

sources, an amount (which may be provided in cash or in kind) to carry out the activities supported by the grant equal to 100 percent of the amount received under the grant.

“(5) APPLICATIONS.—An eligible entity desiring a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Such application shall include the following:

“(A) A detailed description of the eligible entity’s plans for providing financial literacy activities and the students and schools the grant will target.

“(B) The eligible entity’s plan for using the matching grant funds, including how the funds will be used to provide financial literacy programs to students.

“(C) A plan to ensure the viability of the work of the eligible entity beyond the grant period.

“(D) A detailed description of the activities that carry out this subsection and that are conducted by the eligible entity at the time of the application, and how the matching grant funds will assist the eligible entity with expanding and enhancing such activities.

“(E) A description of the strategies that will be used to target activities under the grant to students in secondary school and enrolled in institutions of higher education who are historically underrepresented in institutions of higher education and who may benefit from the activities of the eligible entity.

“(6) AUTHORIZATION AND APPROPRIATIONS.—There are authorized to be appropriated, and there are appropriated, \$10,000,000 for each of the fiscal years 2008 and 2009 to carry out this subsection.

“(e) SECONDARY SCHOOL GRADUATION AND COLLEGE ENROLLMENT PROGRAM.—

“(1) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—

“(i) IN GENERAL.—The term ‘eligible local educational agency’ means a local educational agency with a secondary school graduation rate of 70 percent or less—

“(I) in the aggregate; or

“(II) applicable to 2 or more subgroups of secondary school students served by the local educational agency that are described in clause (ii).

“(ii) SUBGROUPS.—A subgroup referred to in clause (i)(II) is—

“(I) a subgroup of economically disadvantaged students; or

“(II) a subgroup of students from a major racial or ethnic group.

“(B) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a consortium of a nonprofit organization and an institution of higher education with a demonstrated record of effectiveness in raising secondary school graduation rates and postsecondary enrollment rates.

“(2) PROGRAM ESTABLISHED.—From amounts appropriated under paragraph (7), the Secretary shall award grants to eligible entities to enable the eligible entities to carry out activities that—

“(A) create models of excellence for academically rigorous secondary schools, including early college secondary schools;

“(B) increase secondary school graduation rates;

“(C) raise the rate of students who enroll in an institution of higher education;

“(D) improve instruction and access to supports for struggling secondary school students;

“(E) create, implement, and utilize early warning systems to help identify students at risk of dropping out of secondary school; and

“(F) improve communication between parents, students, and schools concerning requirements for secondary school graduation, postsecondary education enrollment, and financial assistance available for attending postsecondary education.

“(3) USE OF FUNDS.—An eligible entity that receives a grant under this subsection shall use the funds—

“(A) to implement a college-preparatory curriculum for all students in a secondary school served by the eligible local educational agency that is, at a minimum, aligned with a rigorous secondary school program of study;

“(B) to implement accelerated academic catch-up programs, for students who enter secondary school not meeting the proficient levels of student academic achievement on the State academic assessments for mathematics, reading or language arts, or science under section 1111(b)(3) of the Elementary and Secondary Education Act of 1965, that enable such students to meet the proficient levels of achievement and remain on track to graduate from secondary school on time with a regular secondary school diploma;

“(C) to implement an early warning system to quickly identify students at risk of dropping out of secondary school, including systems that track student absenteeism; and

“(D) to implement a comprehensive postsecondary education guidance program that—

“(i) will ensure that all students are regularly notified throughout the students’ time in secondary school of secondary school graduation requirements and postsecondary education entrance requirements; and

“(ii) provides guidance and assistance to students in applying to an institution of higher education and in applying for Federal financial assistance and other State, local, and private financial assistance and scholarships.

“(4) GRANT PERIOD; RENEWABILITY.—Each grant under this subsection shall be awarded for one 5-year period, and may not be renewed.

“(5) MATCHING REQUIREMENTS.—Each eligible entity that receives a grant under this subsection shall provide, from non-Federal sources, an amount (which may be provided in cash or in-kind) to carry out the activities supported by the grant equal to 100 percent of the amount received under the grant.

“(6) APPLICATIONS.—An eligible entity desiring a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(7) AUTHORIZATION AND APPROPRIATIONS.—There are authorized to be appropriated, and there are appropriated, \$25,000,000 for each of the fiscal years 2008 and 2009 to carry out this subsection.”.

SA 2328. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1642, to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 802. CAMPUS-BASED DIGITAL THEFT PREVENTION.

Part G of title IV (20 U.S.C. 1088 et seq.) is amended by adding at the end the following: **“SEC. 494. CAMPUS-BASED DIGITAL THEFT PREVENTION.**

“(a) IN GENERAL.—Each eligible institution participating in any program under this title which is among those identified during the prior calendar year by the Secretary pursuant to subsection (b)(2), shall—

“(1) provide evidence to the Secretary that the institution has notified students on its policies and procedures related to the illegal downloading and distribution of copyrighted materials by students as required under section 485(a)(1)(P);

“(2) undertake a review, which shall be submitted to the Secretary, of its procedures and plans related to preventing illegal downloading and distribution to determine the program’s effectiveness and implement changes to the program if the changes are needed; and

“(3) provide evidence to the Secretary that the institution has developed a plan for implementing a technology-based deterrent to prevent the illegal downloading or peer-to-peer distribution of intellectual property.

“(b) IDENTIFICATION.—For purposes of carrying out the requirements of subsection (a), the Secretary shall, on an annual basis, identify—

“(1) the 25 institutions of higher education participating in programs under this title, which have received during the previous calendar year the highest number of written notices from copyright owners, or persons authorized to act on behalf of copyright owners, alleging infringement of copyright by users of the institution’s information technology systems, where such notices identify with specificity the works alleged to be infringed, or a representative list of works alleged to be infringed, the date and time of the alleged infringing conduct together with information sufficient to identify the infringing user, and information sufficient to contact the copyright owner or its authorized representative; and

“(2) from among the 25 institutions described in paragraph (1), those that have received during the previous calendar year not less than 100 notices alleging infringement of copyright by users of the institution’s information technology systems, as described in paragraph (1).”.

SA 2329. Ms. MURKOWSKI proposed an amendment to amendment SA 2327 proposed by Mr. KENNEDY to the bill H.R. 2669, to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008; as follows:

On page 55, line 23, strike “\$25,000,000” and insert “\$113,000,000”.

SA 2330. Mr. KENNEDY proposed an amendment to amendment SA 2327 proposed by Mr. KENNEDY to the bill H.R. 2669, to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008; as follows:

Strike subparagraph (G) of section 401B(e)(1) of the Higher Education Act of 1965, as added by section 102(a) of the Higher Education Access Act of 2007, and insert the following:

“(G) \$3,650,000,000 for fiscal year 2014;

“(H) \$3,850,000,000 for fiscal year 2015;

“(I) \$4,175,000,000 for fiscal year 2016; and

“(J) \$4,180,000,000 for fiscal year 2017.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate in order

to conduct a hearing entitled "Increasing Government Accountability and Ensuring Fairness in Small Business Contracting," on Wednesday, July 18, 2007, beginning at 2 p.m. in room 428A of the Russell Senate Office Building.

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

SPECIAL COMMITTEE ON AGING

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on Wednesday, July 18, 2007 from 10:30 a.m.–12:30 p.m. in Dirksen 628 for the purpose of conducting a hearing.

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

PRIVILEGES OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the following interns in my office be allowed floor privileges during today's session of the Senate: Erin McGuire, Maureen McGuire, Owen Thal, Samantha Currier, and Sonia Russo.

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

Mr. CORNYN. Mr. President, I ask unanimous consent that Jack Kammerer, a fellow in my office, be granted the privilege of the floor during the remainder of the debate on the Defense authorization bill.

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

Mr. BINGAMAN. Mr. President, on behalf of Senator DODD, I ask unanimous consent that his fellow, Taniesha Woods, be granted the privilege of the floor during the consideration of the higher education reconciliation bill.

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

Mr. ENZI. Mr. President, I ask unanimous consent that Ann Clough, a detailee in my office, be granted the privileges of the floor for the remainder of the debate on H.R. 2669.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Republican leader, pursuant to Public Law 96-114, as amended, appoints the following individual to the Congressional Award Board: Adam Ruiz of Kentucky.

AUTHORIZING SENATE LEGAL COUNSEL

Mr. KENNEDY. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 274 submitted earlier today.

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

The assistant legislative clerk read as follows:

A resolution (S. Res. 274) to authorize representation by the Senate Legal Counsel in the case of *Lewis v. Bayh*.

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

Mr. REID. Mr. President, this resolution concerns a pro se civil action filed against Senator EVAN BAYH, in which plaintiff alleges, as best as can be pieced together from the complaint, which offers no factual support, that the Senator intervened in the processing of plaintiffs FOIA request to the Department of the Treasury to block access to documents in order to protect the identities of constituents whose names would have been revealed in the documents and who, according to plaintiff, had violated plaintiffs civil and constitutional rights.

This resolution authorizes the Senate Legal Counsel to represent Senator BAYH in this suit and to move for its dismissal on both threshold jurisdictional grounds and failure to state a claim on the merits.

I urge the Senate to approve this important legislation.

Mr. KENNEDY. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements related thereto be printed in the RECORD.

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

The resolution (S. Res. 274) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 274

Whereas, in the case of *Lewis v. Bayh*, Case No. 07-CV-0939 (D.D.C.), pending in the United States District Court for the District of Columbia, the plaintiff has named as defendant Senator Evan Bayh;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§ 288b(a) and 288c(a)(1), the Senate may direct its counsel to defend the Senate and Members, officers, and employees of the Senate in civil actions relating to their official responsibilities: Now therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Senator Evan Bayh in the case of *Lewis v. Bayh*.

MAKING MINORITY PARTY APPOINTMENTS

Mr. KENNEDY. Madam President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 275, and that the resolution be agreed to and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 275) was agreed to, as follows:

S. RES. 275

Resolved, That the following be the minority membership on the Committee on Armed Services for the remainder of the 110th Congress, or until their successors are appointed:

Mr. McCain, Mr. Warner, Mr. Inhofe, Mr. Sessions, Ms. Collins, Mr. Chambliss, Mr. Graham, Mrs. Dole, Mr. Cornyn, Mr. Thune, Mr. Martinez, and Mr. Corker.

PASSPORT BACKLOG REDUCTION ACT OF 2007

Mr. KENNEDY. Madam President, I ask that the Chair lay before the Senate a message from the House on S. 966, the Passport Backlog Reduction Act of 2007.

The PRESIDING OFFICER laid before the Senate a message from the House as follows:

S. 966

Resolved, That the bill from the Senate (S. 966) entitled "An Act to enable the Department of State to respond to a critical shortage of passport processing personnel, and for other purposes", do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Passport Backlog Reduction Act of 2007".

SEC. 2. REEMPLOYMENT OF FOREIGN SERVICE ANNUITANTS.

Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking "; or" and inserting a semicolon;

(B) in subparagraph (B), by striking the period at the end and inserting "; or"; and

(C) by adding at the end the following new subparagraph—

"(C)(i) to provide assistance to consular posts with a substantial backlog of visa applications; or

"(ii) to provide assistance to meet the demand resulting from the passport and travel document requirements set forth in section 7209(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 8 U.S.C. 1185 note), including assistance related to the investigation of fraud in connection with an application for a passport."; and

(2) in paragraph (2)—

(A) by striking "The authority" and inserting "(A) The authority"; and

(B) by adding at the end the following new subparagraphs:

"(B) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to subparagraph (C)(i) of paragraph (1) shall terminate on September 30, 2008.

"(C) The authority of the Secretary to waive the application of subsections (a) through (d) for an annuitant pursuant to subparagraph (C)(ii) of paragraph (1) shall terminate on September 30, 2009."

Mr. KENNEDY. Madam President, I ask unanimous consent that the Senate concur in the House amendment and the motion to reconsider be laid upon the table.

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

ORDERS FOR THURSDAY, JULY 19, 2007

Mr. KENNEDY. Madam President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., Thursday, July 19; that on Thursday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired and the time for the two leaders reserved for their use later in the day; and the Senate then resume consideration of H.R. 2669.