

**SENATE RESOLUTION 202—DESIGNATING THE PERIOD BEGINNING ON MAY 14, 2007, AND ENDING ON MAY 18, 2007, AS “NATIONAL HEALTH INFORMATION TECHNOLOGY WEEK”**

Ms. STABENOW. (for herself and Ms. SNOWE, and Mr. WHITEHOUSE) submitted the following resolution; which was considered and agreed to:

S. RES. 202

Whereas the Healthcare Information and Management Systems Society has worked collaboratively with more than 48 stakeholder organizations for more than 45 years to transform health care with improved uses of information technology and management systems;

Whereas the Center for Information Technology Leadership estimated that the implementation of national standards for interoperability and the exchange of health information would save the United States approximately \$77,000,000,000 in expenses relating to health care each year;

Whereas the RAND Corporation estimated that, if the health care system of the United States implemented the use of computerized medical records, the system could save the United States more than \$81,000,000,000 each year;

Whereas health care information technology has been shown to improve the quality and safety of the delivery of health care in the United States;

Whereas health care information technology and management systems have been recognized as essential tools for improving the quality and cost efficiency of the health care system;

Whereas the President and Secretary of Health and Human Services have made a commitment to leveraging the benefits of the health care information technology and management systems by establishing the Office of the National Coordinator for Health Information Technology and the American Health Information Community;

Whereas Congress has placed an emphasis on improving the quality and safety of the delivery of health care in the United States; and

Whereas organizations across the country have come together to support National Health Information Technology Week to improve public awareness relating to the potential benefits of improved quality and cost efficiency that the health care system could achieve if health information technology were better utilized: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the value of information technology and management systems in transforming health care for all people in the United States;

(2) designates the period beginning on May 14, 2007, and ending on May 18, 2007, as “National Health Information Technology Week”; and

(3) encourages the use of information technology and management systems to transform the health care system in the United States.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 1112. Ms. STABENOW (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her 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; which was ordered to lie on the table.

SA 1113. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1114. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1115. Mr. WARNER submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1116. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1117. Mr. KENNEDY (for himself and Mr. KERRY) submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1118. Mr. GRAHAM (for himself, Mr. ISAKSON, and Mr. CHAMBLISS) submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1119. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1120. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1121. Mr. DOMENICI submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1122. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1123. Mr. REID (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 2206, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes.

SA 1124. Mr. REID (for himself and Mr. MCCONNELL) proposed an amendment to amendment SA 1123 proposed by Mr. REID (for himself and Mr. MCCONNELL) to the bill H.R. 2206, supra.

SA 1125. Mr. REID proposed an amendment to amendment SA 1124 proposed by Mr. REID (for himself and Mr. MCCONNELL) to the amendment SA 1123 proposed by Mr. REID (for himself and Mr. MCCONNELL) to the bill H.R. 2206, supra.

SA 1126. Mr. REID proposed an amendment to the bill H.R. 2206, supra.

SA 1127. Mr. REID proposed an amendment to amendment SA 1126 proposed by Mr. REID to the bill H.R. 2206, supra.

SA 1128. Mr. REID proposed an amendment to amendment SA 1127 proposed by Mr. REID to the amendment SA 1126 proposed by Mr. REID to the bill H.R. 2206, supra.

SA 1129. Mr. INOUE submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table.

SA 1130. Mr. OBAMA submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1131. Mr. WARNER submitted an amendment intended to be proposed by him

to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1132. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1133. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra; which was ordered to lie on the table.

SA 1134. Mr. WARNER (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill H.R. 1495, supra.

SA 1135. Mr. MCCONNELL (for Mr. COCHRAN (for himself, Mr. WARNER, and Mr. BOND)) proposed an amendment to the bill H.R. 1495, supra.

**TEXT OF AMENDMENTS**

**SA 1112.** Ms. STABENOW (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her 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; which was ordered to lie on the table; as follows:

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

**SEC. 3 . SAULT SAINTE MARIE, MICHIGAN.**

(a) IN GENERAL.—Section 1149 of the Water Resources Development Act of 1986 (100 Stat. 4254) is amended to read as follows:

**“SEC. 1149. SAULT SAINTE MARIE, MICHIGAN.**

“The Secretary shall construct, at Federal expense, a second lock, with a width of not less than 110 feet and a length of not less than 1,200 feet, adjacent to the lock at Sault Sainte Marie, Michigan, in existence on the date of enactment of the Water Resources Development Act of 2007, generally in accordance with the report of the Board of Engineers for Rivers and Harbors dated May 19, 1986, and the limited reevaluation report dated February 2004, at a total cost of \$341,714,000.”.

(b) CONFORMING REPEALS.—The following provisions of law are repealed:

(1) Paragraph (8) of section 107(a) of the Water Resources Development Act of 1990 (104 Stat. 4620).

(2) Section 330 of the Water Resources Development Act of 1996 (110 Stat. 3717).

(3) Section 330 of the Water Resources Development Act of 1999 (113 Stat. 305).

**SA 1113.** Ms. LANDRIEU submitted an amendment intended to be proposed by her 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; which was ordered to lie on the table; as follows:

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

**SEC. 5 . CATASTROPHIC FLOODING RECOVERY.**

(a) DEFINITION OF CATASTROPHIC FLOODING EVENT.—In this section, the term “catastrophic flooding event” includes a flooding event caused by—

(1) the failure of a levee;

(2) a natural disaster declared by the Federal Government; or

(3) inadequate flood damage reduction measures.

(b) **REPORTS.**—Not later than 90 days after the date on which a catastrophic flooding event occurs, as determined by the Secretary, the Secretary shall submit to Congress a report that contains specific project recommendations relating to flood damage reduction, hurricane protection, and environmental restoration to be carried out in response to the catastrophic flooding event.

(c) **FEASIBILITY STUDIES.**—

(1) **IN GENERAL.**—Not later than 90 days after the date on which a report described in subsection (b) is submitted to Congress, the Secretary shall initiate a feasibility study on each project included in the report.

(2) **DEADLINE.**—A feasibility study initiated under paragraph (1) shall be completed by not later than 3 years after the date of initiation.

(d) **PRECONSTRUCTION AND DESIGN ACTIVITIES.**—The Secretary shall begin development of preconstruction engineering and document design activities for a project on the later of—

(1) the date on which the feasibility report relating to the project is completed under subsection (c); and

(2) the date on which the Chief of Engineers submits to the Secretary a report approving the project.

**SA 1114.** Ms. LANDRIEU submitted an amendment intended to be proposed by her 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; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

**Subtitle D—8/29 Commission**

**SEC. 2061. SHORT TITLE.**

This subtitle may be cited as the “8/29 Commission Act”.

**SEC. 2062. FINDINGS.**

Congress finds that—

(1) Hurricanes Katrina and Rita, which struck the United States in 2005, caused almost \$200,000,000,000 in total economic losses, including insured and uninsured losses;

(2) multiple reviews have been conducted, and multiple commissions have been established, with respect to assessing the failure of levee systems and related infrastructure beginning in August 2005, but few definitive recommendations have been offered, and Congress has not been provided with specific proposals for action regarding the levees;

(3) to the extent the United States continues to face the possibility of another significant levee failure and the possible resulting devastation and damage, a proper technical and investigative review is needed; and

(4) the most efficient and effective approach to assessing the failure of the levees and subsequent devastation is—

(A) to establish a bipartisan commission of experts to study—

(i) the management, construction, and funding of levee, flood control, and hurricane protection projects; and

(ii) the means by which the Federal Government responds to catastrophic disasters and by which the Federal Government prepares and develops contingency plans and disaster preparations; and

(B) to require the Commission to timely report the recommendations of the Commission to Congress so that Congress can quickly identify any outstanding issues and deter-

mine a solution to protect residents of the United States.

**SEC. 2063. ESTABLISHMENT OF 8/29 COMMISSION.**

There is established a commission, to be known as the “8/29 Commission”, to examine the events beginning on August 29, 2005, with respect to the failure of levees in response to Hurricanes Katrina and Rita (referred to in this subtitle as the “Commission”).

**SEC. 2064. MEMBERSHIP.**

(a) **COMPOSITION.**—The Commission shall be composed of 12 members, of whom—

(1) 2 members shall be appointed by the President;

(2) 2 members shall be appointed by the Chairperson, in consultation with the Ranking Member, of the Committee on Environment and Public Works of the Senate;

(3) 2 members shall be appointed by the Chairperson, in consultation with the Ranking Member, of the Committee on Homeland Security and Governmental Affairs of the Senate;

(4) 2 members shall be appointed by the Chairperson, in consultation with the Ranking Member, of the Committee on Transportation and Infrastructure of the House of Representatives;

(5) 2 members shall be appointed by the Chairperson, in consultation with the Ranking Member, of the Committee on Homeland Security of the House of Representatives; and

(6) 2 members shall be appointed by the Governor of the State of Louisiana, subject to confirmation by the Committee on Environment and Public Works of the Senate.

(b) **CHAIRPERSON AND VICE CHAIRPERSON.**—

(1) **ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON.**—The Commission shall, by a majority of the members of the Commission, elect a Chairperson and a Vice Chairperson from among the members of the Commission.

(2) **POLITICAL AFFILIATION.**—The Chairperson and the Vice Chairperson elected by the members of the Commission under paragraph (1) shall not both be affiliated with the same political party.

(c) **PROHIBITION.**—No elected official of the Federal Government shall serve as a member of the Commission.

(d) **SENSE OF CONGRESS REGARDING QUALIFICATIONS.**—It is the sense of Congress that individuals appointed to the Commission should be—

(1) prominent United States citizens; and

(2) individuals who are nationally recognized for a significant depth of experience in professions such as—

(A) governmental service;

(B) engineering;

(C) public works;

(D) wetlands restoration;

(E) public administration;

(F) disaster planning and recovery; and

(G) environmental planning.

(e) **MEETINGS; QUORUM; VACANCIES.**—

(1) **INITIAL MEETING.**—If, on the date that is 60 days after the date of enactment of this Act, at least 8 members of the Commission have been appointed under subsection (a), the members may meet and, if necessary, select a temporary chairperson, who may begin the operations of the Commission, including the hiring of staff.

(2) **SUBSEQUENT MEETINGS.**—After the initial meeting, the Commission shall meet at the call of the chairperson or a majority of the members of the Commission.

(3) **QUORUM.**—7 members of the Commission shall constitute a quorum.

(4) **VACANCIES.**—A vacancy on the Commission—

(A) shall not affect the powers of the Commission; and

(B) shall be filled in the same manner as the original appointment was made.

**SEC. 2065. DUTIES OF COMMISSION.**

The Commission shall—

(1) review findings and recommendations contained in all public and private studies conducted in the aftermath of the levee failures in the State of Louisiana on or after August 29, 2005, including—

(A) the study entitled “The Federal Response to Hurricane Katrina” and dated February 2006;

(B) the study entitled “Performance Review of FEMA’s Disaster Management Activities in Response to Hurricane Katrina”, numbered OIG-06-32, and dated March 2006;

(C) the study entitled “A Failure of Initiative: Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina” (Report No. 109-377) and dated February 15, 2006;

(D) the study entitled “Hurricane Katrina: A Nation Still Unprepared” (S. Rept. 109-322);

(E) the study entitled “Interagency Task Force Report” and dated June 1, 2006; and

(F) the study entitled “Prioritizing America’s Water Resources”, published by the National Associations of Public Administrators, and dated February 2007;

(2) examine and review the ongoing exposure of the United States to the levee failures described in paragraph (1) and other potential future levee failures; and

(3) submit to the President and Congress a report that contains recommendations for any necessary legislative or regulatory change that will—

(A) improve the functioning of the Corps of Engineers to prevent a catastrophic levee failure;

(B) ensure proper planning and review of Federal and State agencies to prevent such a failure in the future;

(C) provide for environmental management and recovery during and after a disaster;

(D) provide for the identification of each party that was responsible for each error that helped cause the events of August 29, 2005; and

(E) outline each proposal that is necessary to revise the management, planning, funding, and oversight of the levees and flood control projects that are located in the disaster affected areas.

**SEC. 2066. POWERS OF COMMISSION.**

(a) **IN GENERAL.**—

(1) **HEARINGS AND EVIDENCE.**—In carrying out the duties of the Commission under this subtitle, the Commission, and any subcommittee or member acting under the authority of the Commission, may—

(A) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Commission, subcommittee, or member, as applicable, determines to be appropriate; and

(B) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission, subcommittee, or member, as applicable, determines to be appropriate.

(2) **SUBPOENAS.**—

(A) **IN GENERAL.**—A subpoena issued under paragraph (1)(B)—

(i) may be issued under the signature of the Chairperson of the Commission, with the concurrence of the Vice Chairperson of the Commission; and

(ii) may be served by any person designated by the Chairperson of the Commission.

(B) **APPLICABILITY OF REVISED STATUTES.**—Sections 102 through 104 of the Revised Statutes (2 U.S.C. 192 et seq.) shall apply in the case of a failure of any witness to comply

with a subpoena or to testify when summoned under authority of this section.

(b) **CONTRACTING.**—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to carry out the duties of the Commission under this subtitle.

(c) **INFORMATION FROM FEDERAL AGENCIES.**—

(1) **IN GENERAL.**—The Commission may secure directly from a Federal agency such information as the Commission considers necessary to carry out this Act.

(2) **PROVISION OF INFORMATION.**—On request of the Chairperson of the Commission, the head of the agency shall provide the information to the Commission.

(d) **ASSISTANCE FROM FEDERAL AGENCIES.**—

(1) **GENERAL SERVICES ADMINISTRATION.**—The Administrator of General Services shall provide to the Commission, on a reimbursable basis, administrative support and other services to assist the Commission in carrying out the duties of the Commission under this subtitle.

(2) **OTHER DEPARTMENTS AND AGENCIES.**—In addition to the assistance prescribed under paragraph (1), any other Federal department or agency may provide to the Commission such services, funds, facilities, staff, and other support services as the head of the department or agency determines to be appropriate and in accordance with applicable law.

(e) **POSTAL SERVICES.**—The Commission may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(f) **GIFTS.**—The Commission may accept, use, and dispose of gifts or donations of services or property.

#### **SEC. 2067. STAFF OF THE COMMISSION.**

(a) **STAFF.**—

(1) **IN GENERAL.**—The Chairperson of the Commission may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Commission to perform the duties of the Commission.

(2) **CONFIRMATION OF EXECUTIVE DIRECTOR.**—The employment of an executive director shall be subject to confirmation by the Commission.

(3) **COMPENSATION.**—

(A) **IN GENERAL.**—Except as provided in subparagraph (B), the Chairperson of the Commission may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates.

(B) **MAXIMUM RATE OF PAY.**—The rate of pay for the executive director and other personnel shall not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(b) **PERSONNEL AS FEDERAL EMPLOYEES.**—

(1) **IN GENERAL.**—The executive director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(2) **MEMBERS OF COMMISSION.**—Paragraph (1) shall not apply to any member of the Commission.

(c) **DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.**—

(1) **IN GENERAL.**—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(2) **CIVIL SERVICE STATUS.**—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(d) **CONSULTANT SERVICES.**—The Commission may procure the services of any expert

or consultant, in accordance with section 3109 of title 5, United States Code, at a rate not to exceed the daily rate of pay of an individual occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

#### **SEC. 2068. REPORT.**

Not later than 120 days after the date on which all members of the Commission are appointed under section 2064(a), the Commission shall submit to the President and Congress a final report that contains—

(1) a detailed statement of the findings of the Commission; and

(2) any recommendations of the Commission for legislative or administrative action that the Commission determines to be appropriate.

#### **SEC. 2069. TERMINATION.**

The Commission shall terminate on the date that is 60 days after the date on which the Commission submits the final report under section 2068.

#### **SEC. 2070. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated \$5,000,000 to carry out this subtitle.

**SA 1115.** Mr. WARNER submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

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

#### **SEC. 3. SANDBRIDGE BEACH, VIRGINIA BEACH, VIRGINIA.**

The project for beach erosion control and hurricane protection, Sandbridge Beach, Virginia Beach, Virginia, authorized by section 101(22) of the Water Resources Development Act of 1992 (106 Stat. 4804; 114 Stat. 2612), is modified to authorize the Secretary to review the project to determine whether any additional Federal interest exists with respect to the project, taking into consideration conditions and development levels relating to the project in existence on the date of enactment of this Act.

**SA 1116.** Mr. ALLARD submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

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

#### **SEC. 5. ENVIRONMENTAL ASSISTANCE PROGRAM, COLORADO.**

(a) **ESTABLISHMENT.**—The Secretary may establish a pilot program to provide environmental assistance to non-Federal interests in the State of Colorado (referred to in this section as the “State”).

(b) **FORM OF ASSISTANCE.**—Assistance under this section may be provided in the form of design and construction assistance for water-related environmental infrastructure and resource protection and development projects in the State, including projects for—

(1) wastewater treatment and related facilities;

(2) water supply and related facilities;

(3) water conservation and related facilities;

(4) stormwater retention and remediation;

(5) environmental restoration; and

(6) surface water resource protection and development.

(c) **PUBLIC OWNERSHIP REQUIREMENT.**—The Secretary may provide assistance for a project under this section only if the project is publicly owned.

(d) **LOCAL COOPERATION AGREEMENT.**—

(1) **IN GENERAL.**—Before providing assistance under this section, the Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for design and construction of the project to be carried out with the assistance.

(2) **REQUIREMENTS.**—Each local cooperation agreement entered into under this subsection shall provide for the following:

(A) **PLAN.**—Development by the Secretary, in consultation and coordination with appropriate Federal and State officials, of a facilities or resource protection and development plan, including appropriate engineering plans and specifications.

(B) **LEGAL AND INSTITUTIONAL STRUCTURES.**—Establishment of such legal and institutional structures as are necessary to ensure the effective long-term operation of the project by the non-Federal interest.

(3) **COST SHARING.**—

(A) **IN GENERAL.**—The Federal share of project costs under each local cooperation agreement entered into under this subsection—

(i) shall be 75 percent; and

(ii) may be in the form of grants or reimbursements of project costs.

(B) **PRE-COOPERATIVE AGREEMENT ACTIVITIES.**—The Federal share of the cost of activities carried out by the Secretary under this section before the execution of a local cooperative agreement shall be 100 percent.

(C) **CREDIT FOR DESIGN WORK.**—The non-Federal interest shall receive credit, not to exceed 6 percent of the total construction costs of a project, for the reasonable costs of design work completed by the non-Federal interest before entering into a local cooperation agreement with the Secretary for the project.

(D) **CREDIT FOR INTEREST.**—In case of a delay in the funding of the Federal share of the costs of a project that is the subject of an agreement under this section, the non-Federal interest shall receive credit for reasonable interest incurred in providing the Federal share of the costs of the project.

(E) **LAND, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.**—The non-Federal interest shall receive credit for land, easements, rights-of-way, and relocations toward the non-Federal share of project costs (including all reasonable costs associated with obtaining permits necessary for the construction, operation, and maintenance of the project on publicly owned or controlled land), but not to exceed 25 percent of total project costs.

(F) **OPERATION AND MAINTENANCE.**—The non-Federal share of operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent.

(e) **APPLICABILITY OF OTHER FEDERAL AND STATE LAWS.**—Nothing in this section waives, limits, or otherwise affects the applicability of any provision of Federal or State law that would otherwise apply to a project to be carried out with assistance provided under this section.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$50,000,000 for the period beginning with fiscal year 2008, to remain available until expended.

**SA 1117.** Mr. KENNEDY (for himself and Mr. KERRY) submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) 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; which was ordered to lie on the table; as follows:

On page 64, after line 23, insert the following, and redesignate the subsequent paragraphs accordingly:

(5) LAWRENCE GATEWAY, MASSACHUSETTS.—Project for aquatic ecosystem restoration at the Lawrence Gateway quadrant project along the Merrimack and Spicket Rivers in Lawrence, Massachusetts, in accordance with the general conditions established by the project approval of the Environmental Protection Agency, Region I, including filling abandoned drainage facilities and making improvements to the drainage system on the Lawrence Gateway to prevent continued migration of contaminated sediments into the river systems.

**SA 1118.** Mr. GRAHAM (for himself, Mr. ISAKSON, and Mr. CHAMBLISS) submitted an amendment intended to be proposed to amendment SA 1065 proposed by Mrs. BOXER (for herself, Mr. INHOFE, Mr. BAUCUS, and Mr. ISAKSON) 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; which was ordered to lie on the table; as follows:

Strike section 4028 (relating to Jasper County port facility study, South Carolina) and insert the following:

**SEC. 4028. PROJECTS FOR IMPROVEMENT, SAVANNAH RIVER, SOUTH CAROLINA AND GEORGIA.**

(a) IN GENERAL.—The Secretary shall determine the feasibility of carrying out projects—

(1) to improve the Savannah River for navigation and related purposes that may be necessary to support the location of container cargo and other port facilities to be located in Jasper County, South Carolina, in the vicinity of Mile 6 of the Savannah Harbor entrance channel; and

(2) to remove from the proposed Jasper County port site the easements used by the Corps of Engineers for placement of dredged fill materials for the Savannah Harbor Federal navigation project.

(b) FACTORS FOR CONSIDERATION.—In making a determination under subsection (a), the Secretary shall take into consideration—

(1) landside infrastructure;

(2) the provision of any additional dredged material disposal area as a consequence of removing from the proposed Jasper County port site the easements used by the Corps of Engineers for placement of dredged fill materials for the Savannah Harbor Federal navigation project; and

(3) the results of the proposed bistate compact between the State of Georgia and the State of South Carolina to own, develop, and operate port facilities at the proposed Jasper County port site, as described in the term sheet executed by the Governor of the State

of Georgia and the Governor of the State of South Carolina on March 12, 2007.

**SA 1119.** Mr. HARKIN submitted an amendment intended to be proposed by her 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; which was ordered to lie on the table; as follows:

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

**SEC. 3. PERRY CREEK, IOWA.**

(a) IN GENERAL.—On making a determination described in subsection (b), the Secretary shall increase the Federal contribution for the project for flood control, Perry Creek, Iowa, authorized under section 401(a) of the Water Resources Development Act of 1986 (100 Stat. 4116; 117 Stat. 1844).

(b) DETERMINATION.—A determination referred to in subsection (a) is a determination that a modification to the project described in that subsection is necessary for the Federal Emergency Management Agency to certify that the project provides flood damage reduction benefits to at least a 100-year level.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$4,000,000.

**SA 1120.** Mr. DOMENICI submitted an amendment intended to be proposed by her 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; which was ordered to lie on the table; as follows:

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

**SEC. 5. SOUTHWEST FLOOD DAMAGE AND SEDIMENT TRANSPORT RESEARCH PROGRAM.**

(a) IN GENERAL.—The Secretary shall establish within the Corps of Engineers Engineering Research and Development Center the Southwest Flood Damage and Sediment Transport Research Program (referred to in this section as the “program”), under which the Secretary shall carry out research, development, and demonstration projects on arid systems with respect to—

(1) sediment transport, erosion, and deposition;

(2) geomorphology;

(3) flooding;

(4) channel restoration; and

(5) related activities.

(b) COORDINATION.—The Secretary shall coordinate projects carried out under the program with—

(1) the New Mexico District Office of the Corps of Engineers;

(2) the University of New Mexico; and

(3) the Desert Research Institute.

**SA 1121.** Mr. DOMENICI submitted an amendment intended to be proposed by her 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; which was ordered to lie on the table; as follows:

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

**SEC. 5. COMPUTER-ASSISTED DISPUTE RESOLUTION PROGRAM.**

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish within the Corps of Engineers Institute for Water Resources a computer-assisted dispute resolution program (referred to in this section as the “program”) to develop and advance the integration of computer-based modeling tools for multistakeholder public decision processes, including through—

(1) the conduct of research and development of necessary computer tools;

(2) the implementation of appropriate demonstration projects;

(3) the establishment of applicable training programs; and

(4) the conduct of other outreach activities.

(b) AUTHORIZED ACTIVITIES.—In carrying out the program, the Secretary shall—

(1) in cooperation with other applicable Federal agencies, establish an interagency center for computer-assisted dispute resolution; and

(2) consult with—

(A) other Federal agencies;

(B) State and local agencies;

(C) private nonprofit and for-profit organizations; and

(D) research facilities at institutions of higher education.

(c) EVALUATION.—Not later than 2 years after the date on which funds are made available to carry out this section, the Secretary shall submit to the appropriate committees of Congress a comprehensive evaluation of the program.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

**SA 1122.** Mr. LOTT submitted an amendment intended to be proposed by her 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; which was ordered to lie on the table; as follows:

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

**SEC. 3. JACKSON COUNTY, MISSISSIPPI.**

(a) MODIFICATION.—Section 331 of the Water Resources Development Act of 1999 (113 Stat. 305) is amended by striking “\$5,000,000” and inserting “\$9,000,000”.

(b) APPLICABILITY OF CREDIT.—The credit provided by section 331 of the Water Resources Development Act of 1999 (113 Stat. 305) (as modified by subsection (a)) shall apply to costs incurred by the Jackson County Board of Supervisors during the period beginning on February 8, 1994, and ending on the date of enactment of this Act for projects authorized by section 219(c)(5) of the Water Resources Development Act of 1992 (106 Stat. 4835; 110 Stat. 3757; 113 Stat. 334; 113 Stat. 1494; 114 Stat. 2763A–219).

**SA 1123.** Mr. REID (for himself and Mr. MCCONNELL) proposed an amendment to the bill H.R. 2206, making

emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

Since under the Constitution, the President and Congress have shared responsibilities for decisions on the use of the Armed Forces of the United States, including their mission, and for supporting the Armed Forces, especially during wartime;

Since when the Armed Forces are deployed in harm's way, the President, Congress, and the Nation should give them all the support they need in order to maintain their safety and accomplish their assigned or future missions, including the training, equipment, logistics, and funding necessary to ensure their safety and effectiveness, and such support is the responsibility of both the Executive Branch and the Legislative Branch of Government; and

Since thousands of members of the Armed Forces who have fought bravely in Iraq and Afghanistan are not receiving the kind of medical care and other support this Nation owes them when they return home: Now, therefore, be it

Determined by the Senate (the House of Representatives concurring), That it is the Sense of Congress that—

(1) the President and Congress should not take any action that will endanger the Armed Forces of the United States, and will provide necessary funds for training, equipment, and other support for troops in the field, as such actions will ensure their safety and effectiveness in preparing for and carrying out their assigned missions;

(2) the President, Congress, and the Nation have an obligation to ensure that those who have bravely served this country in time of war receive the medical care and other support they deserve; and

(3) the President and Congress should—

(A) continue to exercise their constitutional responsibilities to ensure that the Armed Forces have everything they need to perform their assigned or future missions; and

(B) review, assess, and adjust United States policy and funding as needed to ensure our troops have the best chance for success in Iraq and elsewhere.

**SA 1124.** Mr. REID (for himself and Mr. MCCONNELL) proposed an amendment to amendment SA 1123 proposed by Mr. REID (for himself and Mr. MCCONNELL) to the bill H.R. 2206, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; as follows:

Strike all after the first word and insert the following:

Under the Constitution, the President and Congress have shared responsibilities for decisions on the use of the Armed Forces of the United States, including their mission, and for supporting the Armed Forces, especially during wartime;

Since when the Armed Forces are deployed in harm's way, the President, Congress, and the Nation should give them all the support they need in order to maintain their safety and accomplish their assigned or future missions, including the training, equipment, logistics, and funding necessary to ensure their safety and effectiveness, and such support is the responsibility of both the Executive Branch and the Legislative Branch of Government; and

Since thousands of members of the Armed Forces who have fought bravely in Iraq and

Afghanistan are not receiving the kind of medical care and other support this Nation owes them when they return home: Now, therefore, be it

Determined by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the President and Congress should not take any action that will endanger the Armed Forces of the United States, and will provide necessary funds for training, equipment, and other support for troops in the field, as such actions will ensure their safety and effectiveness in preparing for and carrying out their assigned missions;

(2) the President, Congress, and the Nation have an obligation to ensure that those who have bravely served this country in time of war receive the medical care and other support they deserve; and

(3) the President and Congress should—

(A) continue to exercise their constitutional responsibilities to ensure that the Armed Forces have everything they need to perform their assigned or future missions; and

(B) review, assess, and adjust United States policy and funding as needed to ensure our troops have the best chance for success in Iraq and elsewhere.

This section shall take effect 1 day after the date of enactment.

**SA 1125.** Mr. REID proposed an amendment to amendment SA 1124 proposed by Mr. REID (for himself and Mr. MCCONNELL) to the amendment SA 1123 proposed by Mr. REID (for himself and Mr. MCCONNELL) to the bill H.R. 2206, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; as follows:

Strike all after Constitution in line 1 and insert the following:

The President and Congress have shared responsibilities for decisions on the use of the Armed Forces of the United States, including their mission, and for supporting the Armed Forces, especially during wartime;

Since when the Armed Forces are deployed in harm's way, the President, Congress, and the Nation should give them all the support they need in order to maintain their safety and accomplish their assigned or future missions, including the training, equipment, logistics, and funding necessary to ensure their safety and effectiveness, and such support is the responsibility of both the Executive Branch and the Legislative Branch of Government; and

Since thousands of members of the Armed Forces who have fought bravely in Iraq and Afghanistan are not receiving the kind of medical care and other support this Nation owes them when they return home: Now, therefore, be it

Determined by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the President and Congress should not take any action that will endanger the Armed Forces of the United States, and will provide necessary funds for training, equipment, and other support for troops in the field, as such actions will ensure their safety and effectiveness in preparing for and carrying out their assigned missions;

(2) the President, Congress, and the Nation have an obligation to ensure that those who have bravely served this country in time of war receive the medical care and other support they deserve; and

(3) the President and Congress should—

(A) continue to exercise their constitutional responsibilities to ensure that the

Armed Forces have everything they need to perform their assigned or future missions; and

(B) review, assess, and adjust United States policy and funding as needed to ensure our troops have the best chance for success in Iraq and elsewhere.

This section shall take effect 2 days after date of enactment.

**SA 1126.** Mr. REID proposed an amendment to the bill H.R. 2206, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; as follows:

Strike all after the first word and insert the following:

Since under the Constitution, the President and Congress have shared responsibilities for decisions on the use of the Armed Forces of the United States, including their mission, and for supporting the Armed Forces, especially during wartime;

Since when the Armed Forces are deployed in harm's way, the President, Congress, and the Nation should give them all the support they need in order to maintain their safety and accomplish their assigned or future missions, including the training, equipment, logistics, and funding necessary to ensure their safety and effectiveness, and such support is the responsibility of both the Executive Branch and the Legislative Branch of Government; and

Since thousands of members of the Armed Forces who have fought bravely in Iraq and Afghanistan are not receiving the kind of medical care and other support this Nation owes them when they return home: Now, therefore, be it

Determined by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) the President and Congress should not take any action that will endanger the Armed Forces of the United States, and will provide necessary funds for training, equipment, and other support for troops in the field, as such actions will ensure their safety and effectiveness in preparing for and carrying out their assigned missions;

(2) the President, Congress, and the Nation have an obligation to ensure that those who have bravely served this country in time of war receive the medical care and other support they deserve; and

(3) the President and Congress should—

(A) continue to exercise their constitutional responsibilities to ensure that the Armed Forces have everything they need to perform their assigned or future missions; and

(B) review, assess, and adjust United States policy and funding as needed to ensure our troops have the best chance for success in Iraq and elsewhere.

This section shall take effect 5 days after date of enactment.

**SA 1127.** Mr. REID proposed an amendment to amendment SA 1126 proposed by Mr. REID to the bill H.R. 2206, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; as follows:

In the amendment strike all after Congress in line 1 and insert the following:

have shared responsibilities for decisions on the use of the Armed Forces of the United States, including their mission, and for supporting the Armed Forces, especially during wartime;

Since when the Armed Forces are deployed in harm's way, the President, Congress, and

the Nation should give them all the support they need in order to maintain their safety and accomplish their assigned or future missions, including the training, equipment, logistics, and funding necessary to ensure their safety and effectiveness, and such support is the responsibility of both the Executive Branch and the Legislative Branch of Government; and

Since thousands of members of the Armed Forces who have fought bravely in Iraq and Afghanistan are not receiving the kind of medical care and other support this Nation owes them when they return home: Now, therefore, be it

Determined By the Senate (the House of Representatives Concurring), that it is the Sense of Congress that—

(1) the President and Congress should not take any action that will endanger the Armed Forces of the United States, and will provide necessary funds for training, equipment, and other support for troops in the field, as such actions will ensure their safety and effectiveness in preparing for and carrying out their assigned missions;

(2) the President, Congress, and the Nation have an obligation to ensure that those who have bravely served this country in time of war receive the medical care and other support they deserve; and

(3) the President and Congress should—

(A) continue to exercise their constitutional responsibilities to ensure that the Armed Forces have everything they need to perform their assigned or future missions; and

(B) review, assess, and adjust United States policy and funding as needed to ensure our troops have the best chance for success in Iraq and elsewhere.

This section shall take effect 4 days after the date of enactment.

**SA 1128.** Mr. REID proposed an amendment to amendment SA 1127 proposed by Mr. REID to the amendment SA 1126 proposed by Mr. REID to the bill H.R. 2206, making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; as follows:

At the end of the amendment add the following:

Since under the Constitution, the President and Congress have shared responsibilities for decisions on the use of the Armed Forces of the United States, including their mission, and for supporting the Armed Forces, especially during wartime;

Since when the Armed Forces are deployed in harm's way, the President, Congress, and the Nation should give them all the support they need in order to maintain their safety and accomplish their assigned or future missions, including the training, equipment, logistics, and funding necessary to ensure their safety and effectiveness, and such support is the responsibility of both the Executive Branch and the Legislative Branch of Government; and

Since thousands of members of the Armed Forces who have fought bravely in Iraq and Afghanistan are not receiving the kind of medical care and other support this Nation owes them when they return home: Now, therefore, be it

Determined by the Senate (the House of Representatives concurring), that it is the sense of Congress that—

(1) the President and Congress should not take any action that will endanger the Armed Forces of the United States, and will provide necessary funds for training, equipment, and other support for troops in the field, as such actions will ensure their safety and effectiveness in preparing for and carrying out their assigned missions;

(2) the President, Congress, and the Nation have an obligation to ensure that those who have bravely served this country in time of war receive the medical care and other support they deserve; and

(3) the President and Congress should—

(A) continue to exercise their constitutional responsibilities to ensure that the Armed Forces have everything they need to perform their assigned or future missions; and

(B) review, assess, and adjust United States policy and funding as needed to ensure our troops have the best chance for success in Iraq and elsewhere.

This section shall take effect 3 days after the date of enactment.

**SA 1129.** Mr. INOUE submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

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

**SEC. 5. COST SHARING PROVISIONS FOR THE TERRITORIES.**

Section 1156 of the Water Resources Development Act of 1986 (33 U.S.C. 2310) is amended—

(1) by striking “The Secretary” and inserting the following:

“(a) IN GENERAL.—The Secretary”; and

(2) by adding at the end the following:

“(b) USE OF FEDERAL FUNDS BY NON-FEDERAL INTERESTS.—A non-Federal interest may use Federal funds to provide the non-Federal share of the costs of a study or project carried out at a location referred to in subsection (a), if the agency or department that provides the Federal funds determines that the funds are eligible to be used for that purpose.”.

**SA 1130.** Mr. OBAMA submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ‘Iraq War De-Escalation Act of 2007’.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress makes the following findings:

(1) Congress and the Nation honor the courage, sacrifices, and efforts of the members of the Armed Forces of the United States and their families.

(2) In his speech to the Nation on January 10, 2007, President George W. Bush said that ‘I’ve made it clear to the Prime Minister and Iraq’s other leaders that America’s commitment is not open-ended. If the Iraqi government does not follow through on its promises, it will lose the support of the American people . . . The Prime Minister understands this’.

(3) In that speech, President George W. Bush also told the Nation that ‘America will

hold the Iraqi government to the benchmarks it has announced . . . [T]o take responsibility for security in all of Iraq’s provinces by November. To give every Iraqi citizen a stake in the country’s economy, Iraq will pass legislation to share oil revenues among all Iraqis. To show that it is committed to delivering a better life, the Iraqi government will spend \$10,000,000,000 of its own money on reconstruction and infrastructure projects that will create new jobs. To empower local leaders, Iraqis plan to hold provincial elections later this year. And to allow more Iraqis to re-enter their nation’s political life, the government will reform deBaathification laws, and establish a fair process for considering amendments to Iraq’s constitution’.

(4) In that speech, President George W. Bush also told the Nation that ‘only Iraqis can end the sectarian violence and secure their people’.

(5) On December 18, 2006, former Secretary of State Colin Powell stated: ‘[s]o we have tried this surge of troops over the summer. I am not persuaded that another surge of troops in Baghdad for the purpose of suppressing this communitarian violence, this civil war, will work’.

(6) On November 15, 2006, General John Abizaid, Commander of the United States Central Command, stated before the Committee on Armed Services of the Senate that ‘I met with every divisional commander, General Casey, the corps commander, General Dempsey. We all talked together. And I said, in your professional opinion, if we were to bring in more American troops now, does it add considerably to our ability to achieve success in Iraq? And they all said no. And the reason is, because we want the Iraqis to do more. It’s easy for the Iraqis to rely upon us to do this work. I believe that more American forces prevent the Iraqis from doing more, from taking more responsibility for their own future’.

(7) In testimony before the Committee on Foreign Relations of the Senate on January 11, 2007, Secretary of State Condoleezza Rice stated that unless the Government of Iraq has met certain benchmarks and reestablishes the confidence of the Iraqi people over the next several months, ‘this plan is not going to work’.

(8) In a statement on January 11, 2007, Secretary of Defense Robert Gates stated ‘[a]nd we will probably have a better view a couple of months from now in terms of whether we are making headway in terms of getting better control of Baghdad, with the Iraqis in the lead and with the Iraqis beginning to make better progress on the reconciliation process’.

(9) The bipartisan Iraq Study Group headed by former Secretary of State James Baker and former Representative Lee Hamilton reached a bipartisan consensus on 79 separate recommendations for a new approach in Iraq. Among those recommendations were calling for a new diplomatic offensive in the region and conditioning American economic assistance to Iraq on specific benchmarks, with the expectation that ‘by the first quarter of 2008, subject to unexpected developments in the security situation on the ground, all combat brigades not necessary for force protection could be out of Iraq’.

(10) In reaction to the speech of President George W. Bush on January 10, 2007, former Secretary of State Baker and former Representative Hamilton wrote that ‘[t]he President did not suggest the possibility of a transition that could enable U.S. combat forces to begin to leave Iraq. The President did not state that political, military, or economic support for Iraq would be conditional on the Iraq government’s ability to meet benchmarks. Within the region, the President did



not announce an international support group for Iraq including all of Iraq's neighbors.

(b) **PURPOSE.**—The purposes of this Act are as follows:

(1) To formulate and provide for the implementation of an effective United States policy towards Iraq and the Middle East region that employs military, political, diplomatic, and economic assets to promote and protect the national security interests of the United States.

(2) To provide for the implementation of a responsible, phased redeployment of the Armed Forces of the United States from Iraq in a substantial and gradual manner that places the highest priority on protecting the lives of members of the Armed Forces and civilian personnel of the United States and on promoting the national security interests of the United States in the Middle East region.

(3) To urge the political parties and leaders of Iraq to reach the political solution necessary to promote stability in Iraq and enhance the safety of innocent Iraqi civilians.

(4) To condition future economic assistance to the Government of Iraq on significant progress toward the achievement of political and economic measures to be taken by the Government of Iraq.

(5) To provide for the initiation of a wider and sustained diplomatic strategy aimed at promoting a political settlement in Iraq, thereby ending the civil war in Iraq, preventing a humanitarian catastrophe in Iraq, and preventing a wider regional conflict.

(6) To provide, through sections 4 through 7, for the implementation of key recommendations of the Iraq Study Group, a bipartisan panel of experts cochaired by former Secretary of State James Baker and former Representative Lee Hamilton.

### SEC. 3. APPROPRIATE FORCE LEVELS FOR UNITED STATES MILITARY FORCES IN IRAQ.

Notwithstanding any other provision of law, the levels of the Armed Forces of the United States in Iraq after the date of the enactment of this Act shall not exceed the levels of such forces in Iraq as of January 10, 2007, without specific authority in statute enacted by Congress after the date of the enactment of this Act.

### SEC. 4. REDEPLOYMENT OF UNITED STATES MILITARY FORCES FROM IRAQ.

#### (a) REDEPLOYMENT.—

(1) **DEADLINE FOR COMMENCEMENT OF REDEPLOYMENT.**—Except as otherwise provided in this section, the phased redeployment of the Armed Forces of the United States from Iraq shall commence as soon as possible but no later than 30 days after enactment of this Act.

(2) **SCOPE AND MANNER OF REDEPLOYMENT.**—The redeployment of the Armed Forces under this section shall be substantial, shall occur in a gradual manner, and shall be executed at a pace to achieve the goal of the complete redeployment of all United States combat brigades from Iraq by March 31, 2008, consistent with the expectation of the Iraq Study Group, if all the matters set forth in subsection (b)(1)(B) are not met by such date, subject to the exceptions for retention of forces for force protection, counter-terrorism operations, training of Iraqi forces, and other purposes as contemplated by subsection (g).

(3) **FORMULATION OF PLAN WITH MILITARY COMMANDERS.**—The redeployment of the Armed Forces under this section should be conducted pursuant to a plan formulated by United States military commanders that is developed, if practicable, in consultation with the Government of Iraq.

(4) **PROTECTION OF UNITED STATES FORCES AND CIVILIAN PERSONNEL.**—In carrying out the redeployment of the Armed Forces under this section, the highest priority shall be af-

forded to the safety of members of the Armed Forces and civilian personnel of the United States in Iraq.

#### (b) SUSPENSION OF REDEPLOYMENT.—

(1) **IN GENERAL.**—The President may suspend, on a temporary basis as provided in paragraph (2), the redeployment of the Armed Forces under this section if the President certifies to the President pro tempore of the Senate and the Speaker of the House of Representatives that—

(A) doing so is in the national security interests of the United States; and

(B) the Government of Iraq—

(i) has lifted all restrictions concerning non-interference in operations of the Armed Forces of the United States in Iraq and does so on a continuing basis;

(ii) is making significant progress in reducing sectarian violence in Iraq and in reducing the size and operational effectiveness of sectarian militias in Iraq;

(iii) is making significant progress towards removing militia elements from the Iraqi Army, National Police, Facilities Protection Services, and other security forces of the Government of Iraq;

(iv) has enacted legislation or established other binding mechanisms to ensure the sharing of all Iraqi oil revenues among all segments of Iraqi society in an equitable manner;

(v) is making significant progress towards making available not less than \$10,000,000,000 for reconstruction, job creation, and economic development in Iraq, with safeguards to prevent corruption, by January 10, 2008;

(vi) has deployed at least 18 Iraqi Army and National Police brigades to Baghdad and is effectively ensuring that such units are performing their security and police functions in all Baghdad neighborhoods, regardless of their sectarian composition;

(vii) has enacted legislation or established other binding mechanisms to revise its de-Baathification laws to encourage the employment in the Government of Iraq of qualified Iraqi professionals, irrespective of ethnic or political affiliation, including ex-Baathists who were not leading figures of the Saddam Hussein regime;

(viii) has established a fair process for considering amendments to the constitution of Iraq that promote lasting national reconciliation in Iraq;

(ix) is making significant progress towards assuming full responsibility for security in all the provinces of Iraq by November 30, 2007;

(x) is making significant progress towards holding free and fair provincial elections in Iraq at the earliest date practicable, but not later than December 31, 2007;

(xi) is making substantial progress towards increasing the size and effectiveness of Ministry of Defense forces as described on page 11 of 'Highlights of the Iraq Strategy Review' published by the National Security Council in January 2007;

(xii) is making significant progress in reforming and strengthening the civilian ministries and other government institutions that support the Iraqi Army and National Police; and

(xiii) is making significant progress towards reforming its civilian ministries to ensure that they are not administered on a sectarian basis and that government services are delivered in an even-handed and non-sectarian manner.

(2) **PERIOD OF SUSPENSION.**—A suspension of the redeployment of the Armed Forces under this subsection, including any renewal of the suspension under paragraph (3), shall be for a period not to exceed 90 days.

(3) **RENEWAL.**—A suspension of the redeployment of the Armed Forces under this subsection may be renewed. Any such re-

newal shall include a certification to the officers referred to in paragraph (1) on the matters set forth in clauses (i) through (xiii) of subparagraph (B) of that paragraph.

#### (c) DISAPPROVAL OF SUSPENSION.—

(1) **DISAPPROVAL.**—If Congress enacts a joint resolution disapproving the suspension of the redeployment of the Armed Forces under subsection (b), or any renewal of the suspension, the suspension shall be discontinued, and the redeployment of the Armed Forces from Iraq under this section shall resume.

#### (2) PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS.—

(A) **JOINT RESOLUTION DEFINED.**—For purposes of this subsection, the term 'joint resolution' means only a joint resolution introduced not later than 10 days after the date on which a certification of the President under subsection (b) is received by Congress, the matter after the resolving clause of which is as follows: 'That Congress disapproves the certification of the President submitted to Congress under section 4(b) of the Iraq War De-Escalation Act of 2007, on XXXXXXXX', the blank space being filled in with the appropriate date.

(B) **PROCEDURES.**—A joint resolution described in paragraph (1) shall be considered in a House of Congress in accordance with the procedures applicable to joint resolutions under paragraphs (3) through (8) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as enacted by section 101 (h) of Public Law 98-473; 98 Stat. 1936).

#### (d) REPORTS TO CONGRESS.—

(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the President shall submit to the President pro tempore of the Senate and the Speaker of the House of Representatives a report describing and assessing—

(A) the progress made by the Government of Iraq on each of the matters set forth in subsection (b)(1)(B); and

(B) the progress of the redeployment required by subsection (a).

(2) **FORM.**—Each report under this subsection shall be submitted in unclassified form, but may include a classified annex.

(e) **SENSE OF CONGRESS ON LOCATION OF REDEPLOYMENT.**—It is the sense of Congress that, in redeploying the Armed Forces from Iraq under this section, appropriate units of the Armed Forces should be redeployed—

(1) to the United States;

(2) to Afghanistan, in order to enhance United States military operations in that country;

(3) elsewhere in the region, to serve as an over-the-horizon force to prevent the conflict in Iraq from becoming a wider war, to reassure allies of the United States of the commitment of the United States to remain engaged in the region, and to position troops to strike directly at al-Qaeda; and

(4) elsewhere, to meet urgent United States security needs.

(f) **POLITICAL SOLUTION IN IRAQ.**—The United States should use the redeployment of the Armed Forces under this section, and the possible suspension of such redeployment if the benchmarks set forth in subsection (b) are met, as a tool to press the Iraqi leaders to promote national reconciliation among ethnic and religious groups in Iraq in order to establish stability in Iraq.

#### (g) RETENTION OF CERTAIN FORCES IN IRAQ.—

(1) **IN GENERAL.**—Notwithstanding the requirement for the redeployment of the Armed Forces under subsection (a) and subject to the provisions of this subsection, personnel of the Armed Forces of the United States may be in Iraq after the completion of the redeployment of the Armed Forces under this section for the following purposes:

(A) To protect United States personnel and facilities in Iraq.

(B) To conduct targeted counter-terrorism operations.

(C) To provide training for Iraqi security forces.

(D) To conduct the routine functions of the Office of Defense Attache.

(2) **CERTIFICATION.**—Personnel of the Armed Forces may not be retained in Iraq under this subsection unless the President certifies to the President pro tempore of the Senate and the Speaker of the House of Representatives that—

(A) the retention of the Armed Forces in Iraq is necessary for one or more of the purposes set forth in paragraph (1); and

(B) the utilization of Armed Forces positioned outside Iraq could not result in the effective achievement of such purpose or purposes.

(3) **DISAPPROVAL OF RETENTION.**—If Congress enacts a joint resolution disapproving the retention of personnel of the Armed Forces in Iraq under this subsection, or any renewal of the retention, the retention of such personnel in Iraq shall be discontinued, and such personnel shall be redeployed from Iraq.

(4) **PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS.**—

(A) **JOINT RESOLUTION DEFINED.**—For purposes of paragraph (3), the term ‘joint resolution’ means only a joint resolution introduced not later than 10 days after the date on which a certification of the President under paragraph (2) is received by Congress, the matter after the resolving clause of which is as follows: ‘That Congress disapproves the certification of the President submitted to Congress under section 4(g)(2) of the Iraq War De-Escalation Act of 2007, on XXXXXXXX’, the blank space being filled in with the appropriate date.

(B) **PROCEDURES.**—A joint resolution described in subparagraph (A) shall be considered in a House of Congress in accordance with the procedures applicable to joint resolutions under paragraphs (3) through (8) of section 8066(c) of the Department of Defense Appropriations Act, 1995 (as enacted by section 101(h) of Public Law 98-473; 98 Stat. 1936).

(h) **NO PERMANENT BASES.**—Congress hereby reaffirms section 1519 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2444), and related provisions of law, that prohibit the establishment of military installations or bases for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

#### **SEC. 5. INTENSIFICATION OF TRAINING OF IRAQI SECURITY FORCES.**

It shall be the policy of the United States to immediately formulate and implement a plan that—

(1) with the Government of Iraq—

(A) removes militia elements from the Iraqi Army, National Police, and other security forces of the Government of Iraq; and

(B) puts such forces in charge of maintaining security in Iraq;

(2) focuses and intensifies United States efforts on training such forces; and

(3) presses the Government of Iraq to reform the civilian ministries and other government institutions that support the Iraqi Army, National Police, local police, and judicial system.

#### **SEC. 6. AVAILABILITY OF ECONOMIC ASSISTANCE FOR IRAQ.**

(a) **LIMITATION.**—Except as provided in subsection (b), economic assistance may not be furnished to the Government of Iraq beginning 30 days from the date of enactment of this Act until the President submits to the

President pro tempore of the Senate and the Speaker of the House of Representatives a certification that the Government of Iraq—

(1) is making measurable progress toward providing not less than \$10,000,000,000 of Iraqi funds for reconstruction, job creation, and economic development in Iraq, with safeguards to prevent corruption, by January 10, 2008;

(2) is making progress toward meeting the conditions set forth in the International Compact for Iraq and in the stand-by agreement with the International Monetary Fund; and

(3) is making progress toward reducing sectarian violence and promoting national reconciliation.

(b) **EXCEPTIONS.**—The limitation in subsection (a) shall not apply to assistance for Iraq as follows:

(1) Humanitarian assistance.

(2) Assistance to address urgent security and employment needs.

(c) **ASSESSMENT OF PROGRESS.**—Not later than 90 days after the date of the enactment of this Act, and every 90 days thereafter, the Special Inspector General for Iraq Reconstruction shall submit to Congress a report describing the progress of the Government of Iraq on each matter set forth in subsection (a).

#### **SEC. 7. REGIONAL DIPLOMATIC INITIATIVES ON IRAQ.**

(a) **POLICY OF THE UNITED STATES.**—It shall be the policy of the United States to undertake comprehensive regional and international initiatives, involving key nations, that will assist the Government of Iraq in achieving the purposes of this Act, including promoting a political settlement among the Iraqi people, ending the civil war in Iraq, preventing a humanitarian catastrophe in Iraq, and preventing a regional conflict.

(b) **SPECIAL ENVOY.**—The President should, not later than 60 days after the date of the enactment of this Act, appoint a special envoy for Iraq to carry out the policy set forth in subsection (a).

(c) **STRATEGY ON PREVENTING WIDER REGIONAL WAR.**—

(1) **STRATEGY.**—Not later than 90 days after the date of the enactment of this Act, the President shall submit to the President pro tempore of the Senate and the Speaker of the House of Representatives a report setting forth a strategy for preventing the conflict in Iraq from becoming a wider regional war.

(2) **FORM.**—The report under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

**SA 1131.** Mr. WARNER submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

Strike paragraph (42) of section 1001 and insert the following:

(42) **CRANEY ISLAND EASTWARD EXPANSION, VIRGINIA.**—Notwithstanding any other provision of law, the Secretary shall design and construct a project for navigation, Craney Island Eastward Expansion, Virginia, in accordance with the recommendations contained in the Report of the Chief of Engineers dated October 24, 2006, at a total cost of \$721,103,000, with an estimated non-Federal share of not more than 50 percent of the total cost of construction of the project.

**SA 1132.** Mr. DEMINT submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

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

#### **SEC. 2. LIST OF CERTAIN AUTHORIZED PROJECTS THAT HAVE NOT RECEIVED FEDERAL CONSTRUCTION FUNDS.**

(a) **IN GENERAL.**—Not less frequently than once each year, the Secretary shall develop, and publish in the Federal Register and on the Internet, a list, to be known as the ‘Project Transparency List’, of projects of the Corps of Engineers that—

(1) have been authorized in a water resources Act; but

(2) have not received Federal funds for purposes of construction of the project as of the date that is 4 years after the date on which the project is authorized.

(b) **INCLUSIONS.**—The list under subsection (a) shall include, with respect to each project included on the list—

(1) a description of—

(A) the date on which the project was authorized;

(B) the primary purpose of the project;

(C) each allocation of Federal funds made to the project as of the date on which the list is published, including a description of the amount and type of the allocation;

(D) the percentage of construction completed for the project;

(E) the estimated total amount that has been obligated to the project as of the date on which the list is published;

(F) a benefit-cost analysis of the project, expressed as a ratio that represents—

(i) current discount rates; and

(ii) includes the estimated annual benefits and costs of the project;

(G) the date of collection of any economic data used to justify the project;

(H) the date of completion of the most recent feasibility study, reevaluation report, and environmental review, as applicable, relating to the project;

(I) in any case in which a portion of construction of the project is completed, a benefit-cost analysis of each remaining activity required to complete the construction; and

(J) the projected potential date of deauthorization of the project under subsection (c); and

(2) a brief explanation of any reason why Federal funds have not been obligated for construction of the project.

(c) **REQUIRED DEAUTHORIZATION.**—

(1) **IN GENERAL.**—Each project of the Corps of Engineers that has been authorized in a water resources Act, but has not received Federal funds for purposes of construction of the project as of the date that is 7 years after the date on which the project is authorized, shall be deauthorized, regardless of whether the project is included in the list under subsection (a).

(2) **TREATMENT OF CERTAIN FUNDS.**—For purposes of paragraph (1), funds shall not be considered to be Federal funds for purposes of construction if the funds were provided to carry out any activity for a project relating to—

(A) a study;

(B) planning;

(C) engineering and design;

(D) relocation or an acquisition of land; or



(E) an easement or a right-of-way.

**SA 1133.** Mr. DEMINT submitted an amendment intended to be proposed by him 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; which was ordered to lie on the table; as follows:

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

**SEC. 2. LIST OF CERTAIN AUTHORIZED PROJECTS THAT HAVE NOT RECEIVED FEDERAL CONSTRUCTION FUNDS.**

(a) IN GENERAL.—Not less frequently than once each year, the Secretary shall develop, and publish in the Federal Register and on the Internet, a list, to be known as the “Project Transparency List”, of projects of the Corps of Engineers that—

(1) have been authorized in a water resources Act; but

(2) have not received Federal funds for purposes of construction of the project as of the date that is 4 years after the date on which the project is authorized.

(b) INCLUSIONS.—The list under subsection (a) shall include, with respect to each project included on the list—

(1) a description of—

(A) the date on which the project was authorized;

(B) the primary purpose of the project;

(C) each allocation of Federal funds made to the project as of the date on which the list is published, including a description of the amount and type of the allocation;

(D) the percentage of construction completed for the project;

(E) the estimated total amount that has been obligated to the project as of the date on which the list is published;

(F) a benefit-cost analysis of the project, expressed as a ratio that represents—

(i) current discount rates; and

(ii) includes the estimated annual benefits and costs of the project;

(G) the date of collection of any economic data used to justify the project;

(H) the date of completion of the most recent feasibility study, reevaluation report, and environmental review, as applicable, relating to the project; and

(I) in any case in which a portion of construction of the project is completed, a benefit-cost analysis of each remaining activity required to complete the construction; and

(2) a brief explanation of any reason why Federal funds have not been obligated for construction of the project.

(c) TREATMENT OF CERTAIN FUNDS.—For purposes of this section, funds shall not be considered to be Federal funds for purposes of construction if the funds were provided to carry out any activity for a project relating to—

(1) a study;

(2) planning;

(3) engineering and design;

(4) relocation or an acquisition of land; or

(5) an easement or a right-of-way.

**SA 1134.** Mr. WARNER (for himself and Ms. COLLINS) submitted an amendment intended to be proposed by him 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; as follows:

At the appropriate place, insert the following:

**TITLE —PRESIDENT'S STRATEGY IN IRAQ**

**SEC. 1. FINDINGS REGARDING PROGRESS IN IRAQ. THE ESTABLISHMENT OF BENCHMARKS TO MEASURE THAT PROGRESS, AND REPORTS TO CONGRESS.**

(a) Congress makes the following findings:

(1) Over 145,000 American military personnel are currently serving in Iraq, like thousands of others since March 2003, with the bravery and professionalism consistent with the finest traditions of the United States armed forces, and are deserving of the strong support of all Americans;

(2) Many American service personnel have lost their lives, and many more have been wounded in Iraq; the American people will always honor their sacrifice and honor their families;

(3) The United States Army and Marine Corps, including their Reserve components and National Guard organizations, together with components of the other branches of the military, are performing their missions while under enormous strain from multiple, extended deployments to Iraq and Afghanistan. These deployments, and those that will follow, will have a lasting impact on future recruiting, retention, and readiness of our nation's all volunteer force;

(4) Iraq is experiencing a deteriorating problem of sectarian and intrasectional violence based upon political distrust and cultural differences among factions of the Sunni and Shia populations;

(5) Iraqis must reach political and economic settlements in order to achieve reconciliation, for there is no military solution. The failure of the Iraqis to reach such settlements to support a truly unified government greatly contributes to the increasing violence in Iraq;

(6) The responsibility for Iraq's internal security and halting sectarian violence rests with the sovereign Government of Iraq;

(7) In December 2006, the bipartisan Iraq Study Group issued a valuable report, suggesting a comprehensive strategy that includes new and enhanced diplomatic and political efforts in Iraq and the region, and a change in the primary mission of U.S. forces in Iraq, that will enable the United States to begin to move its combat forces out of Iraq responsibly;

(8) The President said on January 10, 2007, that “I’ve made it clear to the Prime Minister and Iraq’s other leaders that America’s commitment is not openended” so as to dispel the contrary impression that exists;

(9) It is essential that the sovereign Government of Iraq set out measurable and achievable benchmarks and President Bush said, on January 10, 2007, that “America will change our approach to help the Iraqi government as it works to meet these benchmarks”;

(10) As reported by Secretary of State Rice, Iraq’s Policy Committee on National Security agreed upon a set of political, security, and economic benchmarks and an associated timeline in September 2006 that were (a) reaffirmed by Iraq’s Presidency Council on October 6, 2006; (b) referenced by the Iraq Study Group; and (c) posted on the President of Iraq’s website;

(11) On April 21, 2007, Secretary of Defense Robert Gates stated that “our [American] commitment to Iraq is long-term, but it is not a commitment to have our young men and women patrolling Iraq’s streets openendedly” and that “progress in reconcili-

ation will be an important element of our evaluation”;

(12) The President’s January 10, 2007 address had three components: political, military, and economic. Given that significant time has passed since his statement, and recognizing the overall situation is ever changing, Congress must have timely reports to evaluate and execute its Constitutional oversight responsibilities.

**SEC. 2. CONDITIONING OF FUTURE UNITED STATES STRATEGY IN IRAQ ON THE IRAQI GOVERNMENT’S RECORD OF PERFORMANCE ON ITS BENCHMARKS.**

(a) IN GENERAL.—(1) The United States strategy in Iraq, hereafter, shall be conditioned on the Iraqi government meeting benchmarks, as told to members of Congress by the President, the Secretary of State, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff, and reflected in the Iraqi Government’s commitments to the United States, and to the international community, including:

(A) Forming a Constitutional Review Committee and then completing the Constitutional review;

(B) Enacting and implementing legislation on de-Baathification;

(C) Enacting and implementing legislation to ensure the equitable distribution of hydrocarbon resources of the people of Iraq without regard to the sect or ethnicity of recipients, and enacting and implementing legislation to ensure that the energy resources of Iraq benefit Sunni Arabs, Shia Arabs, Kurds, and other Iraqi citizens in an equitable manner;

(D) Enacting and implementing legislation on procedures to form semi-autonomous regions;

(E) Enacting and implementing legislation establishing an Independent High Electoral Commission; provincial elections law; provincial council authorities; and a date for provincial elections;

(F) Enacting and implementing legislation addressing amnesty;

(G) Enacting and implementing legislation establishing a strong militia disarmament program to ensure that such security forces are accountable only to the central government and loyal to the Constitution of Iraq;

(H) Establishing supporting political, media, economic, and services committees in support of the Baghdad Security Plan;

(I) Providing three trained and ready Iraqi brigades to support Baghdad operations;

(J) Providing Iraqi commanders with all authorities to execute this plan and to make tactical and operational decisions, in consultation with U.S. commanders, without political intervention, to include the authority to pursue all extremists, including Sunni insurgents and Shiite militias;

(K) Ensuring that the Iraqi Security Forces are providing even-handed enforcement of the law;

(L) Ensuring that, according to President Bush, Prime Minister Maliki said “the Baghdad security plan will not provide a safe haven for any outlaws, regardless of [their] sectarian or political affiliation”;

(M) Reducing the level of sectarian violence in Iraq and eliminating militia control of local security;

(N) Establishing all of the planned joint security stations in neighborhoods across Baghdad;

(O) Increasing the number of Iraqi security forces units capable of operating independently;

(P) Ensuring that the rights of minority political parties in the Iraqi legislature are protected;

(Q) Allocating and spending \$10 billion in Iraqi revenues for reconstruction projects,

including delivery of essential services, on an equitable basis; and

(R) Ensuring that Iraq's political authorities are not undermining or making false accusations against members of the ISF.

(2) The President shall submit reports to Congress on how the sovereign Government of Iraq is, or is not, achieving progress towards accomplishing the aforementioned benchmarks, and shall advise the Congress on how that assessment requires, or does not require, changes to the strategy announced on January 10, 2007.

**(b) REPORTS REQUIRED.—**

(1) The President shall submit an initial report, in classified and unclassified format, to the Congress, not later than July 15, 2007, assessing the status of each of the specific benchmarks established above, and declaring, in his judgment, whether satisfactory progress toward meeting these benchmarks is, or is not, being achieved.

(2) The President, having consulted with the Secretary of State, The Secretary of Defense, The Commander, Multi-National Forces-Iraq, the United States Ambassador to Iraq, and the Commander of U.S. Central Command, will prepare the report and submit the report to Congress.

(3) If the President's assessment of any of the specific benchmarks established above is unsatisfactory, the President shall include in that report a description of such revisions to the political, economic, regional, and military components of the strategy, as announced by the President on January 10, 2007. In addition, the President shall include in the report, the advisability of implementing such aspects of the bipartisan Iraq Study Group, as he deems appropriate.

(4) The President shall submit a second report to the Congress, not later than September 15, 2007, following the same procedures and criteria, outlined above.

(5) The reporting requirement detailed in Section 1227 of the National Defense Authorization Act for Fiscal Year 2006 is waived from the date of the enactment of this Act through the period ending 15 September, 2007.

**(c) TESTIMONY BEFORE CONGRESS.—**

(1) Prior to the submission of the President's second report on September 15, 2007, and at a time to be agreed upon by the leadership of the Congress and the Administration, the United States Ambassador to Iraq and the Commander, Multi-National Forces Iraq will be made available to testify in open and closed sessions before the relevant committees of the Congress.

**SEC. 3. LIMITATIONS ON AVAILABILITY OF FUNDS**

(a) **LIMITATION.**—No funds appropriated or otherwise made available for the "Economic Support Fund" and available for Iraq may be obligated or expended unless and until the President of the United States certifies in the report outlined in subsection (2)(b)(1) above and makes a further certification in the report outlined in subsection (2)(b)(4) above that Iraq is making progress on each of the benchmarks set forth in Section 2 above.

(b) **WAIVER AUTHORITY.**—The President may waive the requirements of this section if he submits to Congress a written certification setting forth a detailed justification for the waiver, which shall include a detailed report describing the actions being taken by the United States to bring the Iraqi government into compliance with the benchmarks set forth in Section 2 above. The certification shall be submitted in unclassified form, but may include a classified annex.

**SEC. 4. REDEPLOYMENT OF U.S. FORCES FROM IRAQ.**

(a) The President of the United States, in respecting the sovereign rights of the nation

of Iraq, shall direct the orderly redeployment of elements of U.S. forces from Iraq, if the components of the Iraqi government, acting in strict accordance with their respective powers given by the Iraqi Constitution, reach a consensus as recited in a resolution, directing a redeployment of U.S. forces.

**SEC. 5. INDEPENDENT ASSESSMENTS.**

(a) Assessment by the Comptroller General.

(1) Not later than September 1, 2007, the Comptroller General of the United States shall submit to Congress an independent report setting forth—

(A) the status of the achievement of the benchmarks specified in Section 2 above; and

(B) the Comptroller General's assessment whether or not each such benchmark has been met.

(b) Assessment of the Capabilities of Iraqi Security Forces.

(1) **IN GENERAL.**—There is hereby authorized to be appropriated for the Department of Defense, \$750,000,000, that the Department, in turn, will commission an independent, private-sector entity, which operates as a 501(c)(3), with recognized credentials and expertise in military affairs, to prepare an independent report assessing the following:

(A) The readiness of the Iraqi Security Forces (ISF) to assume responsibility for maintaining the territorial integrity of Iraq, denying international terrorists a safe haven, and bringing greater security to Iraq's 18 provinces in the next 12-18 months, and bringing an end to sectarian violence to achieve national reconciliation.

(B) The training, equipping, command, control and intelligence capabilities, and logistics capacity of the ISF.

(C) The likelihood that, given the ISF's record of preparedness to date, following years of training and equipping by U.S. forces, the continued support of U.S. troops will contribute to the readiness of the ISF to fulfill the missions outlined in subparagraph (A).

(2) **REPORT.**—Not later than 120 days after the enactment of this Act, the designated private sector entity shall provide an unclassified report, with a classified annex, containing its findings, to the House and Senate Committees on Armed Services, Appropriations, Foreign Relations/International Relations, and Intelligence.

**SA 1135.** Mr. MCCONNELL (for Mr. COCHRAN (for himself, Mr. WARNER, and Mr. BOND)) proposed an amendment 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; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ SENSE OF THE SENATE ON FUNDING FOR OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.**

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

(1) The President is the commander in chief of the United States Armed Forces.

(2) The United States Armed Forces are currently engaged in military operations in Operation Iraqi Freedom and Operation Enduring Freedom on behalf of the national security interests of the United States.

(3) The funds previously appropriated to continue military operations in Operation Iraqi Freedom and Operation Enduring Freedom are depleted.

(4) The President requested more than 100 days ago supplemental appropriations to continue funding for Operation Iraqi Freedom and Operation Enduring Freedom.

(5) Congress has not passed a supplemental appropriations bill to continue funding for Operation Iraqi Freedom and Operation Enduring Freedom in a manner that the commander in chief believes gives the United States Armed Forces and the Iraqi people the best chance to succeed at establishing a safe, stable, and sustainable democracy in Iraq.

(6) A supplemental appropriations request to fund ongoing combat operations in Operation Iraqi Freedom and Operation Enduring Freedom should remain focused on the war effort by providing the resources necessary for United States troops abroad and in the United States.

(b) **SENSE OF THE SENATE.**—It is the sense of the Senate that Congress should send legislation to the President providing appropriations for Operation Iraqi Freedom and Operation Enduring Freedom in a manner that the President can sign into law by not later than May 28, 2007.

**NOTICES OF HEARINGS**

**COMMITTEE ON INDIAN AFFAIRS**

Mr. DORGAN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, May 17, 2007, at 9:30 a.m. in room 485 of the Russell Senate Office Building to conduct an oversight hearing on law enforcement in Indian Country.

Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

**COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP**

Mr. KERRY. Mr. President, I would like to announce that the Committee on Small Business and Entrepreneurship will hold a hearing entitled "Minority Entrepreneurship: Assessing the Effectiveness of SBA's Programs for the Minority Business Community," on Tuesday, May 22, 2007, at 10 a.m. in room 428A of the Russell Senate Office Building.

**SUBCOMMITTEE ON ENERGY**

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Energy of the Committee on Energy and Natural Resources. The hearing will be held on Tuesday, May 22, 2007, at 2:30 p.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of the hearing is to receive testimony on S. 645, a bill to amend the Energy Policy Act of 2005 to provide an alternate sulfur dioxide removal measurement for certain coal gasification project goals; S. 838, a bill to authorize funding joint ventures between United States and Israeli businesses and academic persons; S. 1089, a bill to amend the Alaska Natural Gas Pipeline Act to follow the Federal Coordinator for Alaska Natural Gas Transportation projects to hire employees more efficiently, and for other purposes; S. 1203, a bill to enhance the management of electricity programs at