

remain available until September 30, 2008, for assistance for Lebanon.

PEACEKEEPING OPERATIONS
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Peacekeeping Operations”, \$278,000,000, to remain available until September 30, 2008, of which up to \$128,000,000 may be transferred, subject to the regular notification procedures of the Committees on Appropriations, to “Contributions to International Peacekeeping Activities”, to be made available, notwithstanding any other provision of law, for assessed costs of United Nations Peacekeeping Missions.

GENERAL PROVISIONS—THIS CHAPTER
AUTHORIZATION OF FUNDS

SEC. 1601. Funds appropriated by this title may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

EXTENSION OF AVAILABILITY OF FUNDS

SEC. 1602. Section 1302(a) of Public Law 109-234 is amended by striking “one additional year” and inserting in lieu thereof “two additional years”.

EXTENSION OF OVERSIGHT AUTHORITY

SEC. 1603. Section 3001(o)(1)(B) of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108-106; 117 Stat. 1238; 5 U.S.C. App., note to section 8G of Public Law 95-452), as amended by section 1054(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2397) and section 2 of the Iraq Reconstruction Accountability Act of 2006 (Public Law 109-440), is amended by inserting “or fiscal year 2007” after “fiscal year 2006”.

DEBT RESTRUCTURING

SEC. 1604. Amounts appropriated for fiscal year 2007 for “Bilateral Economic Assistance—Department of the Treasury—Debt Restructuring” may be used to assist Liberia in retiring its debt arrearages to the International Monetary Fund, the International Bank for Reconstruction and Development, and the African Development Bank.

JORDAN

(INCLUDING TRANSFER OF FUNDS)

SEC. 1605. Of the funds appropriated by this Act for assistance for Iraq under the heading “Economic Support Fund” that are available to support Provincial Reconstruction Team activities, up to \$100,000,000 may be transferred to, and merged with, funds appropriated by this Act under the headings “Foreign Military Financing Program” and “Nonproliferation, Anti-terrorism, Demining and Related Programs” for assistance for Jordan: *Provided*, That funds transferred pursuant to this section shall be subject to the regular notification procedures of the Committees on Appropriations.

LEBANON

SEC. 1606. Prior to the initial obligation of funds made available in this Act for assistance for Lebanon under the headings “Foreign Military Financing Program” and “Nonproliferation, Anti-terrorism, Demining and Related Programs”, the Secretary of State shall certify to the Committees on Appropriations that all practicable efforts have been made to ensure that such assistance is not provided to or through any individual, or private or government entity, that advo-

cates, plans, sponsors, engages in, or has engaged in, terrorist activity: *Provided*, That this section shall be effective notwithstanding section 534(a) of Public Law 109-102, which is made applicable to funds appropriated for fiscal year 2007 by the Continuing Appropriations Resolution, 2007, as amended.

HUMAN RIGHTS AND DEMOCRACY FUND

SEC. 1607. The Assistant Secretary of State for Democracy, Human Rights and Labor shall be responsible for all policy, funding, and programming decisions regarding funds made available under this Act and prior Acts making appropriations for foreign operations, export financing and related programs for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor.

INSPECTOR GENERAL OVERSIGHT OF IRAQ AND AFGHANISTAN

SEC. 1608. (a) IN GENERAL.—Subject to paragraph (2), the Inspector General of the Department of State and the Broadcasting Board of Governors (referred to in this section as the “Inspector General”) may use personal services contracts to engage citizens of the United States to facilitate and support the Office of the Inspector General’s oversight of programs and operations related to Iraq and Afghanistan. Individuals engaged by contract to perform such services shall not, by virtue of such contract, be considered to be employees of the United States Government for purposes of any law administered by the Office of Personnel Management. The Secretary of State may determine the applicability to such individuals of any law administered by the Secretary concerning the performance of such services by such individuals.

(b) CONDITIONS.—The authority under paragraph (1) is subject to the following conditions:

(1) The Inspector General determines that existing personnel resources are insufficient.

(2) The contract length for a personal services contractor, including options, may not exceed 1 year, unless the Inspector General makes a finding that exceptional circumstances justify an extension of up to 2 additional years.

(3) Not more than 20 individuals may be employed at any time as personal services contractors under the program.

(c) TERMINATION OF AUTHORITY.—The authority to award personal services contracts under this section shall terminate on December 31, 2008. A contract entered into prior to the termination date under this paragraph may remain in effect until not later than December 31, 2009.

(d) OTHER AUTHORITIES NOT AFFECTED.—The authority under this section is in addition to any other authority of the Inspector General to hire personal services contractors.

SPENDING PLAN AND NOTIFICATION PROCEDURES

SEC. 1609. Not later than 45 days after enactment of this Act the Secretary of State shall submit to the Committees on Appropriations a report detailing planned expenditures for funds appropriated under the headings in this chapter, except for funds appropriated under the headings “International Disaster and Famine Assistance”, “Office of the United States Agency for International Development Inspector General”, and “Office of the Inspector General”: *Provided*, That funds appropriated under the headings in this chapter, except for funds appropriated under the headings named in this section, shall be subject to the regular notification procedures of the Committees on Appropriations.

CIVILIAN RESERVE CORPS

SEC. 1610. Of the funds appropriated by this Act under the headings “DIPLOMATIC AND

CONSULAR PROGRAMS” and “Economic Support Fund” (except for the Community Action Program), up to \$50,000,000 may be made available to support and maintain a civilian reserve corps. Funds made available under this section shall be subject to the regular notification procedures of the Committees on Appropriations.

TITLE II

CHAPTER 1

DEPARTMENT OF DEFENSE
MILITARY CONSTRUCTION

DEPARTMENT OF DEFENSE BASE CLOSURE
ACCOUNT, 2005

For deposit into the Department of Defense Base Closure Account 2005, established by section 2906(a)(1) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$3,136,802,000, to remain available until expended.

CHAPTER 2

GENERAL PROVISIONS—THIS DIVISION
AVAILABILITY OF FUNDS

SEC. 2201. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

EMERGENCY DESIGNATION FOR TITLE I

SEC. 2202. Amounts provided in title I of this division are designated as emergency requirements pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

EMERGENCY DESIGNATION FOR TITLE II

SEC. 2203. Amounts provided in title II of this division are designated as emergency requirements pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

This division may be cited as the “Support Our Troops Act of 2007”.

COMMEMORATING THE 40TH ANNIVERSARY OF THE LANDMARK CASE OF IN RE GAULT, ET AL

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 194.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 194) commemorating the 40th anniversary of the landmark case *In re Gault*, et. al., in which the Supreme Court held that all children accused of delinquent acts and facing a proceeding in which their freedom may be curtailed have a right to counsel in the proceedings against them.

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

Mr. KENNEDY. Mr. President, this year marks the 40th anniversary of the landmark Supreme Court decision of *In re Gault* in 1967, in which the Court declared that children accused of delinquent acts have a constitutional right to counsel. Before that decision, children accused of delinquency had virtually no legal rights. They were at the mercy of a legal system that often led to unjust results. Gerald Gault’s experience illustrates the injustices that often took place.

When he was 15 years old, Gerald was accused of a delinquent act that involved making a nuisance phone call. He was swept up in a juvenile justice system that had almost no procedural

safeguards. Basic rights available to adults were denied to him. He was sentenced by the juvenile court to 6 years in his State's Youth Industrial School, with no right to appeal the decision. Fortunately, his parents didn't give up. They filed a writ of habeas corpus for his release.

Gerald's case eventually reached the Supreme Court, which held that proceedings against juveniles must meet the essential requirements of the due process clause of the 14th amendment to the Constitution. These rights included the right to advance notice of the charges, the right to counsel, the privilege against self-incrimination, and the right to confront and cross-examine witnesses. Eventually, the charges against Gerald were dropped, and his case changed the juvenile justice system forever.

In fact, the development of the juvenile justice system was long in coming. Before the 20th century, children as young as 7 years of age could be tried as criminals, and if found guilty, could be sentenced to prison or even to death. The first juvenile court was established just over a century ago in Chicago as a result of the efforts of reformers who were appalled by the denial of rights to young offenders. By 1925, the majority of States had separate courts for juveniles in a system guided by the doctrine of *parens patriae*, which gave each State the authority to act as a parent for children in need of guidance and protection. Under the doctrine, States were able to provide treatment and rehabilitation or safe conditions of confinement for troubled youth, and the Gault decision guaranteed that juvenile offenders would have basic legal rights.

In the years that followed, numerous improvements have been made to the juvenile justice system. In recent years, however, there has been an alarming escalation in the willingness of States to treat children as adults. Nearly 100,000 children today are incarcerated in juvenile facilities, and they may well be the most vulnerable and defenseless group in our criminal justice system. They are routinely sent to adult prisons where they face significant dangers. Juveniles in adult facilities are five times more likely than those in juvenile facilities to report being sexually assaulted. Even more disturbing, the suicide rate of children in adult prisons is over seven times higher than those in juvenile facilities. Their plight is shameful and unacceptable. Clearly, these children deserve better.

Gerald Gault went on to have a long career in the United States Army, rising to the rank of sergeant. He has become a deeply devoted family man and will celebrate his 35th wedding anniversary 5 days after the 40th anniversary of the Supreme Court decision in his case. Who knows what would have happened to Gerald if he had not been given his due process rights and had been locked away instead in a deten-

tion center? The anniversary of the Gault decision is a time for all of us to remember that the juvenile justice system is there to protect the rights of the Nation's children, and this resolution enables us to renew our commitment to building on the legacy of that historic decision.

With this resolution, the Senate acknowledges the need for the Nation to recommit to the goals and purposes of this landmark decision to finally achieve the goals set forth in the Gault decision. I am pleased that the resolution has the support of so many organizations and individuals across the country, including the National Juvenile Defender Center, Harvard Law School, the Child Welfare League, the ACLU, the Council of Juvenile Correctional Administrators, the Center for Children's Law and Policy, the National Immigration Project of the National Lawyers Guild in Boston, the Children's Law Center of Massachusetts and so many other distinguished individuals fighting for a better justice system for all children in the United States.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating to this matter be printed in the RECORD as if given.

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

The resolution (S. Res. 194) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, is as follows:

S. RES. 194

Whereas, on May 15, 1967, the Supreme Court recognized in *In re Gault, et al.*, 387 U.S. 1 (1967) that all children accused of delinquent acts and facing a proceeding in which their freedom may be curtailed have a right to counsel in the proceedings against them;

Whereas the Supreme Court held that proceedings against juveniles must meet the essential requirements of the due process clause of the 14th amendment to the Constitution;

Whereas the Gault decision recognized that the constitutional protections of due process extend to juveniles the right to fundamental procedural safeguards in juvenile courts, including the right to advance notice of the charges against them, the right to counsel, the privilege against self-incrimination, and the right to confront and cross-examine witnesses; and

Whereas, 40 years after the Gault decision, some children appear in court with no legal counsel at all: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the 40th anniversary of the decision in *In re Gault, et al.*, 387 U.S. 1 (1967);

(2) encourages all people of the United States to recognize and honor the 40th anniversary of the Gault decision;

(3) supports strategies to improve the juvenile justice system that appreciate the unique nature of childhood and adolescence; and

(4) pledges to acknowledge and address the modern day disparities that remain for children after the Gault decision.

IRAQ FUNDING

Mr. REID. Mr. President, it is my understanding, prior to my doing the closing—and I don't know if the distinguished Republican leader has anything today—it is my understanding that the Senator from Virginia wanted to make a statement. Does the Senator from Kentucky have anything to say?

Mr. McCONNELL. No, Mr. President, I don't have anything to add.

The ACTING PRESIDENT pro tempore. The senior Senator from Virginia is recognized.

Mr. WARNER. Mr. President, if I may engage our respected leaders in a colloquy regarding the passage last night of the House supplemental. I am speaking for, I think, a number of Senators on both sides of the aisle, who have some thoughts with regard to how we proceed on the funding issue. I personally—speaking for myself—believe we should have no bifurcation of the funding and that it should all be acted upon at one time. I am very anxious that the tentative schedule of the leadership is before Memorial Day. That is most important.

I hope some of us could address the Senate and the leadership regarding the subject of benchmarks. I read with great interest that the President is openminded on the question of benchmarks. I believe it is important that, in September, General Petraeus is going to give us a report, together with the U.S. Ambassador, and presumably the Secretaries of State and Defense will join in that very important report to the Congress—indeed, to the whole country—with regard to the status of things in Iraq in September. I do believe there is such a rapidly unfolding situation over there—we don't know from day to day how to anticipate certain things. Earlier this morning, General Mixon reported that he didn't have sufficient forces, U.S. forces and presumably Iraqi forces, to perform his mission in Diyala Province.

I am hopeful, speaking for myself, that we can put in some language tied to benchmarks by which the President, before we go out on the August recess, would report to the Nation and to the Congress on his judgment as to whether there is progress on the benchmarks and whether he feels that in the July timeframe some change in strategy must be brought about in order to achieve the goals of the original strategy laid down on January 10 of this year.

My language would not have any obstruction to the flow of funds, but it would simply keep the Nation and the Congress fully informed of his judgment, together with his senior advisers, at that critical time before we go out on the August recess. I believe we have a responsibility, first and foremost, to the men and women in the Armed Forces, their families, and to the country for the Congress to watch this situation very closely and not defer until the September timeframe the concentrated judgment that would