speak at that time.

Title IV includes authorizations for new project studies. It also makes modifications to ongoing studies. Title V includes modifications to the Estuary Restoration Act, an existing restoration program of the Corps. It includes programmatic authorities for regional approaches to water resources problems.

Title VI would deauthorize all or portions of 52 previously authorized Corps

projects. The deauthorization represents projects or portions of projects that are no longer supported by local interests. This does happen. Sometimes you have a plan, and after years and years people say: There is a better way to do it, or we don't need it. That is reflected here.

So that is a brief overview of the bill. But it only begins to express the bill's importance to our communities, our families, our Nation, our farmers, our workers, our businesses. The bill is about authorizing projects our communities need to help protect thousands of homes and millions of lives from catastrophic floods. The bill is about authorizing projects our communities need to help restore the great wetlands, estuaries, and rivers of our Nation. These are places in which wildlife thrives and our families can enjoy for generations to come.

Indeed, as hunting, fishing, boating, camping, and our outdoor industries boom, this bill is an important part of keeping America's recreation economy thriving.

The bill makes other very important contributions to our Nation's economy. It authorizes projects our communities need to help increase our port and waterway capacity and makes shipping easier, safer, more efficient.

It literally keeps America's economy moving. We are in a global economy. Ships come into port, and they go out of port. They move goods in, they move goods out. Workers are at the ports, businesses are at the ports.

I will tell you, when we get to our next highway bill, we have to do a lot more for our ports in terms of cleaner air and goods movement. I look forward to working with Senator INHOFE perhaps as early as next year, and the other colleagues who chair and rank on that subcommittee, to begin looking at that next bill that is so important to our goods movement.

But this is part of it. We need to pass this bill to keep America's economy moving because so much of our economy is dependent on our water resources. In just the next 2 minutes, I am going to give you a couple of examples of what I am talking about.

America's ports and harbors are our gateway to the world. Our manufacturers' goods, automobiles, computer chips, agriculture goods such as grains, wines, and fruit pass through our ports and harbors around the world. Goods worth \$5.5 billion pass through our ports every day and more than 2.5 billion tons of trade move through our ports and waterways. That volume is expected to double over the next 15 years. In the next 15 years, goods movement is going to double in our country. So we have to get down passing this bill, because thousands of jobs are on the line. Many businesses are expecting us to take action, and our farmers want action. Five million jobs are at America's ports. WRDA is essential.

Outdoor recreation, I talked about that. The Corps of Engineers operates

more than 2,500 recreation areas at 463 projects, and leases an additional 1,800 sites to States or locals. The Corps hosts 360 million visits a year at its lakes, beaches, and other areas. It is estimated that 1 in 10 Americans visits Corps projects once a year, 25 million people. We need to pass this bill. That generates 600,000 jobs to support visitors.

Public health and safety, economic growth, environmental protection are the goals of this bill.

This is the first bill—I think Senator INHOFE and I are very proud of this—that takes into effect ethics reform, even though the bill has not been signed into law. We have asked colleagues to submit letters answering the question: Do you have a conflict of interest in any of your projects? Those letters are open for the public to see. They are at the committee offices. We have printed in large print the results of those letters and each of the projects Members have asked for.

We are proud of that.

One of the lessons of Hurricane Katrina is we ignore water infrastructure at our own peril. We are going to be moving new WRDA bills right after this one. We are going to be looking at our levees. We are not resting after this bill passes.

I look forward to moving along on this bill. I know at this point we have a bit of a slowdown on the bill by my Republican colleagues. I understand their issues have nothing to do with the legislation. I respect that. It is a tool being used. But I urge both sides, let's put aside our differences on whatever they are. Whether it is judges, whether it is Iraq, God knows we have differences; they are tough. I respect those differences. Senator INHOFE does as well. But we need to move this legislation. This bill can't wait much longer.

Again, we are going to work in a cooperative way. We urge Members from both sides to get their amendments to the floor. Even though we can't at this point put those amendments in the RECORD, we can debate them today.

I yield the floor.

The PRESIDING OFFICER (Mr. BROWN). The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, I appreciate the remarks made by the chairman of the committee, Senator BOXER. I do agree. It is very unusual that we agree so much on one bill, and we do on this one. It is important that everyone understands, this bill is actually less than the House bill. This bill is less than the bill when I was chairman of the committee a year ago. But the most important part is, it offers discipline. When you say you need a chief's report, you are saying a project has to be economically justified, environmentally sound, and technically feasible. Without this bill, there is no discipline. That is what I keep saying to my conservative friends.

One of the Members who has been very helpful was the chairman of the

subcommittee—and I was ranking member—out of which this bill emerged, the Senator from Georgia, Mr. ISAKSON. So we can lock in the next two speakers, if there is no objection, I ask unanimous consent that Senator ISAKSON be recognized for up to 8 minutes, followed by Senator GRASSLEY from Iowa for up to 20 minutes.

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

Mr. INHOFE. I also ask unanimous consent for Senator FEINGOLD to be recognized at noon today for up to 1 hour. Then at 1 o'clock, we will have an opportunity to respond.

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

The Senator from Georgia.

Mr. ISAKSON. Mr. President, I reiterate my commitment to the chairman and ranking member, and to Senator BAUCUS, that we will remain united to support this bill to the end. We will be united on amendments whether we are for them or against them. This is in the best interest of the United States.

I thank Ruth Van Mark, Angie Ciancarlo, Letmon Lee, Jeff Rosato, Ken Kopocis, Tyler Rushforth and JoEllen Darcy for their work on this bill. I particularly thank my staff member Mike Quiello.

The bill before us is an investment in infrastructure. It is not a spending bill. It ensures safe drinking water, clean drinking water, storm water management, and navigable waterways will be a reality. They will be workable and they will be improved. To use my State as an example, I cite three things included in this bill that are important to the infrastructure of the Southeast.

First, I wish to take a minute to talk about the Water Resources Development Act of 1986. This committee has considered that legislation to authorize four projects on a biennial basis. Unfortunately, we have gone 7 years without a reauthorization. Now is without question the time to make that reauthorization. I am proud of the work the committee has done.

Specifically, for the State of Georgia, there are a number of important provisions included in this legislation: a fund for the construction of conveyance systems to connect both existing and planned wastewater infrastructure and facilities for the Metro North Georgia Water Planning District. What is so important about this is, it represents what Congress and the Corps have said is the future of quality, good management water. That is a regional approach. Water does not recognize political jurisdictions. It does not recognize politicians. It flows downstream and downhill and intersects regions as it goes. It is important to fund projects such as this to deal with water on a regional and comprehensive basis.

Also included in this legislation is the Big Creek watershed in North Fulton County. The Mayor of Roswell, the city of Roswell, the County of Fulton, have worked critically on this watershed management and have increased

the flow of water into the Chattahoochee and improved its quality and used new high technology for flood and water control management. It is essential we invest in that type of infrastructure in the future for good quality water, good quality runoff, and good quality storm management.

I also wish to take a moment to talk about an historic event that took place in my State at 2 p.m. on 12 March 2007. Governor Sonny Purdue of Georgia and Governor Mark Sanford of South Carolina met on the banks of Jasper County in South Carolina and announced a bistate proposal to build a joint port operation in Jasper County. It is historic because for the better part of two decades, Georgia and South Carolina have fought over the use of that land. It has been used as an environmental dump, if you will. The two States operate the Port of Charleston, the Port of Savannah, and the Port of Brunswick. All are reaching capacity. The two States wanted to go together, build a port, and operate that port jointly to ensure the future of commerce to the Southeast and, in fact, the rest of the Nation, so much so that the two States are putting up the money to pay for the feasibility study. The WRDA bill only authorizes the study to be made. It does not cost the taxpayers of America a dime. The taxpayers of Georgia and South Carolina are paying for it.

During the debate, there is going to be an amendment offered to clarify language in section 4028 of the bill which will more accurately reflect that agreement.

I ask unanimous consent to have printed in the RECORD a copy of this historic transcript as well as a copy of the transcript of Assistant Secretary of the Army for Civil Works John Paul Woodley talking about this agreement and acknowledging it in the EPW Committee.

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

#### TERM SHEET

Whereas, Governor Sanford and Governor Perdue, as the chief executive officers of their respective states, recognize that the capacity at the existing ports in Charleston and Savannah is finite and that their states' businesses and industries have a need for increased access to marine terminal facilities to import and export goods associated with their activities for the benefit of each of the states, the United States and for international commerce generally; and

Whereas, Governor Sanford and Governor Perdue believe that the most practical means of increasing each state's capacity for marine-related transportation facilities is to: (a) build a new maritime terminal on the Savannah River in Jasper County, South Carolina, and (b) improve access to both the new terminal in Jasper County and the existing and potential new or expanded terminals in Garden City and Savannah, Georgia; and

Whereas, in order to expedite and facilitate the building of the new terminal in Jasper County and to improve access to this new terminal and the existing and potential new or expanded terminals in Garden City and Savannah, Governor Sanford and Governor Perdue are desirous of setting forth herein

their mutual intent to cooperate and coordinate in all appropriate respects and to promote and advocate in good faith the taking and occurrence of any and all actions necessary to those ends, including, without limitation, those set forth herein;

Whereas, Governor Sanford and Governor Perdue recognize the importance of the environmental resources in the Savannah River and the surrounding areas, and the need for wise use and long-term sustainability of these resources through planning and cooperation on resource management in a regional and cooperative manner, and are proposing the actions herein in a manner that balances the need for economic development and protection of sustainable natural resources to the maximum extent feasible;

Now, therefore, to promote and advocate the taking of actions necessary to build a new maritime terminal on the Savannah River in Jasper County and to improve access to both this new terminal and the existing and potential new or expanded terminals in Garden City and Savannah, and to establish a framework from which their respective state legislatures can draft and adopt a formal compact to accomplish those objectives, Governor Sanford and Governor Perdue set forth this Term Sheet.

#### THE JASPER COUNTY MARITIME TERMINAL

1. Governor Sanford and Governor Perdue will use their best efforts as the Governors of their respective states to promote the development of a maritime terminal, by the two states on an equal basis through an appropriate entity (the Bi-State Port Authority) and pursuant to a compact (the Bi-State Compact) approved by the two states' legislatures and ratified by the United States Congress (the Congress), on an appropriate portion of the land (the Jasper Terminal Site) situate in Jasper County, owned by the Georgia Department of Transportation (the Georgia DOT) and currently subject to litigation between the states.

2. Independent of the pursuit of the Bi-State Compact to develop a maritime terminal on the Jasper Terminal Site (see paragraph 3 below), Governor Sanford and Governor Perdue recognize that, as a threshold matter, in order for a maritime terminal to be developed on the Jasper Terminal Site by any entity, the easements (the Easements) used by the United States Army Corps of Engineers (the Corps) for placement of dredged fill materials for the Savannah Harbor Federal Navigation Project (the Savannah Harbor Project) on the Jasper Terminal Site must be removed, released, or modified. In this regard, Governor Sanford and Governor Perdue further recognize that the Georgia DOT as the current owner of the Jasper Terminal Site is the appropriate party to initiate and pursue the release, removal or modification of the Easements, and they will use their best efforts as the Governors of their respective states to cooperatively pursue the timely release, removal or modification of the Easements by requesting:

(a) that the Georgia DOT, as soon as possible after execution of this Term Sheet, make a formal application to the Corps for the release, removal or modification of the Easements and that the State of South Carolina submit a letter of support to the Corps;

(b) that the Congress authorize the necessary studies to permit such release, removal or modification (the Federal Feasibility Study) and that each state take whatever action may be required, including if necessary an appropriation by its legislature during the 2007 legislative session, to ensure that each state has the requisite funds dedicated as soon as possible after execution of this Term Sheet for the payment of one-half of the estimated cost of the Federal Feasibility Study; and

(c) that each state's legislature appropriate during the 2008 legislative session, if necessary, funds dedicated for the payment of one-half of the state or local share of costs associated acquiring replacement spoil disposal sites.

Governor Sanford and Governor Perdue further acknowledge that these efforts to release, remove or modify the Easements must immediately proceed on a track independent of the Bi-State Compact process and declare that these efforts shall represent the necessary tangible commitment by the two states to act in good faith toward ensuring that a new maritime terminal on the Savannah River in Jasper County becomes a reality. Additionally, Governor Sanford and Governor Perdue acknowledge that, in the event the Bi-State Compact process fails and title to the Jasper Terminal Site remains reposed with the Georgia DOT (and thus continues to remain the subject of the condemnation litigation pending between the SCSPA and the Georgia DOT), then it would be equitable for the State of Georgia to recompense the State of South Carolina for funds expended by it in connection with the Federal Feasibility Study and acquiring replacement disposal sites to compensate for the areas no longer encumbered by the Easements, and therefore Governor Perdue will use his best efforts as Governor of Georgia to have the Georgia legislature make the appropriate equitable reimbursement arrangements.

3. Independent of their immediate effort to pursue the release, removal or modification of the Easements from the Jasper Terminal Site (see paragraph 2 above), Governor Sanford and Governor Perdue will also use their best efforts as the Governors of their respective states to promote the passage of the Bi-State Compact in their respective state's legislatures, on or before March 31, 2008, to:

(a) create the Bi-State Port Authority to be owned on a 50-50 basis by the two states and governed by a board comprised of directors appointed in equal numbers by the two states, provided, however, that there are adequate provisions for the resolution of deadlocks and specific assurances that the Bi-State Port Authority would be completely committed to the timely development of a new maritime terminal on the Jasper Terminal Site, with specific milestones to be achieved, so that the Bi-State Port Authority would not be in any way biased toward the protection of existing or future maritime terminal facilities owned and/or operated by the South Carolina State Ports Authority (the SCSPA) at the Port of Charleston or the Georgia Ports Authority (the GPA) at the Port of Savannah;

(b) authorize the Georgia DOT's sale of the Jasper Terminal Site to the Bi-State Port Authority for its fair market value, with matters of record that prohibit the development of a maritime terminal being removed prior to the sale, with costs of such removal to be shared by the two states 50-50, such sale to close immediately after the United States Congress ratifies the Bi-State Compact;

(c) appropriate funds (with each state bearing one-half of the funding) for the Bi-State Port Authority land acquisition and costs related to its accomplishment of its responsibilities;

(d) direct the SCSPA to dismiss its condemnation action against the Georgia DOT and release the Georgia DOT from such claims simultaneous with the Bi-State Port Authority's acquisition of the Jasper Terminal Site; and

(e) direct the Bi-State Authority to issue Requests for Proposal for private companies to submit proposals to participate in the development the first phase of the Jasper Terminal Site using private capital.

## THE SAVANNAH HARBOR PROJECT

4. After the release, modification or removal of the Easements from the Terminal Site, the Georgia DOT's sale of its right, title and interest in and to the Jasper Terminal Site to the Bi-State Port Authority, and the required approval and ratification of the Bi-State Compact by the state legislatures and the Congress, then Governor Perdue and Governor Sanford agree to cooperate and to use their best efforts to cause the respective Georgia and South Carolina agencies and public interest parties to cooperate each with the other and with other interested parties, including but not three limited to the Corps, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and the U.S. Environmental Protection Agency, in the deepening of the Savannah River navigation channel as conditionally authorized in the federal 1999 Water Resources Development Act and set forth as the Savannah Harbor Project further described at [www.sav-harbor.com](http://www.sav-harbor.com). and in the permitting of the development of the Jasper Terminal Site, with the understanding that any local sponsor or other nonfederal costs associated with the Federal Feasibility Study and the deepening of the Savannah River navigation channel to at least 48 feet from the Atlantic Ocean to and including the Jasper Terminal Site will be divided equally between the states of Georgia and South Carolina, or their respective agencies or departments, and provided that neither the State of South Carolina nor any of its agencies and departments shall bear any local sponsor or other nonfederal costs of deepening the Savannah River navigation channel beyond the westernmost terminus of the Jasper Terminal Site.

## THE SAVANNAH RIVER COMMITTEES

5. By executive orders issued in June 2005, Governor Sanford and Governor Perdue created committees to identify and discuss issues of mutual interest related to the water resources of the Savannah River Basin, and pursuant to those orders the Governor's Water Law Review Committee, appointed by Governor Sanford, and the Governor's Savannah River Committee, appointed by Governor Perdue (collectively, the Savannah River Committees), have responded and met to discuss those issues, including, without limitation, the following:

- (a) The potential that fresh groundwater supplies in the Upper Floridan Aquifer are being contaminated by salt water intrusion from the Port Royal Sound and other areas;
- (b) the impact of the Total Maximum Daily Load (TMDL) regulation for the Lower Savannah River recently issued by the EPA;
- (c) the use of the Savannah River below the Thurmond Dam as a receptacle for treated wastewater from municipalities and industries; and
- (d) the need for a long-term strategy between the two states to manage the use of the Savannah River.

Governor Sanford and Governor Perdue declare that nothing in this Term Sheet shall undermine the importance of the issues being considered by the Savannah River Committees and reaffirm that these committees have been and continue to be charged with the responsibility of investigating those issues, with due consideration as to how such may impact the other objectives discussed in this Term Sheet, and with the task of reporting their findings and recommendations to the two governors in a timely manner.

## MISCELLANEOUS

6. Governor Sanford and Governor Perdue shall appoint a six-member task force (the Task Force) chaired jointly by a member from each state with each Governor having

an equal number of appointments and direct it to present to them, within 180 days (the 180-Day Task Force Due Diligence Period) of the date hereof, a proposed Bi-State Compact that incorporates the material provisions of paragraph 3 above and that, once it has been passed by the two state legislatures and then ratified by the Congress, would create binding legal obligations in furtherance of the objectives referenced herein. Governor Perdue and Governor Sanford further agree to direct the Task Force to establish a deliberative compact development process in which the draft compact is made available to state officers, stakeholders and the public for comment and revision prior to introduction in the respective legislatures during the 2008 sessions.

7. Nothing in this Term Sheet shall delay or in any way influence the legal options available to either state relative to the prosecution or defense of litigation related to any condemnation of the Jasper Terminal Site nor shall this Term Sheet be admissible in such litigation; provided, however, that Governor Sanford and Governor Perdue will ask the SCSPA and the Georgia DOT to: a) take such actions as may be reasonably necessary to have a final adjudication in the pending condemnation action deferred by the South Carolina state circuit court judge until after the expiration of 180-Day Task Force Due Diligence Period, with the understanding, however, that the two litigants during such time would still be able to engage in activities preparatory to such final adjudication; and b) enter into a six-month tolling agreement confirming that the right of either party to petition the United States Supreme Court to accept jurisdiction of the condemnation action shall not be negatively affected by this request for a delay of final adjudication. In this latter regard, it is recognized that, notwithstanding this Term Sheet, the SCSPA expressly reserves any and all arguments and positions that it would be improper for the litigation it has with the Georgia DOT to be removed to the original jurisdiction of the United States Supreme Court and the Georgia DOT expressly reserves any and all arguments and positions that such removal would be proper.

8. Market studies conducted both by the SCSPA and the GPA indicate that a window of opportunity now exists for maritime terminals in the Southeast to increase their volume of imports and exports, and Governor Sanford and Governor Perdue will use their best efforts as the Governors of their respective states to promote regional cooperation between the State of South Carolina and the State of Georgia to take advantage of this opportunity—not only in regard to the new maritime terminal planned for the Jasper Terminal Site, but also between the existing operations at the Port of Charleston and the Port of Savannah—so that the two states are able to take advantage of this opportunity, said cooperation to include, without limitation, the development of a coordinated and improved network of rail access to and rail delivery and distribution from terminal operations in Jasper County, the Port of Savannah and the Port of Charleston.

9. This Term Sheet is a statement of the mutual understanding of the parties. Neither this Term Sheet nor any provision hereof constitutes, or shall constitute, a legal and binding obligation, contract or agreement between either of the parties. Even though this Term Sheet is not binding in any way, the parties agree that: a) if, within 180 days of the creation of the Task Force referred to in paragraph 6 above, a proposed Bi-State Compact is not presented to Governor Sanford and Governor Perdue by such Task Force, then this Term Sheet shall terminate automatically; and b) if by March 31, 2008,

the legislatures of the two states have not formally approved the Bi-State Compact, then this Term Sheet and the Bi-State Compact, if any, shall terminate automatically.

## STATEMENT OF THE HONORABLE JOHNNY ISAKSON, A UNITED STATES SENATOR FROM THE STATE OF GEORGIA

Senator ISAKSON. Thank you, Mr. Chairman. I have enjoyed working with you on many projects in the past, and look forward to working with you on this Committee. I pledge to Chairman Boxer that I absolutely will do everything I can to help expedite and facilitate the WRDA bill and I associate myself with her remarks.

I would like to welcome Senator Mack Mattingly from Georgia, who is in the audience today, and Doug Marchand, who will testify later, who since 1994 has overseen the expansion of the Port of Savannah and the Port of Brunswick. I express my appreciation to the Corps of Engineers for the investment and the work they have done at both those facilities.

I particularly welcome General Strock, and tell you how much I appreciate all you have done and how much you will be missed. You have done an outstanding job.

Mr. Chairman, on Monday of this week at 2:00 p.m., the Governors of South Carolina and Georgia met on the banks of the Savannah River and held an historic press conference which announced a bi-State compact to propose the building of a new port in Jasper County, South Carolina to be jointly operated by the State of Georgia and the State of South Carolina.

Historically, the two States have been at odds over Jasper County on many issues, and they joined hands today and even offered to pay the financial cost of the feasibility studies necessary to move forward on that event. I would like to submit that entire agreement between Georgia and South Carolina for the record.

Senator BAUCUS. Without objection.

Senator ISAKSON. Speaking of cooperation, Mr. Chairman, I am pleased to tell you that the Governors of Alabama and Georgia, you would think we were having a new civil war with all my testimony here, but the Governors of Alabama and Georgia have also worked together in the last eight months to bring about a tri-State water compact in the Chattahoochee Basin. We have been in court for the better part of 17 years without a tri-State water agreement. It has hurt the States of Florida, Georgia and Alabama. The Corps was to begin early this year, has not yet, but I am going to encourage them to hurry up and facilitate the completion of the water control plan, which is the essential framework to formalize the tri-State water compact and make that in fact happen.

I also am looking forward to the testimony of the members of the Corps with regard to the fiscal year 2008 budget request, as to its sufficiency. In my personal judgment, it is probably insufficient to meet the challenges that we need. I hope they will make suggestions as to what we can do in the Senate and the Congress to improve that.

I again want to end where I began, with my sincere appreciation to the Corps of Engineers for the investment of capital and time in the State of Georgia and our resources. Our ports of Brunswick and Savannah are two of the great facilities on the East Coast of the United States. The proposal to build a third port jointly by Georgia and South Carolina is because those two ports have finite capabilities: Brunswick, Savannah and the Port of Charleston. The States have realized the importance of meeting the needs of the people of the United States of America and our commerce in the 21st century, and

believe that facility to be an essential part of it.

I thank the Ports Authority representatives for attending today. I thank the Corps for their investment in Georgia. I look forward to hearing from the Corps with regard to the water control plan on the Chattahoochee River.

Thank you, Mr. Chairman.

Mr. ISAKSON. In conclusion, this water resources bill represents a long overdue step forward in the investment to protect our water resources, enhance our environmental restoration, and spur economic development. It is an investment in the future of our drinking water, an investment in the future of our navigable waterways, and an investment in the future of our commerce. For Congress to fail today or the Senate to fail today to act on this bill responsibly and move forward will be doing a disservice to commerce, to our citizens, and we will, in fact, be abandoning our responsibility to meet the needs of the people of the United States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized for 20 minutes.

Mr. GRASSLEY. I thank the Chair.

Mr. President, it is a pleasure to see this bill out here again as it was last year, passing the Senate, I think unanimously. I had thoughts that maybe we would never see this bill again in this new Congress, such a needed bill as it is. We have not passed a water resource development bill since 2000. Usually Congress, before that period of time, had been reauthorizing every 2 years or authorizing for the first time on a regular basis.

This bill is important to the entire country, but we each represent our respective States. So I see the necessity of this bill from how it enhances the economy of the upper Midwest, Iowa being in the upper Midwest, benefiting very much from it, not only because of where we are geographically located, but we are such a breadbasket for the world as well. For Iowa, the Enhanced Navigation Capacity Improvement and Ecosystem Restoration plan for the upper Mississippi and the Illinois water systems being included in this Water Resources Development Act is vital to the economy and to the ecology of the upper Midwest and particularly to the Mississippi River, with its triple purpose of environment, recreation, and commerce.

Of course, Iowa has the Mississippi River as our eastern boundary. Iowa and the Nation rely on the river to move many of our goods, both domestically and internationally, moving goods into our State that are needed for production as well as moving finished product and raw product out of Iowa, not only agricultural products, which maybe you think about most often, but other products beyond agriculture.

For the United States as a whole, our inland waterway system plays a major role in our Nation's economy. More

than a billion tons of commerce is moved domestically through our inland waterways with a value of \$300 billion. Of the \$300 billion, the upper Mississippi and the Illinois River system contribute significantly. The value of that part of our inland waterway system is \$12 billion per year. Approximately 60 percent of that \$12 billion a year is involved with bulk agricultural exports moving from the farms to the river, down the river, both upper Mississippi and Illinois River, out into international commerce. Navigation on these rivers supports over 400,000 jobs, including 90,000 high-paying manufacturing jobs.

The United States enjoys a comparative advantage in corn production worldwide. My State of Iowa is the leading corn-producing State of the Nation. But the United States as a whole has a comparative advantage to the rest of the world. The per-ton cost for transporting corn in the United States is lower than in lots of other countries. That gives us a tremendous advantage beyond our productive capability. Our Nation must not allow its transportation infrastructure to continue to deteriorate. I believe one of the most important reasons for this legislation, at least as it relates to the Mississippi and Illinois, is there has been deterioration of the system on the one hand and, on the other hand, it has not been expanded in the most efficient way handle the enhanced commerce, the enhanced tonnage that goes up and down the river today compared to decades ago when this system was first set up. Because of that, we have to be concerned not only with this deterioration and maintenance but with the expansion of it because our international competitors are making major investments in their transportation systems.

I had the good fortune, a year ago about now, to travel to Brazil with a codel I headed, to look at the transportation of agricultural products from the inland of Brazil to the ocean into world commerce. As far as some of their infrastructure is concerned, it is very inferior to ours because when traveling in rural Brazil, last year, we ran over more potholes—and I suppose in that area, like in rural Iowa, you would call them mud holes—than you can count.

But Brazil has made significant investments in river infrastructure as compared to their surface transportation. They are realizing they have to get the stuff to the river if they are going to get it into world commerce, so they are spending a lot in resources now on surface transportation to move it from the farm to the ocean. When that happens, I am telling you, we are really going to be at an economic disadvantage with Brazil because of what they are doing on the Amazon, because Brazil already has made significant investments in its river infrastructure.

In the Chamber, I have a map of Brazil, and it happens that where the two arrows are depicted on the map is

where we stopped—at those locations on the Amazon River. At the eastern location, you can see there is a city called Santarem. It is 400 miles in from the Atlantic Ocean, which is about the same distance from New Orleans to Memphis. They have a brandnew facility there for loading oceangoing ships—not using barges, the way we do, and then taking them out to the ocean and loading from the barges onto oceangoing ships. They have oceangoing ships going all the way up the Amazon River to that point—400 miles. They get the efficiency of loading right onto the oceangoing ships, to give them an advantage. It is a very modern loading facility.

Now, there are also new facilities for barges farther up the river—another 200 miles up the river—where they can load onto barges and move their production into the world commerce. Barges traveling that far into the mainland are going to help Brazil become very competitive with our own farmers.

Then again, let me repeat, once they figure out how to get their railroad—they do not have much of a railroad system for commerce to move bulk—when they get railroads in place, when they get their highways in place, they are going to be a real challenge to us.

Let me say, I ought to give them more credit than I have. From the standpoint of what they can produce, at least with soybeans, they are outproducing the United States, as of a couple years ago, when, for the first time, we were no longer the world's leading producer of soybeans. So they have that capacity to produce. Where we are more competitive at this point is getting our stuff to market. But you can see they are concentrating on that. That is why we need to concentrate on this legislation to get our dam-and-lock situation on the upper Mississippi and the Illinois River in a position so we can do that.

Now, South America has more virgin land that has not been under production, and they are converting 17 million acres of virgin land into agricultural production. The long-term results of these efforts on producers in the United States, if we do not keep our transportation system on the Mississippi River and Illinois River up to date and expanded, would be to reduce farm income by \$562 million a year, increase the foreign trade imbalance by \$245 million, and to have a loss of sensitive global environmental habitat.

Therefore, we must invest in major improvements to all of our transportation infrastructure. Currently, every mode of transportation is near or at maximum capacity. If we do not make these investments in our roads, in our rail, in our water, U.S. agriculture, U.S. industry, and the working men and women are going to pay the price.

According to the Congressional Research Service, in 2005, U.S. exports of goods and services totaled \$1.2 trillion, compared to \$1.1 trillion in 2004 and

just a little over \$1 trillion in 2003. Also, our Nation relies on many imported goods that come to the United States. Many of these goods travel by our inland waterways. It is also forecast that both our exports and imports will continue to grow in the coming years. We must be able, then, to efficiently and economically move these goods.

Nearly two-thirds of all grain and soybean exports are moved through the Mississippi and Illinois Rivers. According to one study, unless the Army Corps of Engineers modernizes the lock-and-dam system on the upper Mississippi and Illinois Rivers, the cost of transporting corn would rise 17 cents per bushel. As a result, corn and soybean exports would decline by 68 million and 10 million bushels per year respectively. The decline in corn and soybean exports would reduce farm income by \$246 million. Loss from lower prices and decreased interstate corn demand would equal \$316 million. So these figures highlight how important barge transportation is to farmers and to the overall U.S. economy.

In addition, there are many environmental benefits to river transportation. According to the EPA, towboats emit 35 to 60 percent fewer pollutants than locomotives or trucks. Barges operate at 10 percent of the cost of trucks and 40 percent of the cost of trains, while releasing 20 times less nitrous oxide, 9 times less carbon monoxide, 7 times less hydrocarbons, and burning 10 times less fuel. And you can see this comparison right here, shown on this chart—with barges on the left, hopper cars or trains in the middle, and then trucks and semis on the right—you can see the massive number of semis it takes to do what one 15-barge tow would do. This chart shows 15 railcars or 58 semitrucks being needed to replace each barge loaded, diverted off the upper Mississippi river system. A 15-barge tow equates to 870 semitrucks. EPA also estimates that the Nation currently saves \$100 million to \$300 million in air pollution abatements by moving bulk commodities by barge on the upper Mississippi river system.

In these times of high fuel prices, and with the need to conserve energy, 1 gallon of fuel in a towboat can carry 1 ton of freight 2½ times farther than rail and 9 times farther than trucks.

The Minnesota Department of Transportation estimates shifting from barge to rail results in fuel usage, emissions, and probable accident increases of 331 percent, 470 percent, and 290 percent respectively—for fuel usage, emissions, and probable accidents. Shifting traffic from barges to trucks increases fuel use by 826 percent, emissions by 709 percent, and probable accidents by almost 6,000 percent. Furthermore, shifting the 245 million tons from our rivers would add an additional 9.4 million trucks each year. That would add more than 169 million tires in our landfills.

For these reasons, I have been working with several of my Senate col-

leagues for so many years now on getting the initial authorization for lock-and-dam modernization and enhanced environmental restoration on these rivers signed into law. So I am very pleased this committee included these important initiatives in the Water Resources Development Act and that a bipartisan group of Senators is advocating for this very important modernization.

The lock system on the upper Mississippi River was built in the late 1930s. Many of the lock chambers are only 600 feet long and cannot accommodate 1,100-foot barge tows. These structures require modern tow configuration to “double lock” in order to make the pass-through. This adds up to mounting delay times, increased costs to shippers, increased harm to our environment by higher emissions and higher sediment suspension in the river channels, loss of jobs, and lower wages.

By the year 2020, if we do not make the much needed improvements in these locks, \$562 million will be lost in farm income per year. This amount does not even take into account the huge cost of increased delays and congestion on our rail system and our road system. Also, keep in mind that \$1 invested in this navigation project yields \$6 in national benefit. That is a pretty good return on the investment of taxpayers’ money.

We realize the authorization for the lock-and-dam improvements is just a first step in a lengthy process of improving the lock-and-dam system on the upper Mississippi, but it is an important and necessary project for our Nation. So I urge all of my colleagues to vote for this balanced legislation for the good of our country.

I yield the floor.

The PRESIDING OFFICER. The Senator from California is recognized.

Mrs. BOXER. Mr. President, I thank Senator GRASSLEY so much for his endorsement of this important bill.

It was interesting, I say to the Senator, that just as you came to the floor, I was handed the letter from the Corn Growers saying how much they support our legislation. And we add to that the letters from the American Public Works Association, the Associated General Contractors of America, the National Waterways Conference, the American Farm Bureau Federation. We have the Carpenters Union. We have many unions.

This is one of those bills that have broad support. But I am just very glad the Senator came down to express his support.

Mr. GRASSLEY. Mr. President, will the Senator yield for a second?

Mrs. BOXER. I am happy to yield.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, let me verify, not only from the National Corn Growers Association, as you read from their letter, but I can tell you, from the town meetings I had during the Easter break and also during the

February break, from the grassroots of my State, farmers, including members of the Corn Growers Association, came to my meetings and on an individual basis backed up what their national organization stands for. So I think it is very much a national consensus of an organization, but it is also an understanding with the family farmers as to the importance of this legislation.

I thank the Senator for inserting those letters in the RECORD.

Mrs. BOXER. I thank the Senator very much.

Mr. President, I ask unanimous consent that those letters be printed in the RECORD.

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

NATIONAL CORN  
GROWERS ASSOCIATION,  
May 8, 2007.

Hon. HARRY REID,  
Majority Leader, U.S. Senate,  
Washington, DC.

Hon. MITCH MCCONNELL,  
Minority Leader, U.S. Senate,  
Washington, DC.

DEAR SENATORS REID AND MCCONNELL: The National Corn Growers Association (NCGA) appreciates your time, effort and steadfast commitment to bring the Water Resources Development Act (WRDA) to the Senate floor for consideration. Additionally, we applaud the Senate Environment and Public Works Committee and associated staff for their determination to see this long over-due legislation completed.

Corn growers have been long-time advocates for improvements to our inland waterway system. We have sought partners with industry, labor organizations, and environmental advocates building a broad coalition of support for WRDA. Our country’s inland navigation system plays a critical role in our nation’s economy, moving more than a billion tons of domestic commerce valued at more than \$300 billion. More than 1 billion bushels of grain (about 60 percent of all grain exports) move to export markets via the inland waterways each year, accounting for \$8.5 billion in exports.

Furthermore, inland waterways relieve congestion on our already over-crowded highways and railways that run through cities. One jumbo barge has the same capacity as 58 trucks or 15 rail cars. For a typical 15-barge tow on our nation’s rivers, that is equal to 870 trucks in just one barge movement. One gallon of fuel in a towboat can carry one ton of freight 2.5 times farther than rail and nine times farther than truck.

The Mississippi River and its tributaries serve as one of our nation’s major transportation corridors. Yet, the infrastructure on the Mississippi and Illinois Rivers was built in the 1930’s when the total corn crop for the country was two billion bushels. In 2006, corn production eclipsed 10 billion bushels for the fourth consecutive year.

For continued success, U.S. farmers need efficient transportation networks. Investment in the Upper Mississippi and Illinois Rivers has not kept pace with demands. The antiquated system is slowly being starved resulting in operational failures that hinder barge movement and dramatically impact corn prices. Problems along the Mississippi and Illinois Rivers will continue to persist year after year if long-term investments are not made to improve our transportation infrastructure.

Specifically, WRDA would authorize a fifteen year project that includes the construction of seven new locks on the Upper Mississippi and Illinois Rivers as well as immediate implementation of small-scale measures. This legislation would authorize a fifteen year project that includes the construction of seven new locks on the Upper Mississippi and Illinois Rivers as well as immediate implementation of small-scale measures and the creation of a major ecosystem restoration program. As with our highways and interchanges, the purpose of modernization on the Upper Mississippi and Illinois Rivers is to make the entire system more efficient.

The continued development of our water resources in an environmentally sound manner will contribute mightily to our nation's well-being. The Congress needs to act now to address issues such as environmental restoration, navigation, flood control, hurricane protection, water supply, irrigation, beach nourishment and recreation.

Corn growers appreciate your support and stand ready to work with you in passing this important piece of legislation to the nation.

Sincerely,

KEN MCCAULEY,  
*President.*

AMERICAN PUBLIC  
WORKS ASSOCIATION,  
*May 10, 2007.*

Hon. BARBARA BOXER,  
*Chairwoman, Environment and Public Works  
Committee, Washington, DC.*

DEAR MADAM CHAIRWOMAN: The American Public Works Association applauds your leadership in moving the Senate Water Resources Development Act of 2007 through committee and readying it for floor action! This bill will authorize vital inland and coastal public works projects needed for transportation, flood control, shore protection and environmental restoration. Passage of WRDA is long overdue and the time for action is now.

Our water resource systems are integral to our nation's well-being. With adequate dredging, our ports and waterways are the backbone of our transportation system—ensuring domestic and international trade opportunities and low-cost, environmentally sensitive goods movements. Our flood damage reduction program saves lives and prevents almost \$8 in damages for each dollar spent. Corps hydropower facilities provide electricity to 24% of citizens. Shore protection projects provide safety from hurricanes and other storm events for transportation, petroleum and agriculture infrastructure around our coastal waterways and deltas. They also provide recreational benefits, returning \$4 in benefits for each dollar invested. Projects for water supply, irrigation, recreation and wildlife habitat provide innumerable benefits.

APWA's members are uniquely positioned to collaborate with municipal and county agencies, engineers and local community leaders on these issues. APWA's 29,000 members design, build, operate and maintain transportation, water supply, sewage and refuse disposal systems, public buildings and other structures and facilities essential to our nation's economy and way of life. Public works professionals serve a diverse range of local communities, municipalities, counties, townships, villages and districts, whether large or small, urban or rural. As stewards of public infrastructure, APWA members are dedicated to managing and operating public works departments that provide safe and reliable service to their communities.

We thank you for your efforts to ensure that our water resources infrastructure, from our coastlines to our inland rivers and

Great Lakes, will continue to be viable. We look forward to celebrating with you the enactment of a sound Water Resources Development Act of 2007 that furthers the goals of providing the nation with an economically and environmentally sustainable future.

Sincerely,

PETER B. KING,  
*Executive Director.*

THE ASSOCIATED GENERAL  
CONTRACTORS OF AMERICA,  
*Arlington, VA, May 9, 2007.*

*U.S. Senate,  
Washington, DC.*

DEAR SENATOR: On behalf of The Associated General Contractors of America (AGC), I urge you to vote in favor of S. 1248, the Water Resources Development Act of 2007 (WRDA).

The enactment of a strong WRDA is of critical importance to the nation's environmental and economic well being. For every \$1 billion expended on water resources development activities, approximately 40,000 direct and indirect jobs are created. In addition, an estimated \$706 billion in damages have been prevented through flood damage reduction projects—most within the past 25 years—representing a six-to-one return on investment.

Over the past five years, the U.S. Army Corps of Engineers has voluntarily implemented new policies designed to improve analysis, accountability, regulatory compliance and environmental protection for the nation's Civil Works program.

The Water Resources Development Act of 2007 will finally set the Nation back on the track of reaping substantial returns on investment. Congress must commit to infrastructure investment now to leave behind a legacy of economic security and opportunity for future generations. WRDA is a key vote for AGC members and we urge you to vote YES for final passage of S. 1248.

Sincerely,

JEFFREY D. SHOAF,  
*Senior Executive Director,  
Government and Public Affairs.*

NATIONAL WATERWAYS  
CONFERENCE, INC.,  
*Arlington, VA, May 10, 2007.*

Hon. BARBARA BOXER,  
*Chairwoman, Senate Environment and Public  
Works Committee, U.S. Senate, Washington,  
DC.*

DEAR MADAM CHAIRWOMAN: It is vitally important that America's water resources infrastructure be reliable and productive. Therefore we applaud your efforts to end the stalemate over water resources project authorization by bringing H.R. 1495, the Water Resources Development Act of 2007 (WRDA) to the Senate floor. We firmly believe that it is time to end the impasse over passage of WRDA.

A Water Resources Development Act is vitally needed to accommodate the many important projects awaiting authorization, including the modernization of the locks on the Upper Mississippi and Illinois Rivers. Projects with a Chief of Engineers' report have undergone years of study and analysis to determine if they are in the best interest of the Federal government. In addition, stakeholders have already indicated their willingness to cost-share the price-tags. Water resources projects are the very foundation upon which citizens can be productive in their daily lives. As outlined in the letter sent by the National Waterways Alliance on May 3, it is equally important that policy provisions enhance the process by which the Corps of Engineers formulates project solutions. Finally addressing the "Corps reform" issue in a balanced way can lead to stability

for the Corps of Engineers and reassure the nation that the Corps is a world-class engineering organization for the future.

Our water resources system contributes mightily to America's well-being. With adequate dredging, our ports and waterways are the backbone of our transportation system—ensuring domestic and international trade opportunities and a safe, cheap and eco-friendly transportation alternative for products such as steel, coal, fertilizer, energy products and byproducts, salt, sand and gravel, cement, petroleum, chemicals, etc. In addition, the U.S. maritime transportation system moves more than 60 percent of the Nation's grain exports. Our flood damage reduction program saves lives and prevents, on average, almost \$8 in damages for each dollar spent. Corps hydropower facilities supply 24% of the hydropower generated in the United States. Projects for water supply, irrigation, recreation, beach nourishment and wildlife habitat provide innumerable benefits. These water-related assets have the potential to help grow our economy, help ease our Nation's growing congestion problem and provide a finer quality of life.

As you know, the National Waterways Conference is the Nation's "umbrella" water resources policy organization. Its members include those who ship goods domestically and around the world, the carriers of those goods, waterway service firms such as engineering companies, fleet services and dredging concerns, public entities such as coastal and inland ports, levee districts, water supply districts and state governmental units, and associations, both regional and national in scope—representing a wide variety of interests. The members of the National Waterways Conference, Inc., look forward to working with you to ensure that our water resources infrastructure remains a monument to the greatness of the United States.

Sincerely,

WORTH HAGER,  
*President.*

AMERICAN FARM BUREAU  
FEDERATION,  
*Washington, DC, May 4, 2007.*

Hon. BARBARA BOXER,  
*Senate Office Building,  
Washington, DC.*

DEAR SENATOR BOXER: The American Farm Bureau Federation urges you to support S. 1248, the Water Resources Development Act of 2007 (WRDA), when it is considered on the floor. The bill authorizes important, long overdue flood control, dam safety, storm damage reduction and environmental restoration projects across the country. It includes critical provisions to update and modernize the locks and dams on the Upper Mississippi and Illinois rivers.

Modernizing the locks and dams on the Upper Mississippi and Illinois Rivers is essential for U.S. commerce and the agricultural sector. One medium-size tow on the river can carry the same weight as 870 trucks. However, the structures now in use were built many decades ago and were not designed to accommodate today's longer barge tows that are absolutely necessary in order to compete in a global market. While these outdated locks and dams make our transportation system less efficient, our competitors in countries such as Argentina and Brazil are aggressively modernizing their own infrastructure.

Farm Bureau urges you to support S. 1248 and oppose any amendment that would hinder progress on infrastructure improvements.

Sincerely,

BOB STALLMAN,  
*President.*

Mrs. BOXER. Mr. President, I ask unanimous consent to allocate time, and that would be for Senator MARTINEZ to immediately follow my remarks and to have the floor for up to 10 minutes; then Senator SALAZAR for 10 minutes; Senator ALEXANDER for 10 minutes; and at the end of their time, the time be reserved for Senator FEINGOLD for 1 hour, followed by myself at the end of that hour.

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

Mrs. BOXER. Mr. President, I yield to my colleague from Florida.

The PRESIDING OFFICER. The Senator from Florida is recognized for 10 minutes.

Mr. MARTINEZ. Mr. President, I express my thanks to Chairman BOXER and Ranking Member INHOFE for bringing this important bill to the floor, which sets a high priority for my State, and for giving it such strong support. I also note how important it is that we have a strong bipartisan effort. At a time when our country could rightly wonder if the Congress can get anything done or if, in fact, it is possible for bipartisan cooperation to exist, here is a good example of where Republicans and Democrats are working together for something that is very important for our country and significantly important for the State of Florida. This bill is something Senator NELSON and I have worked on side by side trying to bring to fruition. It is long overdue. It is time.

My State of Florida is home to beautiful beaches, coastal estuaries, and 14 deepwater ports. No piece of legislation moving through Congress will have as much lasting improvement on Florida's fragile ecosystem as this bill. After a long delay, it is my hope my colleagues will support this bill and begin the Federal partnership for restoring the Everglades.

For too long in our Nation's past, the Federal Government's water resources policies seemed to be in conflict with nature. In the not so distant past, the Army Corps of Engineers and even the elected congressional and State leadership of Florida were determined to drain the Everglades.

One of our most colorful former governors, Napoleon Bonaparte Broward, famously proclaimed: "Water will run downhill!" At that time, draining and improving what was then thought to be "useless swampland" was the epitome of true conservation because opening the wetlands and marshes of Florida to farming and development was considered a better use of land because it could feed people, it could employ people, it was good for development, it was good for Florida.

There is also a popular story of a man who moved to south Florida to make his fortune farming the rich soils around Lake Okeechobee. He was quoted as saying:

I have bought land by the acre, I have bought land by the foot, but I have never before bought land by the bucket.

There was still a large amount of what we called "Old Florida" back then with numerous hardwood hummocks and cypress domes that were prone to flooding.

The idea that places should be protected for their environmental value, their intrinsic beauty, as a water resource, and for public enjoyment was an alien concept. Fortunately for our Nation and more importantly for Florida, the idea of conservation and restoration has an entirely different and more sophisticated meaning today than in the past.

In the year 2000, Congress authorized the landmark Comprehensive Everglades Restoration Plan, otherwise known as CERP, to repair and restore the natural sheet flow of water across the park and into Florida Bay. CERP projects will capture and store a great deal of the nearly 1.7 billion gallons of fresh water a day which is currently released into the Atlantic Ocean and into the Gulf of Mexico. This water will be stored in aboveground and underground reservoirs. When needed, it will be directed to wetlands, lakes, rivers, and estuaries in south Florida, providing abundant, clean, fresh water while also ensuring future urban and agricultural water supplies.

Even though we get more rain than nearly anywhere else in the country, Florida is currently experiencing a severe drought. Evidence of that drought is the wildfires we are experiencing today as we speak, out-of-control wildfires because of drought, but also because what normally would be wetlands and marshes have been drained over years of development—careless development. So it is vital that we capture this fresh water so it can be used to meet our growing conservation and water use needs.

Restoring the Everglades, this incredible undertaking, is the largest environmental restoration project in the world. I am proud to say the State of Florida has made historic and prolific financial commitments of over \$3 billion to honor their commitment to the Everglades. The State of Florida has done its part. When I meet with our former Governor, when he was Governor, or our current Governor, or members of our legislature, I am reminded by them: Where is the Federal partnership? We have done our part. The Federal Government, on the other hand, has contributed around \$3 million of their commitment. WRDA will help to address this inequity by authorizing major CERP projects such as the Indian River Lagoon and the Picayune Strand, which is such an important restoration effort, so they can begin to take shape.

The Indian River Lagoon South Restoration Project in WRDA is critical to the success of the CERP and returning the St. Lucie estuary to a healthy status. Approximately 2,200 species have been identified in the lagoon system, with 35 of these species listed as threatened or endangered. According to

the South Florida Water Management District, it has the greatest species diversity of any estuary in North America.

Implementation of the South Restoration Project will feature more than 12,000 acres of aboveground water reservoirs, 9,000 acres of manmade wetlands, and 90,000 acres of natural storage and water quality acres, including 53,000 acres of restored wetlands. All of these areas provide additional water storage and management capabilities for approximately 44 billion gallons of runoff water storage. Also included is the removal of more than 7 million cubic yards of muck sediments from the St. Lucie River, with a corresponding restoration of 2,650 acres of habitat, 922 acres of sea grass, and 889 acres of oyster habitat. All of these project features will cooperatively achieve a targeted reduction of 41 percent of the phosphorus and 26 percent of the overall nitrogen loadings in the estuary from these basins in the long term, restoring the system to a more balanced and natural state.

Another very important Everglades restoration project included in WRDA is the authorization of the Picayune Strand project. This area was originally planned as the largest subdivision in the United States. It was called Golden Gate Estates. In the early 1960s, the Gulf American Corporation dredged 48 miles of canals, built 290 miles of roads, and sold thousands of lots before going bankrupt. At that time there were no Federal or State laws setting drainage standards or regulating the development of wetlands. WRDA will help the State of Florida in restoring this degraded area back to the cypress wetland it was before by removing the harmful drainage canals that have made this area prone to wildfires and invasive species such as Old World climbing fern, maleluca, and Brazilian pepper. In addition, the project will restore and enhance habitat for fish and wildlife resources, including threatened or endangered species such as the Florida panther, the Florida black bear, red-cockaded woodpecker, and wood stork, as well as rare habitat such as tropical hummocks and plant species, including orchids and bromeliads.

The habitat and water recharge benefits will provide a boon for the Big Cypress National Preserve. Also, it will provide a boon to the 10,000 Islands National Wildlife Refuge and the Florida Panther Wildlife Refuge.

This bill also contains an important study approved by the EPW Committee to direct the Army Corps of Engineers to examine the structural integrity of the Hoover Dike. This is a critically important step in trying to ensure the structural integrity of this dike. The dike around Lake Okeechobee was constructed in response to the 1928 hurricane which struck and caused Lake Okeechobee to overflow, killing over 2,500 people in the Belle Glade area. A study was performed in 2006 by the

Florida Water Management District, and this study found the dike's protective capability had been severely eroded in several areas. This study will direct the Corps to examine the findings and make recommendations for the State of Florida.

The WRDA bill also means greater jobs and improved transportation for coastal communities and ports in Florida. It authorizes additional passing lanes, increased safety at Florida's largest port, the Port of Tampa, which is where half of the State's seaborne tonnage moves through. In addition, WRDA provides navigation improvements for the Miami Harbor, which is widely regarded as one of the world's major cruise and shipping destinations. It will also help with beach renourishment, which will also help restore some of the critically eroded beach areas from the devastating storms of 2004 and 2005.

In conclusion, I thank Chairman BOXER, Senator INHOFE, Senator BOND, and Senator ISAKSON for including these vital restoration and economic development projects in WRDA. This legislation is long overdue. I urge my colleagues to support it. I hope for the swift conclusion of this legislation so the people of Florida can begin to see the benefits that are going to come to our State as a result of this farsighted legislation that will have impacts on our State long after most of us have parted from these halls of Congress.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado is recognized.

IRAQ STUDY GROUP RECOMMENDATIONS  
IMPLEMENTATION ACT OF 2007

Mr. SALAZAR. I come to the floor today with my distinguished colleague and friend, the Senator from Tennessee, to talk about a new way forward in Iraq. I ask unanimous consent that legislation which we have put together working with the Iraq Study Group entitled, The Iraq Study Group Recommendations Implementation Act of 2007, be printed in the RECORD.

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

S. \_\_\_\_\_

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Iraq Study Group Recommendations Implementation Act of 2007".

**SEC. 2. FINDINGS.**

Congress makes the following findings:

(1) On March 15, 2006, the Iraq Study Group was created at the request of a bipartisan group of members of Congress.

(2) The United States Institute of Peace was designated as the facilitating organization for the Iraq Study Group with the support of the Center for the Study of the Presidency, the Center for Strategic and International Studies, and the James A. Baker III Institute for Public Policy at Rice University.

(3) The Iraq Study Group was composed of a bipartisan group of senior individuals who have had distinguished careers in public

service. The Group was co-chaired by former Secretary of State James A. Baker, III and former chairman of the House Foreign Affairs Committee Lee H. Hamilton, and the other members were former Secretary of State Lawrence S. Eagleburger; Vernon E. Jordan, Jr, the Senior Managing Director of Lazard, Freres and Company; former Attorney General Edwin Meese III; former Supreme Court Associate Justice Sandra Day O'Connor; former White House Chief of Staff Leon E. Panetta; former Secretary of Defense William J. Perry; United States Senator Charles S. Robb; and United States Senator Alan K. Simpson.

(4) On June 15, 2006, President George W. Bush signed into law the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109-234), which provided \$1,000,000 to the United States Institute of Peace for activities in support of the Iraq Study Group.

(5) The Iraq Study Group consulted nearly 200 leading officials and experts, including the senior members of the Government of Iraq, the United States Government, and key coalition partners and received advice from more than 50 distinguished scholars and experts from a variety of fields who conducted working groups in the areas of economy and reconstruction, military and security, political development, and the strategic environment in Iraq and the Middle East.

(6) While the Iraq Study Group recommended shifting the primary mission of United States military forces in Iraq from combat to training, and while the Iraq Study Group described actions and conditions that could allow for a redeployment of troops not necessary for force protection out of Iraq by the first quarter of 2008, the Iraq Study Group did not set a fixed timetable for withdrawal and said it could support a short-term redeployment of United States combat forces, complemented by comprehensive political, economic, and diplomatic efforts, to stabilize Baghdad or to speed up the mission of training and equipping Iraqis if the United States commander in Iraq determines that such steps would be effective.

(7) The report of the Iraq Study Group includes a letter from the co-chairs of the Iraq Study Group, James A. Baker, III and Lee H. Hamilton, which states, "Our political leaders must build a bipartisan approach to bring a responsible conclusion to what is now a lengthy and costly war. Our country deserves a debate that prizes substance over rhetoric, and a policy that is adequately funded and sustainable. The President and Congress must work together. Our leaders must be candid and forthright with the American people in order to win their support."

(8) The Republicans and Democrats who comprised the Iraq Study Group reached compromise and consensus and unanimously concluded that their recommendations offer a new way forward for the United States in Iraq and the region, and are comprehensive and need to be implemented in a coordinated fashion.

**SEC. 3. SENSE OF CONGRESS ON IMPLEMENTATION OF IRAQ STUDY GROUP RECOMMENDATIONS.**

It is the sense of Congress that the President and Congress should agree that the way forward in Iraq is to implement the comprehensive set of recommendations of the Iraq Study Group, particularly those specifically described in this Act, and the President should formulate a comprehensive plan to do so.

**SEC. 4. SENSE OF CONGRESS ON DIPLOMATIC EFFORTS IN IRAQ.**

It is the sense of Congress that, consistent with the recommendations of the Iraq Study

Group, the United States Government should—

(1) establish a "New Diplomatic Offensive" to deal with the problems of Iraq and of the region;

(2) support the unity and territorial integrity of Iraq;

(3) encourage other countries in the region to stop the destabilizing interventions and actions of Iraq's neighbors;

(4) secure the borders of Iraq, including through the use of joint patrols with neighboring countries;

(5) prevent the expansion of the instability and conflict beyond the borders of Iraq;

(6) promote economic assistance, commerce, trade, political support, and, if possible, military assistance for the Government of Iraq from non-neighboring Muslim nations;

(7) energize the governments of other countries to support national political reconciliation in Iraq;

(8) encourage the governments of other countries to validate the legitimate sovereignty of Iraq by resuming diplomatic relations, where appropriate, and reestablishing embassies in Baghdad;

(9) assist the Government of Iraq in establishing active working embassies in key capitals in the region;

(10) help the Government of Iraq reach a mutually acceptable agreement on the future of Kirkuk;

(11) assist the Government of Iraq in achieving certain security, political, and economic milestones, including better performance on issues such as national reconciliation, equitable distribution of oil revenues, and the dismantling of militias;

(12) encourage the holding of a meeting or conference in Baghdad, supported by the United States and the Government of Iraq, of the Organization of the Islamic Conference or the Arab League, both to assist the Government of Iraq in promoting national reconciliation in Iraq and to reestablish their diplomatic presence in Iraq;

(13) seek the creation of the Iraq International Support Group to assist Iraq in ways the Government of Iraq would desire, attempting to strengthen Iraq's sovereignty;

(14) engage directly with the Governments of Iran and Syria in order to obtain their commitment to constructive policies toward Iraq and other regional issues;

(15) provide additional political, economic, and military support for Afghanistan including resources that might become available as United States combat forces are redeployed from Iraq;

(16) remain in contact with the Iraqi leadership, conveying the clear message that there must be action by the Government of Iraq to make substantial progress toward the achievement of the milestones described in section 11, and conveying in as much detail as possible the substance of these exchanges in order to keep the American people, the Iraqi people, and the people of countries in the region well informed of progress in these areas;

(17) make clear the willingness of the United States Government to continue training, assistance, and support for Iraq's security forces, and to continue political, military, and economic support for the Government of Iraq until Iraq becomes more capable of governing, defending, and sustaining itself;

(18) make clear that, should the Government of Iraq not make substantial progress toward the achievement of the milestones described in section 11, the United States shall reduce its political, military, or economic support for the Government of Iraq;

(19) make clear that the United States Government does not seek to establish permanent military bases in Iraq;

(20) restate that the United States Government does not seek to control the oil resources of Iraq;

(21) make active efforts to engage all parties in Iraq, with the exception of al Qaeda;

(22) encourage dialogue between sectarian communities and press religious leaders inside and outside of Iraq to speak out on behalf of peace and reconciliation;

(23) support the presence of neutral international experts as advisors to the Government of Iraq on the processes of disarmament, demobilization, and reintegration of militias and other armed groups not under the control of the Government of Iraq; and

(24) ensure that reconstruction efforts in Iraq consist of great involvement by and with international partners that actively participate in the design and construction of projects.

#### **SEC. 5. STATEMENT OF POLICY ON SECURITY AND MILITARY FORCES.**

It shall be the policy of the United States to formulate and implement with the Government of Iraq a plan, consistent with the recommendations of the Iraq Study Group, that—

(1) gives the highest priority to the training, equipping, advising, and support for security and military forces in Iraq and to supporting counterterrorism operations in Iraq; and

(2) supports the providing of more and better equipment for the Iraqi Army by encouraging the Government of Iraq to accelerate its requests under the Foreign Military Sales program and, as United States combat brigades redeploy from Iraq, provides for the transfer of certain United States military equipment to Iraqi forces.

#### **SEC. 6. STATEMENT OF POLICY ON STRENGTHENING THE UNITED STATES MILITARY.**

It shall be the policy of the United States to formulate and implement a plan, consistent with the recommendations of the Iraq Study Group, that—

(1) directs the Secretary of Defense to build healthy relations between the civilian and military sectors, by creating an environment where senior military leaders feel free to offer independent advice to the civilian leadership of the United States Government;

(2) emphasizes training and education programs for the forces that have returned to the United States in order to restore the United States Armed Forces to a high level of readiness for global contingencies;

(3) provides sufficient funds to restore military equipment to full functionality over the next 5 years; and

(4) assesses the full future budgetary impact of the war in Iraq and its potential impact on—

(A) the future readiness of United States military forces;

(B) the ability of the United States Armed Forces to recruit and retain high-quality personnel;

(C) needed investments in military procurement and in research and development; and

(D) the budgets of other Federal agencies involved in the stability and reconstruction effort in Iraq.

#### **SEC. 7. STATEMENT OF POLICY ON POLICE AND CRIMINAL JUSTICE IN IRAQ.**

It shall be the policy of the United States to formulate and implement with the Government of Iraq a plan, consistent with the recommendations of the Iraq Study Group, that—

(1) transfers the Iraqi National Police to the Ministry of Defense, where the police

commando units will become part of the new Iraqi Army;

(2) transfers the Iraqi Border Police to the Ministry of Defense, which would have total responsibility for border control and external security;

(3) establishes greater responsibility for the Iraqi Police Service to conduct criminal investigations and expands its cooperation with other elements in the judicial system in Iraq in order to better control crime and protect Iraqi civilians;

(4) establishes a process of organizational transformation, including efforts to expand the capability and reach of the current major crime unit, to exert more authority over local police forces, and to give sole authority to the Ministry of the Interior to pay police salaries and disburse financial support to local police;

(5) proceeds with efforts to identify, register, and control the Facilities Protection Service;

(6) directs the Department of Defense to continue its mission to train Iraqi National Police and the Iraqi Border Police, which shall be placed within the Iraqi Ministry of Defense;

(7) directs the Department of Justice to proceed with the mission of training the police forces remaining under the Ministry of the Interior;

(8) provides for funds from the Government of Iraq to expand and upgrade communications equipment and motor vehicles for the Iraqi Police Service;

(9) directs the Attorney General to lead the work of organizational transformation in the Ministry of the Interior and creates a strategic plan and standard administrative procedures, codes of conduct, and operational measures for Iraqis; and

(10) directs the Attorney General to establish courts, train judges, prosecutors, and investigators, and create strongly supported and funded institutions and practices in Iraq to fight corruption.

#### **SEC. 8. STATEMENT OF POLICY ON OIL SECTOR IN IRAQ.**

It shall be the policy of the United States to formulate and implement with the Government of Iraq a plan, consistent with the recommendations of the Iraq Study Group, that—

(1) provides technical assistance in drafting legislation to implement the February 27, 2007, agreement by Iraq's Council of Ministers on principles for the equitable sharing of oil resources and revenues;

(2) encourages the Government of Iraq to accelerate contracting for the comprehensive oil well work-overs in the southern fields needed to increase oil production, while ensuring that the United States no longer funds such infrastructure projects;

(3) supports the Iraqi military and private security forces in their efforts to protect oil infrastructure and contractors;

(4) implements metering at both ends of the oil supply line to immediately improve accountability in the oil sector;

(5) in conjunction with the International Monetary Fund, encourages the Government of Iraq to reduce subsidies in the energy sector;

(6) encourages investment in Iraq's oil sector by the international community and by international energy companies;

(7) assists Iraqi leaders to reorganize the national oil industry as a commercial enterprise, in order to enhance efficiency, transparency, and accountability;

(8) encourages the Government of Iraq to post all oil contracts, volumes, and prices on the Internet so that Iraqis and outside observers can track exports and export revenues;

(9) supports the efforts of the World Bank to ensure that best practices are used in contracting; and

(10) provides technical assistance to the Ministry of Oil for enhancing maintenance, improving the payments process, managing cash flows, improving contracting and auditing, and updating professional training programs for management and technical personnel.

#### **SEC. 9. STATEMENT OF POLICY ON IMPROVING ASSISTANCE PROGRAMS IN IRAQ.**

It shall be the policy of the United States to formulate and implement a plan, consistent with the recommendations of the Iraq Study Group, that—

(1) provides for the United States to take the lead in funding assistance requests from the United Nations High Commissioner for Refugees and other humanitarian agencies;

(2) creates a new Senior Advisor for Economic Reconstruction in Iraq reporting to the President, with the authority to bring interagency unity of effort to the policy, budget, and implementation of economic reconstruction programs in Iraq and the authority to serve as the principal point of contact with United States partners in the overall reconstruction effort;

(3) gives the chief of mission in Iraq the authority to spend significant funds through a program structured along the lines of the Commander's Emergency Response Program, with the authority to rescind funding from programs and projects—

(A) in which the Government of Iraq is not demonstrating effective partnership; or

(B) that do not demonstrate substantial progress toward achievement of the milestones described in section 11;

(4) authorizes and implements a more flexible security assistance program for Iraq, breaking down the barriers to effective interagency cooperation; and

(5) grants authority to merge United States assistance with assistance from international donors and Iraqi participants for the purpose of carrying out joint assistance projects.

#### **SEC. 10. STATEMENT OF POLICY ON BUDGET PREPARATION, PRESENTATION, AND REVIEW.**

It shall be the policy of the United States to formulate and implement a plan, consistent with the recommendations of the Iraq Study Group, that—

(1) directs the President to include the costs for the war in Iraq in the annual budget request;

(2) directs the Secretary of State, the Secretary of Defense, and the Director of National Intelligence to provide United States military and civilian personnel in Iraq the highest possible priority in obtaining professional language proficiency and cultural training;

(3) directs the United States Government to provide for long-term training for Federal agencies that participate in complex stability operations like those in Iraq and Afghanistan;

(4) creates training for United States Government personnel to carry out civilian tasks associated with complex stability operations; and

(5) directs the Director of National Intelligence and the Secretary of Defense to devote greater analytic resources to understanding the threats and sources of violence in Iraq and institute immediate changes in the collection of data and violence and the sources of violence to provide a more accurate picture of events on the ground in Iraq.

#### **SEC. 11. CONDITIONS FOR CONTINUED UNITED STATES SUPPORT IN IRAQ.**

(a) IN GENERAL.—It shall be the policy of the United States to condition continued

United States political, military and economic support for Iraq upon the demonstration by the Government of Iraq of sufficient political will and the making of substantial progress toward achieving the milestones described in subsection (b), and to base the decision to transfer command and control over Iraqi security forces units from the United States to Iraq in part upon such factors.

(b) MILESTONES.—The milestones referred to in subsection (a) are the following:

(1) Promptly establishing a fair process for considering amendments to the constitution of Iraq that promote lasting national reconciliation in Iraq.

(2) Enacting legislation or establishing other mechanisms to revise the de-Baathification laws in Iraq to encourage the employment in the Government of Iraq of qualified professionals, irrespective of ethnic or political affiliation, including ex-Baathists who were not leading figures of the Saddam Hussein regime.

(3) Enacting legislation or establishing other binding mechanisms to ensure the sharing of all Iraqi oil revenues among all segments of Iraqi society in an equitable manner.

(4) Holding free and fair provincial elections in Iraq at the earliest date practicable.

(5) Enacting legislation or establishing other mechanisms to ensure the rights of women and the rights of all minority communities in Iraq are protected.

#### SEC. 12. SENSE OF CONGRESS ON REDEPLOYMENT OF UNITED STATES FORCES FROM IRAQ.

It is the sense of Congress that—

(1) with the implementation of the policies specified in sections 5 through 11 and the engagement in the increased diplomatic efforts specified in section 4, and as additional Iraqi brigades are being deployed, and subject to unexpected developments in the security situation on the ground, all United States combat brigades not necessary for force protection could be redeployed from Iraq by the first quarter of 2008, except for those that are essential for—

(A) protecting United States and coalition personnel and infrastructure;

(B) training, equipping, and advising Iraqi forces;

(C) conducting targeted counterterrorism operations;

(D) search and rescue; and

(E) rapid reaction and special operations; and

(2) the redeployment should be implemented as part of a comprehensive diplomatic, political, and economic strategy that includes sustained engagement with Iraq's neighbors and the international community for the purpose of working collectively to bring stability to Iraq.

#### SEC. 13. REPORT ON POLICY IMPLEMENTATION.

Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to Congress a report on the actions that have been taken to implement the policies specified in sections 4 through 11.

Mr. SALAZAR. Mr. President, back in December when the Iraq Study Group first came out with its recommendations, the recommendations were heralded by many people around the country as a new way forward—a new way forward for us to deal with this very difficult and impractical problem in which we find ourselves in Iraq. Those recommendations—some of which have been implemented and some of which have not—I believe still create the centerpiece for how we can

find a bipartisan way forward for how we deal with the Iraq issue.

I have walked around with the report of the Iraq Study Group for the last 4 months. I am very much appreciative of the fact that the people who put together the report were some of the best statesmen and women we have in the United States of America: James A. Baker, Lee Hamilton, Lawrence Eagleburger, Vernon Jordan, Ed Meese, Sandra Day O'Connor, Leon Panetta, William Perry, Charles Robb, and Alan Simpson. Those are some of the best and brightest people we have in America and who are working on one of the most difficult issues that confronts our country today. So it is in the vein of their work that I come to the floor today with my colleague from Tennessee to suggest that their recommendations create the opportunity for us to provide the basis for some agreement among Democrats and Republicans on how we might move forward in dealing with the very difficult national security issue we face in Iraq.

As we debate this issue here in Washington, with veto pens and dueling press conferences, I come back to the reality of our brave American men and women and the dangers they face every day in the streets of Baghdad and al Anbar Province and in countless other places in that Nation which today we find in turmoil. It is for them, for our men and women in uniform, we must find common ground. It is for them we must bridge our differences here on the Senate floor to create a path to success in Iraq. It is for them we must develop a policy that is worthy of their sacrifices and the sacrifices of their families.

I come to the floor today with my colleague from Tennessee to offer my view on how we can reach our common goal and how we can work to heal the deep divisions this war has caused here at home.

Not since the Vietnam war has the American public been so divided. I am concerned that the bitterness and the harshness of this debate is a debate that clouds good judgment on one of the most fundamental issues we deal with in the Congress: the issue of war and peace. It is important for us to remember that no matter how contentious this debate may become, every Senator shares the same goal, and that goal is peace and stability in the Middle East and a safe return home of our troops. While we may disagree on the best path to that end, we must continue to work together for a constructive change in our policy.

It is important to remember what binds us together as a nation is something we must honor so we will not be torn so far apart that we cannot bring our Nation back together. The Iraq Study Group report, I believe, embodies the best wisdom we have seen as to how we ought to move forward with the issue of Iraq. I believe the work of the Iraq Study Group is a model for how we can come together in good

faith. The group, as I have said before, is comprised of some of the finest and best public servants we have in America. They worked together for months and they did it in a nonpartisan, non-political way. They are from both parties. That group and their work consulted over 250 officials and experts, including senior leaders of the Government of Iraq, the United States Government, and key coalition partners. They received advice from more than 50 distinguished scholars and experts in a variety of fields.

I am honored, therefore, to join Senator LAMAR ALEXANDER in appealing to our colleagues in the Senate to take a fresh look at the group's report and to consider how we can use it as our guide to create a successful policy for the war in Iraq.

The group proposed a new diplomatic offensive—a new diplomatic offensive—to deal with the problems of Iraq and the region.

I am pleased that recently the administration has moved forward in embracing some of the recommendations set forth in that “new diplomatic offensive.”

The report provided a roadmap for transitioning our troops from a combat role to the training, equipping, advising and support of the Iraqi military.

The Iraq Study Group recommended how we can strengthen and restore our own military, which has been put under such strain by the wars in Iraq and Afghanistan.

In addition, the report details new policies for the Iraqi police and criminal justice system, the Iraqi oil sector, and for improving economic and security assistance programs in Iraq.

Finally, the Iraq Study Group recommended specific milestones for the Government of Iraq to meet. They include establishing a fair process for amending the constitution, revising de-Baathification laws, ensuring the equitable sharing of Iraqi oil revenues, holding free and fair provincial elections at the earliest possible date, and enacting legislation to ensure the rights of women and the rights of all minority communities in Iraq.

The Iraq Study Group concluded that with the implementation of these policies, all United States combat forces could be out of Iraq by the first quarter of 2008, except those necessary for protecting personnel and infrastructure, for training, equipping, and advising of Iraqi forces, for conducting targeted counterterrorism activities, and for engaging in rapid reaction and special operations.

Senator ALEXANDER and I intend to propose legislation that will effectively embody this comprehensive set of recommendations.

Our bill would state the sense of the Congress that the Iraq Study Group's recommendations should be implemented and that the President should formulate a comprehensive plan to do so. It would require the establishment of policies and plans that implement

the core recommendations of the group. And it states that the United States should condition political, military, and economic support on the Iraqi Government making substantial progress in meeting those milestones detailed in the report.

The Iraq Study Group did not set a deadline for the redeployment of our troops, and neither would our bill. But the group did, and our bill would, state the policies and actions that can and should lead to the successful and rapid conclusion to this war.

I believe we all share that goal. I believe the distinguished members of the Iraq Study Group have given us the means to achieve it.

I don't believe the report of the Iraq Study Group should simply become another study on the shelf that gathers dust.

I will conclude with two remarks. First, here in Washington, DC, it seems there is a lot of poison in the air, and most issues are decided on a partisan basis. It is my view, as a Senator from Colorado, that the issues of war and peace, when we have our men and women in uniform in harm's way, should not be decided on the basis of Republicans versus Democrats. No matter what has happened in Iraq up to this time, and no matter what kind of finger-pointing will take place in terms of the wisdom or lack of wisdom on how the war has been prosecuted, the fact is, we are there now. Also, we have 140,000 men and women in harm's way.

For us in the Senate, I believe it is our responsibility to come together, as Democrats and Republicans, to fashion a new way forward to success. I believe this new way forward to success has been laid out by the Iraq Study Group, which didn't just look at this for an hour or a day or two but spent a year, under the authorization of the Congress, and they came up with what they thought was the best way for the United States to move forward in Iraq.

I am hopeful both Democrats and Republicans will join Senator LAMAR ALEXANDER and myself as we move forward with the introduction of this legislation, which we hope to do after the Memorial Day recess.

Finally, I think the working relationship Senator ALEXANDER and I have on so many issues, including land and water conservation and other areas, is the kind of bipartisan spirit we can bring to so many issues that face us today. But of all the issues, the one that cries out the most for unity today is the 800-pound gorilla issue of the war in Iraq.

I am very pleased and honored that Senator ALEXANDER has joined us in this effort today.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I salute the Senator from Colorado for his leadership, initiative, and patriotism, and the way he is approaching the

foremost issue facing our country: Where do we go from here in Iraq?

There is too much partisan game playing on the issue of Iraq. We owe it to our country and our troops to find a bipartisan consensus to support where we go from here. We need a political solution in Washington, DC, as much as we need one in Baghdad. We need to get out of the combat business in Iraq and into the support, training, and equipment business as soon as we honorably can.

That is why Senator SALAZAR and I have drafted legislation to implement the recommendations of the bipartisan Baker-Hamilton Iraq Study Group.

As the Senator said, we will introduce our legislation after Congress and the President have worked out the Iraq supplemental appropriations bill. We invite our colleagues—both Democrats and Republicans—to join us. We believe the recommendations of the Iraq Study Group offer the best opportunity for a bipartisan consensus on a new course in Iraq.

In fact, these recommendations seem to already be guiding the President's efforts and the efforts of those on the other side who were calling for change.

For example, the administration has begun to act on these recommendations by increasing the number of troops embedded with Iraqi forces, using milestones to help chart progress, and by meeting with Iraq's neighbors, including Iran and Syria. The President's national security adviser has pointed to the Baker-Hamilton report as authority for the surge of troops in Baghdad.

Just last week, the President himself told the Associated General Contractors of America at their convention that he liked what Baker and Hamilton had to say. "It is something we should seriously consider. Their idea was that, at some point in time, it makes sense to have a U.S. presence configured this way," the President said. "It is an interesting idea."

At the same time, Democratic proposals in Congress have also been guided by the ISG report, for example, working on milestones for improvement in Iraq, limiting the role of the United States to one of training, equipping, and counterterrorism operations, and stating as a goal a drawdown of combat forces by March of next year.

In short, the seeds of bipartisan consensus about how the United States should go forward in Iraq are best found in the Iraq Study Group report.

Former Secretary of State Jim Baker and former Congressman Lee Hamilton prefaced their report by saying this:

Success depends on the unity of the American people in a time of political polarization. Americans can and must enjoy the right of robust debate within a democracy. Yet, U.S. foreign policy is doomed to failure—as is any course of action in Iraq—if not supported by a broad, sustained consensus. The aim of our report is to move our country toward such a consensus.

Yesterday and today, I talked with Secretary Baker and Congressman

Hamilton. Each said the Salazar-Alexander legislation accurately reflects the recommendations of their report.

I have learned that sometimes a Senator has to say something two or three or more times on the Senate floor before anybody pays much attention.

For example, on March 14, I said that it was time for the President to take the Iraq Study Group report down off the shelf and use it for something other than a bookend.

I ask unanimous consent to have my statement of that date printed in the RECORD at the end of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. ALEXANDER. Today, I am making that same suggestion again, and I am going one step further. The Senator from Colorado and I are offering to our colleagues on both sides of the aisle—and to our country—a way to go forward on a bipartisan basis.

I was surprised and disappointed that the President didn't take advantage of this opportunity during his State of the Union Address in January. He knew then that a majority of Americans didn't support his strategy. Fewer do today. He knew then his strategy cannot be long sustained without that support. That is still true today.

The President could have invited the distinguished members of the Iraq Study Group to sit in the gallery during his speech and, as Presidents often do, introduced them, 10 of America's most distinguished citizens from the Reagan, Carter, and George H.W. Bush administrations, and the U.S. Supreme Court. One of these is now the Secretary of Defense. They are ideologically and politically diverse. They spent nine months, met nine times, went to Baghdad, interviewed 171 individuals, and made 79 recommendations. They are all in this book. They didn't shy away from the unpleasant facts.

They told us 79 percent of Iraqis have a mostly negative view of U.S. involvement in their country. Then they said 2,900 American lives were lost, and another 21,000 wounded; \$400 billion was spent, with estimates as high as \$2 trillion for the final cost. They said this is not a perfect option, but it is the best option.

The President could have said in January: This isn't my recommendation, it is theirs, and I accept it for the good of our country, and I ask the American people to accept it.

That is not Presidential weakness, that is Presidential leadership. The President's job is not only to see urgent issues and lay out a strategy. It is the rest of his job—at least for a sustained military strategy—to persuade half of the people he is right. It is not too late.

The President has the option before him today, and we are trying to make it easier for him. What we are respectfully saying in our legislation is, if the President should choose to develop a

way forward based upon the Iraq Study Group's recommendations, we will support that plan and we will encourage our colleagues and our country to do so on a bipartisan basis, so that Iraq, the Middle East, our troops, and the world will know that in the United States we are unified in our purpose.

Such a plan will not satisfy everybody. It will not pull out our troops tomorrow. It will not get us out of the combat business immediately. It won't add 100,000 or 200,000, or 300,000 troops for "victory" in Iraq. It will get us out of the combat business in Iraq and into the support, training, and equipping business, in a prompt and honorable way. It will reduce the number of forces in Iraq. Because there will still be a significant but limited military presence in Iraq, it will signal to the rest of the Middle East to stay out of Iraq. It will give support to General Petraeus and his troops, who are in the midst of a surge. It will expand diplomatic efforts to build support for Iraq national reconciliation and sovereignty. It will recognize, as Prime Minister Blair said, it is time for the next chapter of Iraq's history to be written largely by the Iraqis themselves.

As a Republican Senator, my message with respect to the President is that I hope he and the White House seriously consider this.

We are not introducing this bill today. It will be introduced in 2 or 3 weeks. Then, we hope other Senators will support it. I hope the President will embrace it. There is plenty within this report that gives him the opportunity to continue our mission in Iraq. The difference is that this is not the President's report, and that is its advantage. It has a better chance of success, in terms of developing bipartisan support here and in our country.

Finally, there are some issues that are simply too big for one party to solve. Iraq is, as the Senator from Colorado has said, the foremost among these.

Here we are, the oldest democracy, lecturing Baghdad, an infant democracy, for not coming up with a political solution, when we ourselves cannot come up with one.

Until we do come up with one, we should spend less time lecturing Baghdad and more time working together to fashion a way forward on the foremost issue facing our country. Coming together in support of the plan based upon the recommendations of the Iraq Study Group offers that best opportunity. We invite our colleagues to join us.

#### EXHIBIT 1

##### PRESIDENT BUSH SHOULD TAKE THE IRAQ STUDY GROUP REPORT DOWN OFF THE SHELF

My purpose today is to say that it is time for President Bush to take the Iraq Study Group report down off the shelf and use it for something other than a bookend.

There is a reason why we don't have 535 commanders-in-chief or 100 commanding generals each saying charge down this street or over that hill.

The founders of our country made the President Commander-in-Chief and gave to Congress the power to declare war and to pay for it.

That is why I will vote against any of the resolutions that seek to micromanage this war. Once a war is authorized, as this one was by a bi-partisan vote of 77-23 in 2002, it is the president's job to manage the war.

As an example of why we don't need 535 Members of Congress micromanaging this war, consider this: since last January, the new Democratic majority has offered 17 different bills and resolutions outlining what to do in Iraq. Undoubtedly there will be more in the coming weeks.

And I am not about to cut off funds for General Petraeus' troops in the middle of the current military exercise, which congress clearly does have the power to do but should not do.

I do have the responsibility as a United States Senator, to say what I believe is the right way forward for our country in Iraq, and my belief is this: the President would be wise to take down off the shelf the recommendations of the bipartisan Baker-Hamilton Iraq Study Group, to develop a strategy based upon those recommendations, and to ask Americans to accept that strategy as the way forward in Iraq.

The President would have been wise to do this in January during his State of the Union address. The country was then looking for a new way forward in Iraq. The Iraq Study Group, after nine months of careful, bipartisan work, offered such a plan.

Instead, the day after the report was announced in December, some who wanted another 100,000 or 200,000 troops to "win the war" said the report was a "recipe for defeat."

On the other side, those who wanted the U.S. out of Iraq immediately dismissed the report as more of the same.

So the report was put on the shelf. Not much was heard about it.

That is, until lately.

Lately, the President's national security adviser has cited the Baker-Hamilton report as authority for the surge of troops in Baghdad which, in fact, on page 73, the report did say might be necessary.

Over the weekend, the United States participated in meetings with Syria and Iran, perhaps the most controversial recommendation in the report.

Now, the timetable and strategy for reducing U.S. combat strength in Iraq contained in the newest Democratic senate resolution sounds very much like the Iraq Study Group report, calling for combat troops to be largely withdrawn from Iraq by March of next year. But the Iraq Study Group specifically opposed setting timetables or deadlines for withdrawal, noting that its recommendation should be "subject to unexpected developments on the ground."

At the same time, like one of the Republican-sponsored resolutions, the Iraq Study Group recommended that the U.S. work closely with Iraq's leaders to support the achievement of specific "milestones" on national reconciliation, security, and governance.

In short, if there is any bipartisan consensus emerging about how the United States should go forward in Iraq, the best blueprint of that consensus can be found in the Iraq Study Group report.

The membership and process of the Iraq Study Group is as important as the substance of what it said. It included 10 of America's most distinguished citizens from the Reagan and Carter and George H.W. Bush administrations, from the Congress and from the Supreme Court. One of its former members is now the Secretary of Defense. On its

face, it was ideologically as well as politically diverse. The group spent nine months, met nine times, including a trip to Baghdad, and interviewed 171 individuals in the U.S. and in Iraq. Its report is comprehensive, with 79 specific recommendations.

Its assessment of the "dire" current conditions in Iraq is honest and sobering. It did not shy away from reporting unpleasant facts—that 79 percent of Iraqis have a mostly negative view of the influence that the United States has in their country, that 2,900 (at that time) Americans had lost their lives and another 21,000 wounded, that we have spent roughly \$400 billion on the Iraq war and that estimates run as high as \$2 trillion for the final cost. The group acknowledged that its recommendations were not perfect options but seemed to be the best options.

As much as America needs a new strategy in Iraq, we also need a consensus in support of that strategy. To put it bluntly, a majority of the American people do not now have confidence in the President's course in Iraq. The Iraq Study Group offered the President an opportunity to say, "Okay, here is a different approach suggested by a bipartisan group of distinguished Americans. It is not my strategy. It is theirs. I accept it and, for the good of our country and the armed forces fighting for us, I ask you to accept it."

Such a statement would not exhibit presidential weakness. This would be presidential leadership—recognizing that the president's job is not only to choose the right strategy but to successfully persuade at least half the people he is right.

The president still has this option before him.

He would be wise to exercise it today—this week. Come back to Congress. Report on the last few weeks' progress in Iraq. Invite the Iraq Study Group members to sit in the gallery. Compliment their work. Accept their recommendations. Ask the Congress and the country also to accept their recommendations.

This course will not satisfy those who want 100,000 more troops for victory in Iraq.

Neither will it satisfy those who want all troops out on a specific timetable.

But it will get U.S. troops quickly out of the combat business in Iraq, and into the support business.

It will reduce the number of American forces in Iraq over the next year.

It will leave American special forces in Iraq to go after al Qaeda and troops to help guard the borders.

Because there will still be a limited U.S. military presence, it will send a signal to the rest of the Middle East to stay out of Iraq.

It will give support to General Petraeus and his troops who are in the midst of a surge to make Baghdad safer.

It will expand diplomatic efforts to build support for Iraqi national reconciliation and sovereignty, including with Iraq's neighbors.

And it will begin to recognize that America has done most of what it can do to help Iraq. As Prime Minister Blair has said, it is time for the next chapters in Iraq's history to be written by the Iraqis themselves.

Finally, this course will recognize that while the United States can and should be a shining example of democracy and does have the mightiest military force in the world, that a conservative view of human nature and our own national interest places limits on what we can do to make it possible for others to adopt our democracy and our way of life.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Mr. President, as we all know, time has been reserved for Senator FEINGOLD for up to an hour. He

says he is going to take less time, but he has that time, at which time I will respond to him. What I wish to do is lock in some time for Senator PRYOR immediately following my remarks so he may speak on the issue of Iraq.

The ACTING PRESIDENT pro tempore. The Senator from Colorado.

Mr. SALAZAR. Mr. President, I ask unanimous consent to speak for less than 1 minute.

Mrs. BOXER. I have no objection to that request.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Colorado.

Mr. SALAZAR. Mr. President, I thank the Senator from Tennessee for his eloquence in his statement and his plea for Americans to come together as we move forward on the biggest issue that faces our country today, Iraq.

I appreciate the hard work he has put in, together with my staff and working with the Iraq Study Group, to come up with language that is included in the legislation.

I also thank the chairperson of the Environment and Public Committee, Senator BOXER, for arranging for us to spend some time this morning discussing our bill.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, the Water Resources Development Act being considered today includes important language to reform the Corps of Engineers which I have long championed. I especially thank my colleague Senator BOXER in particular, but also Senator INHOFE, Senator BAUCUS, and Senator ISAKSON for reporting a Water Resources Development Act that includes many important Corps of Engineers reforms that were so hard fought in last year's Congress, both in negotiations and on the floor.

While we still have far to go in improving Corps planning, such as, for example, passing the Feingold-McCain prioritization amendment, reform provisions in the underlying bill are absolutely essential for improving the Nation's water resources planning, and they should be the baseline for reforms that come out of Congress.

These reform provisions include independent peer review of costly or controversial Corps projects, dramatic improvement to the Corps' mitigation process, modernizing the Corps' woefully out-of-date planning guidelines, establishing a new national policy that directs the Corps to avoid impacts to floodplains, requiring an interagency assessment of the Nation's vulnerability to flood and related storm damage, and recommendations to improve the Nation's various flood prevention programs.

These reforms are essential for improving the Corps' ability to properly plan and construct projects. Over the past decade, dozens of studies have highlighted stunning flaws in Corps

project planning. Problems with the Corps project planning are so great that the GAO recently told Congress that Corps projects "did not provide a reasonable basis for decisionmaking because they were fraught with errors, mistakes, and miscalculations, and used invalid assumptions and outdated data."

We can no longer afford to build projects based on flawed engineering, flawed science, or flawed economics. These reforms are essential for preventing costly and potentially deadly mistakes, such as the levee failures that occurred in the aftermath of Hurricane Katrina.

The Corps, the American Society of Civil Engineers, and the National Academy of Sciences have all said faulty design and construction by the Corps resulted in the levee failures. So these reforms are essential for protecting the Nation's natural resources.

The Nation's rivers, streams, floodplains, and wetlands provide vital services for all Americans. They help attenuate floods, they improve water quality, they provide vital fish and wildlife habitat, and they provide exceptional recreational opportunities. They are vital to the health, safety, welfare, and economic well-being of all of us.

I am very pleased Senators BOXER and REID agreed to join me in a colloquy with respect to the provisions in sections 2006, 2007 and 2008(c) and (e) of the Water Resources Development Act of 2007. We have reached an understanding that these are fundamental elements of meaningful reform. Chairman BOXER has stated it is the committee's intent to retain these elements, and that she will strenuously support them in conference.

I understand the Senate is now debating the motion to proceed to H.R. 1495, the Water Resources Development Act. So at this point, while I cannot formally offer my prioritization amendment to that bill, I wish to take the time to speak in favor of it.

I will be offering this amendment to the Water Resources Development Act on behalf of myself and Senators MCCAIN, COBURN, CARPER, GREGG, and SUNUNU. Senator MCCAIN and I have worked together for years to modernize the U.S. Army Corps of Engineers, and I am pleased to be working with him again on this issue.

I also appreciate the strong support of Senators COBURN, CARPER, GREGG, and SUNUNU. This important amendment recognizes we must address our current flawed planning process and also respond to the tragedy of Hurricane Katrina by working to make sure that limited taxpayers' dollars go to the most worthy water resource projects.

That doesn't seem like a lot to ask. As we all know, our Nation is staring down deficits that only a few years ago were unimaginable. We also have a backlog of \$58 billion in Corps projects that are authorized but not built, and

that number will be closer to \$70 billion when this bill passes.

Clearly, we have to get some kind of a way of identifying projects that are most needed. Right now, Congress does not have any information about the relative priority of the current massive backlog of authorized projects, and we don't have any way of evaluating the relative priority of new projects. What we do have is individual Members arguing for projects in their States or district, but no information about which projects are most important to the country's economic development or transportation systems or to our ability to protect our citizens and property from natural disasters. Clearly, the status quo is not serving the public well.

This amendment would simply help Congress develop the tools to more wisely invest limited resources while also increasing public transparency in decisionmaking. This amendment would do that by creating a temporary bipartisan water resources commission to do two things: one, make recommendations on a process for prioritizing Corps projects and, two, analyze projects authorized in the last 10 years or that are under construction and put similar types of projects into tiers that reflect their importance. This would be done with a clear direction to seek balance, meeting the needs of all States.

My amendment would place Corps projects into three categories that correspond to the three main mission areas of the Corps: flood damage reduction, navigation, and ecosystem restoration. The commission will establish broad national priorities to apply to those projects. The amendment sets out minimum requirements that projects in each category have to meet so that, for example, flood reduction projects must be evaluated in part on whether they reduce the risk of loss of life. But the commission is free to consider other factors as long as it is clear which factors it is, in fact, considering. Projects in each of the three project types will be placed in tiers based on how great a priority they represent.

This information will then simply be provided to Congress and the public in a nonbinding report—a nonbinding report. That is it. The Congress and the public will get information to help them make decisions involving millions and even billions of dollars. Surely, that isn't too much to ask. Don't we want the benefit of objective, impartial advice when we decide how to allocate scarce taxpayers' dollars?

As my colleagues may recall, Senator MCCAIN and I offered a prioritization amendment last Congress. This year's amendment has been revised to address some of the concerns raised on the floor last year, in particular those raised by my friend and now-Chairman BOXER.

In response to criticism that the amendment gave too much authority to the administration, this year's new

amendment creates a temporary commission comprised of eight non-Federal individuals appointed by Senate and House leaders of both parties and the President.

Also, instead of requiring regular updating of a prioritization report, the bipartisan commission created by this year's new amendment would only issue one nonbinding report that would include recommendations for reevaluating priorities in the future and when new projects are authorized.

I am pleased to have the support of a number of outside groups, including Taxpayers for Common Sense Action, the National Taxpayers Union, the Citizens Against Government Waste, American Rivers, National Wildlife Federation, Earth Justice, Clean Water Action, Defenders of Wildlife, Environmental Defense, Friends of the Earth, the League of Conservation Voters, Republicans for Environmental Protection, the Sierra Club, and the Union of Concerned Scientists.

A number of editorial writers weighed in last year on behalf of prioritization. Here is what the New York Times had to say:

The Army Corps of Engineers must learn, or be compelled, to place a higher priority on safety projects than on Congressional pork . . . it would shine more light on an often opaque process, a reform we support.

The New Orleans Times-Picayune said:

The best chance for changing the way the corps operates is through reforms sought by Sens. John McCain and Russ Feingold. They're offering two amendments to the water resources bill. One would establish independent review of corps projects from planning and design to construction. The other would require corps projects to be ranked in importance based on three national priorities: flood and storm damage reduction, navigation and environmental restoration.

The Philadelphia Inquirer opined that "with 50 States demanding services, the Corps needs better direction than the whims of competing politicians."

And the Washington Post said:

Hurricane Katrina was a crisis that has created a real opportunity: to bring some rationality to the way we spend tens of billion of dollars on water projects in this country so we can protect millions of Americans—

Millions of Americans—  
whose lives are at risk.

Clearly, based on that mere series of endorsements and statements, this amendment has broad interest and impact. The public clearly believes the Congress should do a better job spending billions of dollars on water projects. The Feingold-McCain-Coburn-Carper-Gregg-Sununu prioritization amendment would help Congress in evaluating options for how to prioritize Corps projects.

I also wish to remind my colleagues that modernizing all aspects of water resources policy will help restore credibility to a Federal agency that is plagued by public skepticism in the wake of Hurricane Katrina. The Corps

has admitted serious design flaws in the levees it built in New Orleans, and it is clear the Corps' mistakes contributed significantly to the devastation in that city.

I can tell my colleagues when I was down in New Orleans last summer, I heard even more complaints about the Corps than I did about FEMA. As we worked as a body to improve FEMA, we must also work to improve the Corps. Our constituents and the people of this country deserve no less.

Of course, the Corps does important work. The real problem this amendment seeks to address is us in Congress. Congress has too long used the Army Corps of Engineers to facilitate favored porkbarrel projects while periodically expressing a desire to change its ways. If we want to change our ways, we can start by passing the Feingold-McCain-Coburn-Carper-Gregg-Sununu prioritization amendment to help us make sure the Corps continues to contribute to our safety, environment, and economy without wasting taxpayers' dollars.

I will conclude my initial remarks and again thank Senator BOXER and also Senator INHOFE, Senator BAUCUS, and Senator ISAKSON for retaining the reform provisions we worked so hard to get included in last year's Senate bill. However, this bill authorizes an additional \$15 billion worth of projects which, coupled with an additional backlog of \$58 billion, would take 40 years to complete. I hope by adopting this amendment we can also move this bill in a direction that will truly benefit the American taxpayers. I urge my colleagues to support our amendment.

I retain the remainder of my time.

The ACTING PRESIDENT pro tempore. The Senator from California.

Mrs. BOXER. Mr. President, I thank Senator FEINGOLD for his kind remarks. He and I are close colleagues. We have worked very closely together on so many issues. On Corps reform, we worked closely together, and working together we did get very important peer review into the bill. I am very proud of his work on this bill and praise him for it.

It is very rare we find ourselves on differing sides, but I am in strong opposition to his amendment, and I want to lay out the reasons.

I describe the Senator's amendment as "we have met the enemy and it is us." I reject the fact that Members of the Senate have to give us their judgment and their views on what is important in our own States to some politically appointed panel, probably politicians, because they will be appointed by politicians. I have other objections to this amendment because I think it creates a bias toward large projects. It reduces the ability of the Corps to pursue small ecosystem restoration programs. It reduces their ability to pursue small but vital flood control projects. It could preclude navigation projects that serve small communities, recreational interests, and subsistence

fishermen. Because, as it is drafted, it sets up a tier system of priority recommendations, but each tier is limited to 5 billion dollars' worth of projects, or 100 total projects. That means a worthy flood control project in my State, or any State, could end up stuck in a lower tier simply because it is more expensive, if equally more important projects in other States were ranked in a higher tier. I think it is an arbitrary system that can label a project second tier despite critical local public safety needs.

How does a project become second tier if it is the only way to protect a community? Such an arbitrary label will inappropriately undermine an important project's chances of receiving appropriations, and I believe people's lives could be in jeopardy because of it. I don't think that is the kind of prioritization we need when we have to fight tooth and nail every year to get critical funding for very important and needy flood control projects.

The Senator named a lot of groups I support and that support me, and I respect that fact. But to be candid, a lot of these groups don't like water projects in general, and I think sometimes they will just say: Fine. Anything to slow down these projects.

I believe Congress, not political appointees or a commissioner, should retain this responsibility. I understand the legislation has been changed to an advisory situation, but it only slows us down. It slows us down with political appointees, and I have a basic problem with that. It is adding layers of delay. We have already delayed this bill 7 long years. We need it, Mr. President. We need it.

We need it because the farmers say we need it and the corn growers say we need it and the labor unions say we need it and the chambers of commerce say we need it and we have colleagues supporting it—from Senator INHOFE to Senator BOXER. If my colleagues don't think that is something to point to, it is. It means things are working around here.

My colleague and friend, Senator FEINGOLD, is a strong supporter of fiscal responsibility. We took this bill down from \$33 billion to a score of \$13.9 billion. How did we do it? We were careful. We did scrutinize these projects. And, by the way, we have standards built into this bill. I want my colleague to understand—and it is very important because this is kind of a trash-the-Senate amendment, taking away, casting doubt on our judgment—that we worked hard by setting up these objective criteria by which I have had to, frankly, turn against my own Members and say: You know I can't take care of that for you because it doesn't fit the criteria.

So I think there is a sense of fiscal responsibility that is permeating this place. We took a bill from \$33 billion down to \$13 billion—\$13.9 billion to be exact—and we did it without some appointed people telling us what to do.

We did it because we care about fiscal responsibility and we care about keeping this economy moving, and I just don't think we need this commission. We went through an exhaustive process to determine which projects and studies would be authorized. They have to have chief of engineers or other completed Corps reports for construction. They have to meet a benefit-cost test, or have environmental benefits. So I think we have a lot of built-in safety features as we go through this process.

We have a very broad committee that has different ideologies. We represent broad areas of the country. Frankly, I think we all want to protect Americans. We have seen what happens when we look at Katrina, so we want to do our best.

I laud my colleague for his absolute commitment and dedication to finding ways to make this process work better, but I say this bill proves, in my opinion, that we are listening.

We did incorporate the fine Corps language that my friend worked on so hard, and he knows how strongly I feel about this particular amendment. But he insists on it because, in his heart, he thinks it is important. I know he has some things he will say now about my comments, so I will yield to him with the understanding that I will be able to respond in due course.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I thank the chair of the committee. Of course, I have enjoyed working with her on so many issues, and I again compliment her for retaining key reforms in the underlying bill. She has provided a great deal of leadership on Corps reform, and for that I am truly appreciative.

In the past, the chairman has offered to work together on the issue of prioritization in the future, and I hope that is still something in which she is interested. I don't think we should wait to enact commonsense reform. This is not a new idea I just thought of; rather, it is a critical reform that many of my colleagues and I have been calling for since 2002. In fact, it was the former Senator from New Hampshire, Mr. Smith, who first called for prioritizing Corps projects. I cosponsored Senator Smith's Corps bill in the 107th Congress, along with Senators MCCAIN, ENSIGN, and Daschle.

I certainly commend Senators BOXER, INHOFE, BAUCUS, and ISAKSON for limiting the number of additional projects added to this bill. I recognize some of the efforts they have made with regard to fiscal responsibility in the committee process, and I commend them for that. I also commend them for their effort to move this bill quickly. However, the desire to move a bill quickly should not override the need to ensure that Congress enacts the full suite of reforms necessary to respond to over a decade of evidence calling for reforms.

I strongly believe prioritization is one of these key pieces, which is why I

am offering an amendment during consideration of WRDA on behalf of this group of Senators. We need to get these ideas on the table, and I think my colleagues agree a report, with recommendations to Congress, is a good, commonsense approach.

I was interested in the Senator's remark that we have met the enemy and it is us. I think that is not the case unless we are foolish enough not to back up our decisions and our judgment with the benefit of people who know what they are taking about. The Senator from California says these are political appointees, but, in fact, these folks have to be water resource experts. That is who we will put together on this group to take a look at these 70 billion dollars' worth of projects.

Of course, despite the way in which the Senator described the impact of this report, all this does is set priorities. This is not mandatory in any way. It is nonbinding. It is simply a report that gives us information. Yes, it ranks things in different tiers, but we still have the power—and, of course, we fully retain the power—to change those priorities if, in our judgment, we believe it is the right thing to do.

We do that all the time. There are all kinds of government reports that tell us to do X or Y and, in our judgment and our responsibility as Members of Congress, we exercise our own independent judgment. Not to have the benefit of these experts saying these projects are more important than others—I can't understand the downside of that. In fact, when the Senator says this somehow casts doubt on the Senate, or trashes the Senate, I think it is just the opposite. It will make us look good if, for once, it looks as if we are basing our priorities on something other than pure political pull.

When we were out here together, the Senator from California and I were arm in arm, literally, on ethics reform and lobbying reform, and some said that was trashing the Senate. Some said that was somehow saying we weren't capable of regulating ourselves; that somehow we didn't need these laws and we should be trusted. Well, this is an area just like the ethnics and lobbying reform, where people have concerns. Anything we can do to enhance our credibility, anything we can do to say, hey, look, we didn't agree with every part of this report, but in large part we agree with these priorities, I think strengthens our hand. I think it enhances the reputation of the Senate, particularly in the eyes of the taxpayer who now see that, after this bill, we are talking about \$70 billion in projects.

I think this is a win-win proposition. Of course, I respect the chair's disagreement on this particular point. I know she agrees with reform in almost every single context. She just doesn't see this particular reform. But I urge her, once again, to consider the fact this is nonbinding, informational. I don't think it is binding in any way that would cause a problem for the Congress.

Mr. President, I yield the floor.

Mrs. BOXER. Mr. President, I want the Senator to know he can have as much time as he wants. As he knows, I am not rushing the bill in terms of hearing from people. As a matter of fact, I thank him for coming today because we don't see anybody else talking about their amendments, and we do want to get this bill done.

I will use this as another opportunity to call on my colleagues, who may well support the Senator's amendment or oppose it or have other amendments, to please join us on the Senate floor. It is very pleasant here. It gets you away from other debates that are a little harder in many ways. So I urge my colleagues to come down, show us your amendments, please. We want to get this moving. We are going to be here today, we could be here tomorrow, we could be here Monday debating amendments and, hopefully, disposing of this bill on Tuesday.

Did my colleague want to respond?

Mr. FEINGOLD. Mr. President, I just wanted to say that the time be reserved on my side so that, should other Senators want to talk on this, they could. But I am prepared, if the Senator is, to move on at this point.

Mrs. BOXER. Absolutely. I would like to say to anybody wishing to speak on the Feingold amendment, please, I will make sure you get adequate time.

I also want to say to my friend, as he leaves, because he has asked me to think about it, that I am going to ask him to think about it also. I want him to think about this: there are so many checks and balances on this WRDA bill. I want to go through a couple for him, just so that maybe he doesn't believe we are without checks and balances.

First of all, we have the local people who decide what it is they need and want to protect their communities. We have the State people, who come in and have to issue a water quality certificate. So they are involved in it. We have the Corps that has to do the study based on a cost-benefit analysis and other issues. There are matching funds in every case—almost every case. So we have a big check there, if a local community is willing to put up the money. So that is matching funds.

There is the executive branch that comes in. The executive branch comes in and they decide what they want to fund. We have the Appropriations Committee, after the authorizers get done with it, deciding what they want to fund. And we have every one of us Senators standing for reelection at some point who have to face up and say, we fought for this particular project.

Also, I thank my colleague for something right now on ethics reform, and I want him to know something which he may not know. As a result of all his work on ethics reform, and so many other colleagues here and our leader and the rest, even though the ethics reform isn't law yet—we hope it will soon be—the committee decided to act as if

it were law. We asked every Senator to put in writing the fact that they did or did not have any real or perceived conflict of interest that went along with their requests for these particular projects. Those letters are available for everyone to see in the office. We have also printed in the RECORD, in large type—because at first it came out in small type—what each of us has asked for. So I want to thank my colleague for that. I want my colleague to understand that this bill is not only half the size that it was last year, not only is it a couple of billion less than the House, not only did we follow the ethics proposal, which isn't law yet because we want people to feel good about this, but we have done all these things. And, of course, I have included my friend's ethics Corps reform from last year.

So even though we do have strong disagreement, and I don't want to sugarcoat it because it is pretty strong—we disagree on this—there is so much progress that has been made, and my friend is responsible for a lot of that, and I feel really good about that. I hope he doesn't take my opposition to this particular amendment, my strong opposition to it, in any way as diminishing the amazing work he has done so that this bill comes to us in a form that, really, I think we can all be proud of.

I thank my colleague very much for coming. And, of course, the record is open and the floor is open to all colleagues who want to speak, pro or con, on this particular amendment or any other amendment that people would like to offer.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CARDIN. Mr. President, I rise to support the Senate substitute for H.R. 1495, which I hope we will be getting to, the Water Resources Development Act. This legislation has been delayed for many years. I thank Senator BOXER and Senator INHOFE for bringing together a bill that is critically important to our future in regard to water infrastructure improvement and the ecosystem's restoration. I think this legislation is carefully balanced, it is responsible as far as its budget, but it is very important for us to move forward and consider this legislation and move it to, I hope, enactment and signature by the President.

The bill contains a number of provisions that are vital to Maryland, which relies heavily upon the Army Corps of Engineers for water resource programs. The bill contains an important project that protects Cumberland, MD, and Ridgeley, WV, against flooding. Like so

many other projects contained in this bill, the Cumberland effort will have multiple benefits. In addition to the increased public safety that comes from flood control, this project will serve as an essential component of the restoration efforts underway in Cumberland, including the rewatering of the Chesapeake and Ohio Canal and the reconstruction of the turning basin there.

For the first time, the Army Corps will supplement the Environmental Protection Agency's efforts to repair and improve the wastewater treatment facility plants that benefit the Chesapeake Bay. The Corps will be able to support sewage treatment upgrades, such as the one at Blue Plains. That plant is the largest advanced treatment facility in America, serving customers in the District of Columbia, northern Virginia, and the Maryland jurisdictions of Prince George's County and Montgomery County.

The new EPA permit for Blue Plains requires that the nitrogen load from the plant be reduced by more than 4 million pounds annually. This bill will be the largest single nutrient-reduction project in the bay watershed in a decade. Slashing the nitrogen load to the bay is a key step in the Chesapeake restoration efforts, and this bill will help get it done. It takes the participation of the Federal Government in the Chesapeake Bay restoration to a new level. By allowing the Corps of Engineers to help us with the tremendous backlog of sewage treatment plant repairs and improvements, this bill takes us to a much stronger partnership in the Chesapeake Bay restoration efforts.

We have a geography and topography which make the Chesapeake Bay particularly susceptible to erosion. The bay shoreline and many of its historic islands are literally being washed away. The erosion contributes millions of cubic yards of sediment annually to the bay, adversely affecting water quality and clogging navigational channels.

The bill extends the authorization of the 50-foot dredging of the Baltimore harbor and its channels. This project has been vital to the economic strength of the Port of Baltimore.

The bill contains authorization for two important island environmental restoration efforts. Tiny Smith Island in Somerset County has lost over 3,300 acres of wetlands over the past 150 years, threatening the population that lives there and degrading the Chesapeake Bay in the process. The project authorized in this bill consists of constructing 2 miles of offshore sediment breakwaters to provide protection to over 2,100 acres of wetlands and underwater grass beds.

I am particularly pleased the bill we are considering now contains funding for the Poplar Island project. This is a model project. We have been able to restore an island that had been almost washed away. There used to be a hunting lodge there. People would use the

island. It had eroded almost to being nonexistent. What we have been able to do at Poplar Island is have a site where we could take the dredge materials from the dredging of the harbor, put it on the island, restore the island from an environmental point of view, and it has been a win-win process.

The Port of Baltimore is one of the largest ports on the east coast and a vital engine of economic activity, contributing \$2 billion to the State economy and employing 18,000 Marylanders directly and tens of thousands more indirectly. There are approximately 15 miles of channel leading to the Port of Baltimore. Each year, approximately 4 to 5 million cubic yards of material must be removed from the channels to keep them at the existing depth and width. Poplar Island allows us to comply with that dredging need.

We have been able to take the dredged materials and put them onto Poplar Island. It was once a home to residents and hunting lodges. Since the project's authorization in 1996, the Corps has restored over 1,100 acres of remote island habitat. Popular Island has risen again, Phoenix-like, from the waters of the Chesapeake Bay. Eight miles of dikes protect the island from severe wave action. There are over 570 acres of upland habitat at an elevation that sometimes exceeds 20 feet. An additional 570 acres of wetland habitat has been created.

Today, even as the project continues, the island is once again home to migratory shorebirds, mammals, reptiles, and even serves as a nesting area for Maryland's famous terrapins. The expansion of the project authorized in this bill will build upon this success. It will add an additional 575 acres, half uplands and half wetlands, to the restored island.

The Nation has become increasingly aware of the important role wetlands and barrier islands play. We all witnessed the increased devastation that struck the coast of Louisiana, due in part to loss of what I like to refer to as nature's speed bumps, the wetlands and coastal islands that help absorb the shock from these horrific storms.

The Poplar Island expansion project authorized in this bill is important to the Port of Baltimore and to the ecology of the Chesapeake Bay. It is also a model for the Nation, showing us how the Army Corps projects can be engines of economic success, while at the same time serving beneficial ecological functions.

This vital project points the way to the future of the Army Corps of Engineers. It is one of the main reasons I support this legislation. This is a well-balanced bill. It is a bill that, yes, will help Maryland, but also help Maryland with projects which I think are important to show the Nation what you can do in moving forward on the economic needs of our communities, such as the dredging of our ports, but also moving forward on the environmental issues such as restoring vital wetlands and islands that would have disappeared.

It is important as far as dealing with storm damage. It is important to the restoration of our wildlife. It is important in so many different areas. I urge us to move forward with this legislation. Let's move it forward to consider the amendments, let's get it done, let's take it to the other body, and let's get it to the President as soon as possible. It has been delayed for years, we all know that. Thanks to the hard work of our leadership on the Environment and Public Works Committee, we have been able now to come forward with a bill that I think has the best chance for enactment. I urge my colleagues to carefully consider this legislation, support this legislation, but, more importantly, let's get it moving.

It is well past time that we enact the WRDA bill.

I yield the floor.

The PRESIDING OFFICER (Mrs. MCCASKILL.) The Senator from Florida is recognized.

Mr. NELSON of Florida. Madam President, I want to speak on the bill, and I wanted to congratulate Senator BOXER and Senator INHOFE for their combined leadership, their working together to bring this legislation to the floor. It has been a long time coming. We passed it here last year thanks to the leadership of both of them. Senator INHOFE was chairman. Now Senator BOXER is the Chair.

It is now time for us to pass it again. It has only been 7 years since we have had a Water Resources and Development Act. We desperately need it for all of these water projects across the country that need to be authorized.

Of course, one of the ones I want to speak to not only affects our State of Florida, the Everglades restoration, but it clearly affects a lot of the ecosystems of planet Earth. We violated Mother Nature over the course of the last half century. As a result of massive hurricanes in the early part of the last century, particularly the hurricane of 1928 that killed over 2,000 people in the Lake Okeechobee region—many of them drowned—the emphasis back then was, when the floods came: Get the water off.

So over the course of the years, through then, up through the mid-1900s, you had all of this diking and draining that went on, to the point at which the mindset was: Get the water away when the floods come.

But, of course, what everybody was ignoring was Mother Nature and what she had created in this incredible system that starts south of Orlando in the center part of the State, and starts meandering water south into the Kissimmee River, meandering through its oxbows where all of the marsh grasses were cleansing the water, and then it reaches the big lake, Lake Okeechobee, which then Mother Nature had the water absolutely proceed south through very rich muck lands, in a slow sheet flow that flowed into what we now know as the Everglades.

Ultimately that water then flowed on out, in through the southwest part of

Florida, and in the south part of Florida, into what is known as Florida Bay, which is that area south of the tip of the peninsula of Florida and inside the bow created by the Florida Keys.

What mankind did was disrupt that natural flow of the water. As a result, when the floods came: Get the water off. So we were now sending fresh water into tidewater in these very delicate brackish water situations that were so important to wildlife and marine life, and making it much too much fresh water, not brackish water, as a result, also dumping water that contained excessive nutrients, so that as this water flowed out, the tidewater in places like the Loxahatchee River and to the east the St. Lucie River, you suddenly have these rivers that had way too much fresh water and way too many nutrients.

What you got was the growing of algae, the sucking out of the oxygen, and creating nearly dead rivers. Everybody got concerned about this along about the 1980s and into the 1990s. The legislature and the Federal Government started realizing we have to go back and redo things. The problem was, it was a lot different then in Florida than what Mother Nature first had created, because now there was a huge agricultural industry just to the south of Lake Okeechobee on all of that rich muck land, and now there were 6 million people living in South Florida who had to have a source of water.

So that is what was developed, the Comprehensive Everglades Restoration Project. It is a project that will span over 20 years, and it is a project that needs funding, half from the Federal Government and half from the State Government and its entities, including the water management district, the local governments, and so forth. That half and half is how we are ultimately going to be able to restore the Everglades and still provide water for the agriculture industry as well as the 6 million people who live there.

Now, I must say, it is pretty tough right now because we have a drought. It simply has not rained. Back in 2005, with Florida smarting from the four hurricanes in 2004, hurricanes that filled up the lake to the point of being concerned about breaching the dike and killing a lot of people from flooding, in anticipation of a 2005 very active hurricane season, they lowered the lake. Well, 2005 ended up not being, for Florida, an active hurricane year. Therefore, the rains were not there, and that started reducing the lake more to the point at which Lake Okeechobee is 5 feet down from what is its normal average.

When you combine that with the drought that is occurring now, then you have a real problem. That is why all of the local governments in south Florida have gone to a restriction on water use, which includes now once-a-week watering of lawns. You see the problem.

There is a problem in some of the well fields in south Florida. If they do

not replenish them with fresh water, you are going to have saltwater intrusion from the Atlantic Ocean. Of course, the Corps of Army Engineers is working on that right now.

That is all the background, which is why this WRDA bill is all the more important for us, because there are several projects that will address this issue of Everglades restoration we have been trying to get authorized since the last authorization bill 7 years ago.

One of them is what is called the Indian River Lagoon, and it is that part on the east coast of Florida, the St. Lucie River estuary, where instead of dumping all of that fresh water, all of that nutrient-laden water, you are going to be able to cleanse that water through various Corps projects back closer over to Lake Okeechobee in the center of the State.

Another project in here is called the Picayune Strand. It is a project over on the southwest coast, which is going to help restore the flow of water going into the Ten Thousand Islands. It is going to restore 72,000 acres of habitat and ecological connections that will directly affect the Florida Panthers National Wildlife Refuge, the Belle Meade State Conservation and Recreation Lands Project Area, and the Fakahatchee Strand State Preserve.

With all of this, it is so important that we pass this bill and we get a conference agreement with the House of Representatives so we can get this bill to the President for signature.

Now, I have spoken of a couple affecting Florida. There are several more projects in here, but I have picked the two biggest ones that are critical for the environmental sensitivities, and a major ecological asset for planet Earth. And it is that. It does not just affect Florida, it affects the entire planet. It is like the Amazon River. That certainly just does not affect Brazil; that has global climate effects.

I want to thank again the leadership for having brought out this bill. It cannot be soon enough for us to get it passed and to get a conference agreement with the House and to get it signed into law. Then we can start fleshing this out with the appropriations bills to fund these specific water projects.

Madam President, I yield the floor, and 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. NELSON of Florida. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. NELSON of Florida. Madam President, I ask unanimous consent that the remainder of the hour allocated to me in debate postcloture and which I have not used be allocated to Senator BOXER, the manager of the bill.

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

Mr. NELSON of Florida. 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. LIEBERMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SALAZAR). Without objection, it is so ordered.

Mr. LIEBERMAN. Mr. President, I ask unanimous consent to speak as in morning business.

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

#### IRAQ

Mr. LIEBERMAN. Mr. President, in the days ahead, this Congress and the President of the United States face a choice on the critical question of funding our operations in Iraq and Afghanistan. It is a choice between brinksmanship and statesmanship, a choice between continuing to stalemate, largely along partisan lines, or uniting across partisan lines in support of our troops.

We all know what our most important responsibility is. Our forces in Iraq and Afghanistan are looking to us. They need the funding that only we in Congress can provide them. The money is running out.

I understand that many in this Chamber saw the supplemental appropriations bill as an opportunity to force a withdrawal of our troops from Iraq and that many of us argued vigorously against the amendments that attempted to do that. Each side has now had an opportunity to make its case. The result is clear: There are not enough votes in Congress to enact a mandatory date for withdrawal of American forces from Iraq. The time for having debates, therefore, and sending messages on this troop funding bill should be over. It is now time to get our troops the equipment, the training, the supplies they need—and without delay. We in this Chamber have a responsibility to make certain that no matter what disagreements and differences we have here in Washington, our men and women in uniform in Iraq and Afghanistan are not caught in the political crossfire.

Only a couple months ago, this Senate confirmed the new commander to implement a new strategy in Iraq, GEN David Petraeus. That new strategy is now being implemented, and it is achieving some encouraging, if early, signs of success. Indeed, progress has been won, even though the full complement of troops has not yet arrived in Iraq. Yet now many in Congress would pull the plug on this new strategy and thwart the work of our troops before they are given a fair chance to succeed.

I am aware public opinion has turned against the war in Iraq. The American people are deeply frustrated by the multiplicity of mistakes and errors that have been made. Progress has

been too slow. The savagery of our enemy, which the American people witness on television every night, has been demoralizing. Many simply want to leave and wash our hands of what they perceive as a mess—a deadly mess. But leadership requires sometimes that we defy public opinion if that is what is necessary to do what is right for our country. In fact, at a time such as this, we are required to do what each of us believes is right, and that might not be what is popular.

What is right, I firmly believe, is that we cannot allow our Nation to be defeated in Iraq by the same terrorist enemy with which we are now engaged in worldwide conflict. The global war on terrorism which we are waging is a worldwide struggle against a barbaric totalitarian foe that is al-Qaida. And today, it is al-Qaida that we are fighting in Iraq. Al-Qaida itself has declared Iraq to be the central front of their larger war against our way of life.

So all of us who are privileged to serve this great country in positions of leadership have a very serious choice to make. Our judgment can be guided by the public opinion polls, and we can withdraw in defeat. We can rationalize our action with reassuring but, I believe, falsely hopeful words such as “re-deployment.” No matter what we say, our enemy will know that America’s will has been broken by the barbarity of their blood lust, the very barbarity we declare we are fighting but from which we would actually be running.

My main point is this: Now is not the time for delay, for prolonged legislative posturing and bargaining over this supplemental appropriations bill. It is the time to do our duty, to fund our troops, stand by our allies, and do everything we can to help them win the war against al-Qaida in Iraq, rather than inventing new ways to vent our frustration with the war in Iraq or with the President of the United States, by handcuffing General Petraeus and undermining his strategy. Let us give him and his troops our support as they and their Iraqi allies fight to win for us.

Thank you. I yield the floor, and 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. BAUCUS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. BAUCUS. Mr. President, I rise today to speak in support of the Water Resources Development Act of 2007. I first congratulate the new chairman of the committee, Senator BOXER, for taking her first bill to the floor. She is doing a great job. It is out of committee virtually unanimously. She brought out a bill that was worked out in advance and she is doing a terrific job. I highly commend her.

Benjamin Franklin once wrote:

When the well is dry, we know the worth of water.

Westerners, including the current occupant of the chair, have learned this painful lesson many times. Recently, several years of drought have plagued farmers and ranchers across my State of Montana and many other parts of the country. Weatherworn switch grass and crops bring a terrible cost to producers in the West.

The West’s battle with drought highlights the pressing need to ensure our water resources are used efficiently. I remind my colleagues, it doesn’t rain a lot in the West. The annual rainfall west of the 100th meridian, down from Minnesota and across the country, is much less than in the eastern part of the country. In Montana, the average precipitation—rain, snow, all of it—in our towns is roughly about 13 inches a year. In Washington, DC, it is about 44 inches a year. That is a big difference, and that is in ordinary years. We have had a lot of drought in the West in the last several years.

Therefore, this Water Resources Development Act is long overdue. Although the Senate passed this legislation last year, the conference with the House fell short of resolution, so we are here today to get this bill over the goal line. I think we will finally get there. The bill provides authority for the Corps of Engineers to move forward on many long overdue water resources projects.

In 1986, Congress enacted the Water Resources Development Act, or WRDA. Every 2 years since then, Congress received proposals from the administration seeking authorization for water resources projects—every 2 years, since 1986. Why? It is clearly because there are new needs every 2 years. This pattern of requests provided the Corps and local sponsors with a regular planning schedule, helped them know what was on the drawing boards, which projects would be developed first and second, with some regularity, the planning for the development of needed resource projects in our country.

This administration, however, has yet to request one update of this legislation. Why is that? Well, I ask the question: Have all the water resources needs of the country been met? Clearly, the answer is no. Scores of water resources projects are awaiting authorization.

Second, does this administration think this legislation costs too much? Perhaps, but remember, investing in our water resources infrastructure is a cost we cannot put off. This is not an annual recurring operating expense; it is an investment that pays huge dividends.

Levees are crumbling. People are living in harm’s way, waiting for this legislation to help provide them with protection. This bill authorizes projects that will provide needed flood and storm damage protection, navigation improvements and environmental restoration. All three are very important.

There is authority for rebuilding and restoring the coast of Louisiana generally, but this legislation provides specific authority for that rebuilding and restoration, devastated by Hurricanes Katrina and Rita.

Authority for modernizing the lock and dam system on the Mississippi River is contained in here, and authority for ecosystem restoration projects, all the way from New Jersey, to Florida, to Colorado. There is a lot in this legislation.

The Corps of Engineers is charged with the management of America's water resources. The Corps of Engineers built levees and floats barges. In my State of Montana, we see the Corps as restorers of the ecosystem. We see the Corps as guardians of America's recreational assets, such as the Missouri River, Yellowstone River, and the Fort Peck Reservoir.

We in Montana have 11,000 miles of blue ribbon trout streams. Montana is home to the mighty Missouri River and the beautiful Yellowstone River. The Yellowstone is the longest remaining free-flowing river in our country. Montana's Fort Peck Reservoir provides outstanding recreation for the eastern part of my State. There is a huge fishing tournament in the Fort Peck Reservoir. The Corps helps make that happen.

We value the Corps' expertise and their partnership in many of our water resources projects. I might name several projects that are important and will continue that tradition in Montana: the Yellowstone River and Tributaries Recovery project; the lower Yellowstone project at Intake, MT; the Missouri River and Tributaries Recovery project; the upper basin of the Missouri River project. These projects will all provide improvements and provide valuable protection for the valuable resources in our State and, with all the tourism coming to our States, for a lot of Americans as well.

There is also an important authorization for the rehabilitation and improvement of a very important large aging water project on the Blackfeet Reservation in Glacier County called St. Mary Diversion. This system is rusting, cracking, and crumbling before our eyes. It is deteriorating, and 17,000 Montanans on the highline—the northern part of the State—depend on this system. It is a Federal system, but it is falling apart.

Without St. Mary, the lower Milk River would go dry 6 out of every 10 years, imperiling the water source for thousands of Montana families. This is irrigation and also drinking water. I cannot believe that in the United States we don't have good drinking water in large parts of my State. That is an outrage.

These important water projects, and their importance to the communities the projects serve, underline the need to move this legislation forward. Our first priority, therefore, is to authorize the long overdue projects in the WRDA

bill this year. I hope we can get the administration's support to do that this year. We passed a bill last year. Let's get it enacted this year. Let's do our part to ensure that our water resources needs are met and let's get back to the biennial practice of enacting a water development resources bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, I am very pleased to rise following my good friend from Montana, with whom I served last year as the subcommittee leaders of the Environment and Public Works Committee. We worked in a bipartisan way, and I appreciate that working relationship this year again. The EPW has worked on a bipartisan basis on this very important bill, and we have shown it by the number of people who signed letters asking that they move the bill. We have seen it in the vote on cloture. I thank the leadership in this body, particularly Chairman BOXER and Ranking Member INHOFE.

This bill before us today and next week, the Water Resources Development Act, or WRDA, is long overdue and badly needed. As has already been said, it authorizes projects under the jurisdiction—

Mr. BAUCUS. Will the Senator yield briefly?

Mr. BOND. Yes, I am happy to.

Mr. BAUCUS. Mr. President, I confirm a point made by our good friend from Missouri that there has been close cooperation in putting the bill together. I commend the Senator from Missouri. He has done a super job and so has Chairman BOXER, who is our leader. She sets the tone and gets us working together, and Senator INHOFE is right there with her. I thank the Senator for being helpful.

Mr. BOND. Mr. President, I appreciate the kind comments of my friend from Montana. I wish there were more issues on which we could work so closely, but this one I view as a vital investment in our Nation's future. This is something we ought to be able to come together on as Republicans and Democrats, conservatives and liberals, and say we need to build for the future.

As my colleague from Montana has said, the programs administered by the Corps are of tremendous value to the entire Nation. They provide drinking water, electric power production, river transportation, recreation, flood protection, environmental protection and restoration, and emergency response.

Few agencies in the Federal Government touch as many citizens as the Corps does. The Corps provides one-quarter of our Nation's total hydropower output. If you are looking for pollution-free power, it is hydropower. The Corps operates 463 lake recreation areas; moves 630 million tons of cargo, valued at over \$73 billion annually through our inland system; manages over 12 million acres of land and water; provides 3 trillion gallons of water for use by local communities and busi-

nesses; and has prevented an estimated \$706 billion in flood damage within the past 25 years with an investment one-seventh of that value. During the 1993 flood alone, an estimated \$19.1 billion in flood damage was prevented by flood control facilities in place at that time.

Regrettably, I must tell my colleagues that as we debate this bill on the floor, a flood is currently striking Missouri. I talked with a top Corps official from Missouri yesterday, who said the flood and its impact now may be as great as the disaster of the 1993 floods. I will be going there tomorrow to survey the damage. Floods are a fact of nature, and a good levee system can reduce the damage.

The WRDA bill is a bipartisan bill traditionally produced by Congress every 2 years. As a matter of fact, you could say this is the 2002 WRDA bill about 5 years late. Better late than never.

The bill makes possible all of America's major flood control projects, coastal protection, environmental protection and restoration, transportation and recreation on our major waterways.

Despite its importance, however, we have not passed a WRDA bill since 2000. The longer we wait, the more unmet needs pile up and the more complicated the demands upon the bill become. I think the public voice is loud, clear, and spoken often regarding how they feel about our long overdue and much-needed WRDA legislation.

We believe the bill before the Senate is a good one, balancing the needs of our States for environmental restoration of key waterways and for navigation projects that create economic growth and keep our economy going.

The bill before us will create jobs, spur economic development and trade competitiveness, and improve the environment. It is financially responsible. To say it is widely supported is an understatement. It passed the Senate Environment and Public Works Committee last year by a voice vote and, in the 109th Congress, 80 colleagues signed a letter urging floor action.

A few weeks ago, the House cleared a companion bill with a vote of 394 to 25, and in the 109th Congress, they passed it with 406 votes. Last year, we merely ran out of time in conference. That is why I am glad the bill was passed out of committee and brought to the floor in a timely manner. We cannot afford to let the time run out on the bill in this Congress.

In the last 20 years, environmental protection has become a primary Corps mission. Our water resources perform a variety of functions simultaneously. They can provide transportation and protection from floods and protect habitat for many species.

Similarly, when it comes to Corps projects, navigational and flood control projects can and should be environmentally sound. Environmental restoration can help prevent or minimize flooding during the next major storm.

The Corps is leading some of the world's largest ecosystem restoration projects. The commanding feature of this bill is its landmark environmental and ecosystem restoration authorities. More than half the bill consists of authorization for environmental restoration projects.

Think of all the major waterways that are important to America, to our environmental heritage, to recreation, and to commerce. This bill affects all of them.

Among the projects, this bill restores wetlands in the upper Connecticut River basin in Vermont and New Hampshire, restores oyster habitats in the Chesapeake Bay, restores fisheries in the Great Lakes, implements an environmental management program for the Rio Grande River, continues restoration of the Florida Everglades, restores areas of coastal Louisiana damaged by Hurricanes Katrina and Rita, restores habitat on the upper Mississippi and Illinois water systems, and restores oyster habitats on the Long Island Sound.

Flood control obviously is important. If we learned anything about Mother Nature in the last 15 years, it is that we very often need protection from her storms. Hurricanes Katrina and Rita obviously are devastating examples.

The good news is that Corps projects have prevented an estimated \$706 billion in flood damage within the last 25 years with an investment of one-seventh that amount.

During the 1993 flood alone, an estimated \$19.1 billion in flood damage was prevented by flood control facilities in place at the time.

This legislation authorizes flood control projects in California, Louisiana, New Jersey, New York, Pennsylvania, Maryland, West Virginia, Minnesota, Kentucky, South Carolina, Idaho, Washington, Missouri, Iowa, New Mexico, and Arkansas, to name a few.

Transportation efficiency is another benefit. While the majority of this legislation is for environmental protection and restoration, a key bipartisan economic commission we include provides transportation efficiency and environmental sustainability on the Mississippi and Illinois Rivers.

As the world becomes more competitive, America must also. From 1970 to 2003, the value of U.S. trade increased twenty-fourfold and 70 percent since 1994, an average annual growth rate of over 10 percent. We can expect demand for U.S. exports to dramatically increase over 34 years. We must ask ourselves, or that part of our exports that are commodities: Will there be growth in transportation in the next 20 to 50 years to accommodate the growth in demand for commercial transportation?

If we listen to the Department of Transportation, they are already predicting the congestion on our roads will double in the next quarter of a century.

From where I sit, capacity on the rails is at a maximum. It is a lot

tougher to build a new railroad than it is to maintain the locks on an existing waterway system. If we think our roads are congested now, think of what will happen if we cannot relieve the pressure on our highways. Water transportation is an inadequately tapped capacity, and it is good news because water transportation is efficient, it is safe, it conserves fuel, and it protects the air and the environment. One medium-size barge tow can carry the same amount of freight as 870 trucks. That fact alone speaks volumes to the benefits of water transport. With oil prices at a record \$72 per barrel, consider the advantage of a twin engine barge that can carry the equivalent of 870 trucks.

Over the past 35 years, waterborne commerce on the upper Mississippi River has more than tripled. It currently carries 60 percent of our Nation's corn exports and 45 percent of our Nation's soybean exports. It does so at two-thirds the cost of rail when and if rail is available.

In Missouri alone, we ship 34.7 million tons of commodities, with a combined value of more than \$4 billion, and it isn't just agricultural products. It includes coal, petroleum, aggregates, grain, chemicals, iron, steel, minerals, fertilizers, and other commodities.

The sad fact is our navigable waterways are in environmental and economic decline. Jobs, markets, and the availability of habitat for fish and wildlife are at stake. The American Society of Civil Engineers grades navigable waterways infrastructure with a D-minus, with over 50 percent of the locks functionally obsolete despite increased demand. These locks were built 75 years ago with a life expectancy of 50 years. If you look at the locks when they are locking through a tow, they don't just leak, they shed tons of water. They are past the stage where continued application of chewing gum and duct tape are going to protect the water transportation infrastructure we need.

This bill is a plan that gets the Corps back in the business of building for the future rather than haggling about predicting it. The legislation contains authorization for funding to improve navigation on a number of our waterways in several States—Louisiana, Texas, Alaska, Virginia, Delaware, Maine, Oklahoma, and South Carolina. My interest is a key piece of the bill that modernizes locks and dams on the upper Mississippi and Illinois Rivers.

We authorize capacity on locks 20 to 25 on the Missouri River in Peoria and LaGrange on the Illinois. New 1,200-foot locks on the Mississippi will provide equal capacity in the bottleneck region downstream of the 1,200-foot lock 19 at Keokuk and upstream locks 26 and 27 near St. Louis.

What happens with the 600-foot lock as now exists today? All the modern tows are 1,200 feet long, so we have to double lock through them, push half the barges in, lock them down, bring the water down, push the other half of

the barge in, lock it down. That is a tremendous bottleneck, and even though 600-foot locks are in very degraded condition, half the cost of the new locks will be paid by private users who pay into the inland waterways trust fund. Additional funds would be provided for mitigation and small-scale and nonstructural measures to improve efficiency.

There is lots of talk around here about wanting to increase trade. All the productive farmers, commercial family farms in Missouri know that trade is essential, not only for their well-being, but for the strength of the economy to bring revenue to rural communities and the rest of the world. But we can't have those without the basic transportation infrastructure necessary to move goods from buyers to sellers. New efficiency helps give our producers an edge that can make or break opportunities in the international marketplace.

As we look 50 years into the future, we have to ask ourselves a fundamental question: Should we have a system that promotes growth or should we be confined to a transportation strait-jacket designed not for 2050 but for 1950 or earlier with paddle wheel boats?

Further, we can ask ourselves if dramatic investments should be made to address environmental problems and opportunities that exist on these great waterways. In both cases, the answer to me, and I hope a majority of this body, must be, of course, we must modernize and improve.

Seventy years ago, some argued that a transportation system on the Mississippi River was not justified. But Congress bravely stepped forward and decided it would not try to predict the future but to shape the future and decide to invest in a system despite the naysayers. Over 84 million tons per year later, clearly the decision was wise.

A couple years ago, a veteran chief economist at the USDA, talking about transportation efficiency and the ability of farmers to win markets and higher prices, said that transportation is fundamentally related. He predicted that corn exports should rise over the next 10 years by 45 percent, and 70 percent of that will travel down the Mississippi River.

This decision to improve the waterways has not been taken lightly. All decisions have been documented and coordinated with an interagency Federal principles group, independent technical reviews and stakeholders and have been made available for public review and comment.

The Corps of Engineers spent \$70 million completing an anticipated 6-year study that actually took 14 years to complete. That was only three times over budget. During that period, there have been no less than 35 meetings of Governors' committees, 28 meetings of economic coordinating committees among the States, and a minimum of 44 meetings of the Navigation and Environmental Coordination Committee;

additionally, 130 briefings for special interest groups, 25 newsletters, at least 6 sets of public meetings in 46 locations with over 4,000 people in attendance. There are some who say we ought to study it some more. Give me a break. To say the least, this has been a very long transparent and representative process, and while we have been studying, our competitors have been building.

One of the saddest sights I have seen recently is a picture of exports from New Orleans. Rather than exporting American commodities, do you know what they are exporting? Barges. They are exporting barges and tow boats that couldn't operate efficiently on the existing lock system to Brazil and other areas so they can have modern transportation means that will eat our lunch both literally and figuratively.

Given the extraordinary delay so far and given the reality that large-scale construction takes not weeks, not months but decades, further delay is no longer an option. That is why I am very pleased to join a bipartisan group of Senators who agree we must improve the efficiency and the environmental sustainability of our great resources.

The transportation efficiency provisions are supported by a broad-based group of States, farm groups, shippers, labor, and those who pay taxes into the trust fund.

Of particular note, I appreciate the strong support from the carpenters, corn growers, farm bureau, soybean growers, energy and construction materials industry.

Additionally, I thank Senators MCCASKILL, DURBIN, OBAMA, GRASSLEY, and HARKIN for their strong bipartisan support as well.

As for the budget, for some, this bill is too small; for others, it is too big. It is important to understand the budget implications of this legislation in the real world. We are contending with difficult budget realities. It is critical that we be mindful of those realities as we make investments in the infrastructure that supports those who manufacture, grow, buy, and sell products so we can expand our economy, create jobs, secure our future, and pay the taxes our Government needs to continue providing support for the infrastructure.

This is an authorization bill. It does not spend \$1—not \$1. It makes projects eligible within budget constraints. With the allocation provided the Appropriations Committee, the Congress and the President will fund projects deemed to be of the highest priority. The remaining will not be funded because of budget issues. This WRDA process simply allows for projects to be considered during the process of appropriations. Some will measure up, some will not, although the ones in this bill have gone through rigorous examination to get this far.

I believe we strike a balance that disciplines the new projects to criteria fairly applied while addressing a great number of water resource priorities.

This legislation is supported by the National Waterways Alliance, the American Shore and Beach Preservation Association, the California Coastal Coalition, AASHTO, and 250 other organizations.

My thanks to the Environment and Public Works Committee, its leadership, its staff, the staff of the Subcommittee on Transportation and Infrastructure for their hard work and the commitment to bring WRDA to the floor in a timely manner.

Again, I particularly thank Chairman BOXER and Ranking Member INHOFE for their forbearance. I look forward to debate and final passage.

I yield the floor, and 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.

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

The PRESIDING OFFICER (Mr. NELSON of Nebraska). Without objection, it is so ordered.

Mrs. BOXER. Mr. President, we have made some good progress on the bill today. A number of our colleagues have come forward. I particularly wanted to thank Senator FEINGOLD for coming and debating his amendment on prioritization with me. We are going to have a vote on that, if all goes well, on Tuesday. That has not been finalized, but it looks as if that is what is going to happen.

I would say to colleagues that we did have a good, fair debate so far today, and we are going to continue this tomorrow and on Monday. I hope that those who have not come forward with their amendments would be so kind as to do that. We don't have very many because we did take care of many issues between both sides of the committee, but if there are amendments, we urge our colleagues to please come forward and talk about those amendments. This way, they can have as much time as they want and we can hopefully get this bill done.

We keep adding to the letters of support. I was just handed a letter from the National Association of Manufacturers in favor of this bill, so it is one of these rare moments in history where we have the manufacturers association, the labor unions, we have the farmers, we have the corn growers, and we have the water people. We just have a huge amount of support for this bill. It is one of those times that everybody is coming together, setting aside other matters, other issues that are so terribly contentious, such as Iraq, which tears at our heartstrings whenever we are on it, and other tough matters we deal with every day. This is one which does bring us together, I am happy to say.

Mr. President, I ask unanimous consent to have the letter I just referred to printed in the RECORD.

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

NATIONAL ASSOCIATION OF  
MANUFACTURERS,  
May 10, 2007.

Hon. BARBARA BOXER,  
Chairwoman, Senate Environment and Public  
Works Committee, U.S. Senate, Washington,  
DC.

DEAR MADAM CHAIRWOMAN: On behalf of more than 14 million manufacturing employees in the U.S., we would like to thank you for your leadership in moving forward with the Water Resources Development Act of 2007, WRDA. It is vitally important that America's water resources infrastructure be reliable and productive. Therefore we applaud your efforts to end the stalemate over water resources project authorization by bringing H.R. 1495, WRDA, to the Senate floor. We firmly believe that it is time to end the impasse over passage of WRDA.

A Water Resources Development Act is vitally needed to accommodate the many important projects awaiting authorization, including the modernization of the locks, harbors, canals and other key infrastructure that are vital to the competitiveness of the U.S. economy. A sound national transportation system for the 21st century needs modern water projects, and WRDA will authorize many of those needs.

We look forward to working with you and your staff and issues of importance to the nation's economy and environment. Again, thank you for your leadership.

Sincerely,

THE NATIONAL ASSOCIATION OF  
MANUFACTURERS.

Mrs. BOXER. Mr. President, without the physical infrastructure in this country in good shape, we can't move goods, we can't move people, and we can't move services. So we need all this. And this bill is 7 years old. So we are very pleased.

We are also very pleased that this bill complies with the spirit of the ethics reform we passed here in the very early days of the session. Although that ethics bill hasn't yet become law—we expect it will—this committee, on both sides, decided we wanted to comply with it. So we got letters from colleagues stating whether they had any type of perceived conflict of interest or a conflict of interest in relation to the projects that are in the bill.

At this point, I do not see any colleagues coming here to speak, but we will keep the floor open for a period of time.

Mr. President, I yield the floor, and 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.

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

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

#### MORNING BUSINESS

Mrs. BOXER. Mr. President, I now ask unanimous consent there be a period of morning business with Senators permitted to speak for up to 10 minutes each.

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