

going to have to file cloture—Defense authorization bill—a motion to proceed to it. We have already filed—I don't know the exact number, I lose track of it, but 12 to 14 motions, clotures on motions to proceed, far more than were done in the last Congress just in this little period of time we have been here. Why? Because everything we move to, there is an objection.

Keep in mind what this is. It is the Defense authorization bill, a bill we have to pass to take care of our troops in Iraq, in Afghanistan, in Korea, in Germany, and troops here at home. It is for training. It has a pay raise in it. It is a good piece of legislation worked on by Senator WARNER and Senator LEVIN. It is a bipartisan bill, and I just think everyone who is listening to these proceedings, wherever they might be, should understand the Republicans are objecting to going to the bill to fund our troops.

#### NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008—MOTION TO PROCEED

##### CLOTURE MOTION

Mr. REID. Mr. President, I move to proceed to Calendar No. 189, H.R. 1585, and I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will now report the motion to invoke cloture on the motion to proceed to H.R. 1585.

The assistant legislative clerk read as follows:

##### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 189, H.R. 1585, Department of Defense Authorization, 2008.

Harry Reid, Richard J. Durbin, Daniel K. Inouye, Byron L. Dorgan, Ted Kennedy, Joe Biden, Patty Murray, Bill Nelson, Jack Reed, Debbie Stabenow, Jim Webb, Ben Nelson, Ron Wyden, Pat Leahy, H.R. Clinton, Claire McCaskill, Carl Levin.

Mr. REID. Mr. President, I now withdraw the motion to proceed and ask the mandatory quorum call with respect to the motion required under rule XXII be waived.

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

#### CHANGES TO S. CON. RES. 21

Mr. CONRAD. Mr. President, section 320(c) of S. Con. Res. 21, the 2008 Budget resolution, permits the chairman of the Senate Budget Committee to revise the allocations, aggregates, and other appropriate levels for legislation that extends the Transitional Medical Assistance program, so long as that legislation does not worsen the deficit over the period of fiscal years 2007 through 2012 or fiscal years 2007 through 2017.

I find that S. 1701, introduced today by Senator BAUCUS, satisfies the condi-

tions of the deficit-neutral reserve fund for Transitional Medical Assistance. Therefore, pursuant to section 320(c), I am adjusting the aggregates in the 2008 budget resolution, as well as the allocation provided to the Senate Finance Committee.

I ask unanimous consent that the following revisions to S. Con. Res. 21 be printed in the RECORD.

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

#### CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 320(c) DEFICIT-NEUTRAL RESERVE FUND FOR TRANSITIONAL MEDICAL ASSISTANCE

(In billions of dollars)

##### Section 101:

##### (1)(A) Federal Revenues:

FY 2007 .....	1,900.340
FY 2008 .....	2,015.841
FY 2009 .....	2,113.811
FY 2010 .....	2,169.475
FY 2011 .....	2,350.248
FY 2012 .....	2,488.296

##### (1)(B) Change in Federal Revenues:

FY 2007 .....	-4.366
FY 2008 .....	-34.955
FY 2009 .....	6.885
FY 2010 .....	5.754
FY 2011 .....	-44.302
FY 2012 .....	-108.800

##### (2) New Budget Authority:

FY 2007 .....	2,376.360
FY 2008 .....	2,496.053
FY 2009 .....	2,517.001
FY 2010 .....	2,569.530
FY 2011 .....	2,684.693
FY 2012 .....	2,718.954

##### (3) Budget Outlays:

FY 2007 .....	2,299.752
FY 2008 .....	2,468.314
FY 2009 .....	2,565.585
FY 2010 .....	2,599.174
FY 2011 .....	2,691.658
FY 2012 .....	2,703.160

#### CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2008—S. CON. RES. 21; REVISIONS TO THE CONFERENCE AGREEMENT PURSUANT TO SECTION 320(c) DEFICIT-NEUTRAL RESERVE FUND FOR TRANSITIONAL MEDICAL ASSISTANCE

(In millions of dollars)

##### Current Allocation to Senate Finance Committee:

FY 2007 Budget Authority .....	1,011,515
FY 2007 Outlays .....	1,017,805
FY 2008 Budget Authority .....	1,078,809
FY 2008 Outlays .....	1,079,815
FY 2008–2012 Budget Authority .....	6,017,388
FY 2008–2012 Outlays .....	6,021,713

##### Adjustments:

FY 2007 Budget Authority .....	12
FY 2007 Outlays .....	3
FY 2008 Budget Authority .....	96
FY 2008 Outlays .....	99
FY 2008–2012 Budget Authority .....	-9
FY 2008–2012 Outlays .....	-3

##### Revised Allocation to Senate Finance Committee:

FY 2007 Budget Authority .....	1,011,527
FY 2007 Outlays .....	1,017,808
FY 2008 Budget Authority .....	1,078,905
FY 2008 Outlays .....	1,079,914
FY 2008–2012 Budget Authority .....	6,017,379
FY 2008–2012 Outlays .....	6,021,710

#### VOTE EXPLANATION

Mr. BROWNBACK. Mr. President, I regret that on June 11, I was unable to vote on the motion to invoke cloture on the motion to proceed to the consideration of S.J. Res. 14, a joint resolution expressing the sense of the Senate

that Attorney General Alberto Gonzales no longer holds the confidence of the Senate and of the American people. I wish to address this vote, so that the people of the great State of Kansas, who elected me to serve them as U.S. Senator, may know my position.

Regarding vote No. 207, I would not have voted in favor of the motion to invoke cloture on the motion to proceed to the consideration of S.J. Res. 14. My vote would not have altered the result of this motion.

#### OPEN GOVERNMENT ACT

Mr. LEAHY. Mr. President, on July 4, the Nation will celebrate the 41st anniversary of the Freedom of Information Act, FOIA, landmark legislation that has guaranteed the public's "right to know" for generations of Americans. Regrettably, the Senate will mark this very important anniversary without having passed the Openness Promotes Effectiveness in Our National Government Act, the OPEN Government Act, S. 849, comprehensive legislation that Senator CORNYN and I introduced earlier this year to strengthen and reinvigorate FOIA for all Americans.

Responsive government and transparent decisionmaking are bedrock American values. FOIA honors and helps translate those values into practice, and the OPEN Government Act will help FOIA work better in serving the public's interest.

The Judiciary Committee favorably reported this bipartisan legislation in April. But a Republican hold is delaying consideration of this important FOIA reform bill. The Senate Republican leadership has also ignored requests to debate this bill on the Senate floor, needlessly stalling these long-overdue, bipartisan reforms to strengthen FOIA.

For more than four decades, FOIA's timeless values of openness and transparency in government have ensured access to Government information. Just this week, we witnessed the great value of FOIA in shedding light on a controversial policy within the Office of the Vice President regarding the handling of classified information, with news reports that a FOIA request to the Justice Department first revealed that the Attorney General may have delayed a review into the legality of this troubling policy.

Although FOIA remains an indispensable tool in shedding light on bad policies and Government abuses, this open Government law is being hampered by excessive delays and lax FOIA compliance. Today, Americans who seek information under FOIA remain less likely to obtain it than during any other time in FOIA's 40-plus year history. According to the National Security Archive, an independent research institute, the oldest outstanding FOIA requests date back to 1989, before the collapse of the Soviet Union.

Moreover, more than a year after the President's FOIA Executive order to

improve agency FOIA performance, FOIA backlogs are at an alltime high. According to a recent report by the Government Accountability Office, Federal agencies had 43 percent more FOIA requests pending and outstanding in 2006 than in 2002. In addition, the percentage of FOIA requestors who obtained at least some of the information that they requested from the Government declined by 31 percent in 2006, according to a study by the Coalition of Journalists for Open Government.

As the first major reform to FOIA in more than a decade, the OPEN Government Act would help to reverse these troubling trends and to restore the public's trust in their Government. In so doing, this bill is a fitting tribute to FOIA and a wise investment in our American democracy.

The OPEN Government Act promotes and enhances public disclosure of Government information under FOIA by helping Americans to obtain timely responses to their FOIA requests. This bill also improves transparency in the Federal Government's FOIA process by restoring meaningful deadlines for agency action under FOIA; imposing real consequences on Federal agencies for missing FOIA's 20-day statutory deadline; clarifying that FOIA applies to Government records held by outside private contractors; establishing a FOIA hotline service for all Federal agencies; and creating a FOIA Ombudsman to provide FOIA requestors and Federal agencies with a meaningful alternative to costly litigation.

Let me also be clear about what this bill does not do. This bill does not harm or impede in any way the Government's ability to withhold or protect classified information. Classified, national security and homeland security-related information are all expressly exempt from FOIA's disclosure mandate, and this bill does nothing to alter these important exemptions. Senator CORNYN and I have also offered an amendment to this bill that would preserve the right of Federal agencies to assert these and other FOIA exemptions, even if agencies miss the 20-day statutory deadline under FOIA.

The OPEN Government Act is cosponsored by a bipartisan group of 13 Senators, including the bill's lead Republican cosponsor, Senator CORNYN. This bill is also endorsed by more than 115 business, public interest, and news organizations from across the political and ideological spectrum, including the American Library Association, the U.S. Chamber of Commerce, OpenTheGovernment.org, Public Citizen, the Republican Liberty Caucus, the Sunshine in Government Initiative, and the Vermont Press Association. I thank all of the cosponsors of this bill for their commitment to open government. I also thank the many organizations that have endorsed the OPEN Government Act for their support of this legislation.

The OPEN Government Act is a good-government bill that Democrats and

Republicans alike can and should work together to enact. If there are legitimate concerns with this bill, those concerns should be openly debated and the Senate should promptly pass this legislation.

Senator CORNYN and I both know that open government is not a Democratic issue or a Republican issue. It is an American issue. It is in this bipartisan spirit that I urge the Senate to promptly consider the OPEN Government Act and that I encourage all Senators to support this important FOIA reform legislation.

I ask unanimous consent to have printed in the RECORD a list of the bill's supporters following my remarks.

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

LIST OF SUPPORTERS OF THE LEAHY-CORNYN  
OPEN GOVERNMENT ACT, S. 849

Alliance for Justice  
America Association of Law Libraries  
American Association of Small Property Owners  
American Booksellers Foundation for Free Expression  
American Civil Liberties Union (ACLU)  
The American Conservative Union  
American Families United  
American Library Association  
American Society of Newspaper Editors, Member of Sunshine in Government Initiative  
Animal Welfare Institute  
ASPCA  
Assassination Archives and Research Center  
Associated Press, Member of Sunshine in Government Initiative  
Association of Alternative Newsweeklies, Member of Sunshine in Government Initiative  
Association of American Publishers  
Bill of Rights Defense Committee  
Biodiversity Conservation Alliance  
Blancett Ranches, Aztec, NM  
Californians Aware  
Californians for Western Wilderness  
Center for Democracy and Technology  
Center for Energy Research  
Center for National Security Studies  
Citizen Action New Mexico  
Citizens for Responsibility and Ethics in Washington (CREW)  
Chamber of Commerce of the United States  
Coalition of Journalists for Open Government, Member of Sunshine in Government Initiative  
Common Cause  
Community Recovery Services  
Conservation Congress  
Doctors for Open Government  
DownsizeDC.org, Inc.  
The E-Accountability Foundation  
ParentAdvocates.org  
Electronic Frontier Foundation  
Environmental Defense Institute  
Environmental Integrity Project  
Ethics in Government Group  
Fernald Residents for Environmental Safety & Health, Inc.  
Florida First Amendment Foundation  
Forest Guardians  
Friends Committee on National Legislation  
Friends of Animals  
Friends of the Wild Swan  
Georgia Forest Watch  
Georgians for Open Government  
Government Accountability Project  
Great Basin Mine Watch  
Gun Owners of America  
HALT, Inc.  
The Health Integrity Project

HEAL Utah  
The Humane Society of the United States  
Idaho Sporting Congress, Inc.  
Indiana Coalition for Open Government  
The James Madison Project  
Law Librarian Association of Greater New York  
Law Librarians Association of Wisconsin  
League of Women Voters of the U.S.  
Liberty Coalition  
Los Alamos Study Group  
Maine Association of Broadcasters  
Mine Safety and Health News  
The Multiracial Activist  
National Association of Broadcasters, Member of Sunshine in Government Initiative  
National Association of Manufacturers  
National Coalition Against Censorship  
National Freedom of Information Coalition  
National Newspaper Association, Member of Sunshine in Government Initiative  
National Press Club  
National Security Archive  
National Taxpayers Union  
National Treasury Employees Union  
National Whistleblower Center  
Natural Resources Defense Council  
The New Grady Coalition  
Newspaper Association of America, Member of Sunshine in Government Initiative  
No FEAR Coalition  
Northern California Association of Law Libraries  
Northwest Environmental Advocates  
Nuclear Watch New Mexico  
Okanogan Highlands Bottling Company  
OMB Watch  
Open Society Policy Center  
OpenTheGovernment.org  
Oregon Natural Desert Association  
Oregon Peace Works  
Owner-Operator Independent Drivers Association, Inc.  
People For the American Way  
Project On Government Oversight  
Public Citizen  
Radio-Television News Directors Association, Member of Sunshine in Government Initiative  
ReadTheBill.org Education Fund  
Reporters Committee for Freedom of the Press, Member of Sunshine in Government Initiative  
Republican Liberty Caucus  
Reynolds, Motl & Sherwood, PLLP  
The Rutherford Institute  
Sagebrush Sea Campaign  
Sammelweis Society International  
Snake River Alliance  
Society of American Archivists  
Society of Professional Journalists, Member of Sunshine in Government Initiative  
Southern California Association of Law Libraries  
Southwest Research and Information Center  
The Student Health Integrity Project  
Tax Analysts  
Tri-Valley CAREs (Communities Against a Radioactive Environment)  
Union of Concerned Scientists  
VA Whistleblowers Coalition  
Vermont Coalition for Open Government  
Vermont Press Association  
Western Environmental Law Center  
Western Lands Project  
Western Resource Advocates  
The Wilderness Society  
Wild Wilderness  
Wilderness Workshop

REMEMBERING SENATOR CRAIG  
THOMAS

Ms. COLLINS. Mr. President, it has been said that we all have a birth date