

President Bush was going to veto a bill.

I will be happy to yield for a question.

Mr. MCCONNELL. When the President of the United States vetoes a bill, it doesn't become law, right, unless it is overridden?

Mr. REID. Absolute truth.

Mr. MCCONNELL. So if the President vetoes this bill, it is not likely that the fix will be prevented at the end of the week; is that right?

Mr. REID. I say to my friend and I say I don't know how many people are up here for reelection, but I am watching a few of them pretty closely, I say to all these people who are up for reelection: If you think you can go home and say, I voted no because this weak President, the weakest political standing since they have done polling, I voted because I was afraid to override his veto—come on.

The PRESIDING OFFICER. The Republican leader.

Mr. MCCONNELL. We probably don't need to prolong it much further, but in spite of the political observations of my good friend, the fact is, the President, as a matter of principle, will not sign this bill. At the end of the week, the doctors' reduction in reimbursement will go into effect. There is a way to prevent that, and that is to do a short-term extension to give us an opportunity to do what we have done in the past on these measures, and that is negotiate a settlement. That has been prevented by my good friend.

I think we have discussed this issue long enough. We have others waiting to debate the supplemental.

The PRESIDING OFFICER. Under the previous order, the motion to proceed to H.R. 6331 is withdrawn, and the bill is returned to the calendar.

SUPPLEMENTAL APPROPRIATIONS ACT, 2008

The PRESIDING OFFICER. The Chair lays before the Senate a message from the House.

The legislative clerk read as follows:

Resolved, That the House agree to the amendments of the Senate to the amendments of the House to the amendment of the Senate to the bill (H.R. 2642) entitled "An Act making appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008, and for other purposes," with amendments.

The PRESIDING OFFICER. Under the previous order, the motion to concur in the House amendments to the Senate amendment to the House amendment to the Senate amendment to the bill is considered made.

The Senator from Virginia is recognized.

Mr. WEBB. Are we in order to proceed on the supplemental?

The PRESIDING OFFICER. The Senator is recognized for up to 5 minutes.

Mr. WEBB. Mr. President, I don't expect very many people to vote against

this supplemental. It comes to us from the House with a vote, I recall, of 416 to 12. The President asked for most of the provisions in this bill. The one provision I would like to speak very briefly about tonight is the GI bill provision that is in this supplemental. This is not an expansion of veterans' benefits. This is a new program. This is the first wartime GI bill benefit since Vietnam.

I wish to thank very much people on both sides of the aisle for all the work we have been able to do. There were 11 Republicans who cosponsored this provision, in addition to others who voted for it the first time around. There were more than 300 sponsors in the House. Those sponsors in the House included 90 Republicans.

I especially express my appreciation to Senator HAGEL and Senator WARNER, as well as Senator LAUTENBERG, for being the principal cosponsors along with me on this measure, also Chairman AKAKA of the Veterans' Affairs Committee and the majority leader, who was with us early on.

There are people on my staff who were working on this every day for 18 months, it is a very complex bill: Paul Reagan, my chief of staff; Michael Sozan, my legislative director; William Edwards, my legislative assistant for veterans' affairs; Jacki Ball; Jessica Smith and Kimberly Hunter, who are on our communications staff; Phillip Thompson and Mac McGarvey, both former Marines, who worked hard early on. And those from the staff of the Committee on Veterans' Affairs: Bill Brew, staff director, and Babette Polzer.

This is a landmark piece of legislation that will be in this provision. There are going to be a lot of veterans in the United States who are going to be very happy with the Senate tonight.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I know the time is late. This is a very important bill. It is one that has many good features, and the good features certainly outweigh the bad features. I know we never get everything we want in Congress. We certainly heard a lot about that a few minutes ago. I wish to talk about a couple of very important parts of this bill.

Also in the GI bill is something I worked very hard to put in that bill, which is the transferability of the education benefits that a person in the military now is able to transfer to a spouse or children.

There are many people who don't want to leave the military to take that education opportunity, but they would love to give their spouse or their child that opportunity. It is now in this bill. Very important.

It also incorporates a bill that I introduced early this year, again, for veterans. Who would have thought, Mr. President, that someone who dies serving our country in Iraq and leaves be-

hind a \$300 bill due the Veterans' Administration for education benefits—that they were not able to finish because they gave their life in the war—would then get a bill from the Veterans' Administration for that \$385? In fact, Mr. President, that is what has been happening since we went into the war on terror.

The Secretary of Veterans Affairs asked me to introduce a bill so he would not have to do that because he knew it was wrong and that we wouldn't want it being done. This bill we are voting on tonight will go retroactive to 9/11, 2001, and it will assure that every family who has been sent a bill and paid that bill, after their loved one has died in service to their country, will be reimbursed, and no bill will ever go out again. That is in this bill, and I am very proud we finally passed it.

Also in this bill is the Merida Initiative, as part of the supplemental. In my home State, and all the border States with Mexico, we are seeing violence with drug cartels that are now targeting our law enforcement officers on our side of the border as well as those in Mexico. They are dying trying to stop the drug cartels that are importing drugs into our country. The Merida Initiative that President Bush and President Calderon have put together is a part of this supplemental. I had hoped that we could also help our local law enforcement officials who do not have the equipment they need to deal with these more violent, more sophisticated drug cartels, but I am telling you right now I am going to pursue that in the next bill we pass that is an appropriations bill because our local law enforcement officials are certainly in need of our help.

We didn't get that in this bill, and I am disappointed, but there will be another day. We have to do this together. We have to stop the drug infusion into our country and stop these heinous crimes that are being committed by the drug cartels in Mexico.

So I support this bill. I hope we will all support it. It is a supplemental. Most of it is what the President asked for. We didn't all get what we wanted, but it is a worthy bill to support.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I plan to raise a point of order in a moment, but first I wish to make a statement.

The emergency spending bill being considered by the Senate would provide \$210 million for the 2010 Census. No strings are attached to the funding, giving the Census Bureau freedom to spend the money in any way it chooses. While the mission of the Census Bureau is vitally important because of its role in apportioning the House of Representatives and the distribution of billions of dollars in federal grants, the agency has proved to be notoriously bad at spending taxpayer money—and the last thing Congress should do is provide more.

Emergency spending bills should be reserved only for true emergencies, and the 2010 Census is not one of them. The Census Bureau has spent hundreds of millions of dollars over the past 8 years preparing for the 2010 Census. Yet, even that much time and that much money has not been enough to prevent the Bureau from being woefully underprepared.

One of the top priorities for the 2010 Census was modernizing the method for collecting census data so that technology would replace the traditional pen and paper method. One former Director of the Census Bureau called the modernization effort a "significant improvement" over the way data had been collected in the past.

Modernization of the census would take two forms:

First, allowing citizens to fill out census forms over the Internet, rather than on paper only.

Second, equipping census workers who go door-to-door to collect information with handheld computers instead of paper forms.

Two contracts were awarded to build the technology: one to Lockheed Martin for, among other things, the development of an online system and a second to the Harris Corporation for the development of the handheld computers. Unfortunately, mismanagement and incompetence forced the Census Bureau to abandon both the Internet in March 2006 and the handheld computers in April 2008 as a means of collecting data. In place of technology, the Bureau has decided to revert back to an entirely paper-based system—exactly the same way census data was collected 200 years ago.

According to the Census Bureau, the reason for abandoning technology and reverting to paper was its own failure to communicate what it wanted to the contractors. The result was a great deal of confusion, schedule delays and irreversible cost overruns. According to the Government Accountability Office, the Census Bureau was warned repeatedly that problems would mount if it failed to define what it wanted the contractor to do. Instead of taking action, the Bureau kept changing its mind about what it wanted. As recently as January 16, 2008—nearly 2 years after the contract was awarded—the Census Bureau made 400 changes to the contract for handheld computers. To this day, the Census Bureau has still not finalized the handheld computer contract with the Harris Corporation and may not do so until September.

The Census Bureau's mismanagement of the handheld computer contract has become the poster-child for how not to run a large information technology contract. Poor management by the Bureau has diminished the role that technology will play in the 2010 census to the point of embarrassment. Americans will take their Census by paper at the same time that more than 80 million people are filing their Federal taxes

online according to the Pew Internet and American Life Project, 75 percent of all adults are actively online. That percentage increases to between 85–90 percent for adults under the age of 50.

According to the Census Bureau, the impact of abandoning technology in the 2010 Census will be a \$3 billion overrun. This would bring the total price tag of the 2010 Census to roughly \$14.5 billion—or more than double the cost in 2000. Congress should not reward mismanagement at the Census Bureau with an additional \$210 million in emergency funding for FY 2008. It is unfair that Congress would ask taxpayers to bail out the Census Bureau for its incompetence in light of the repeated warnings that cost overruns would result from its poor management.

Because the problems of the Census Bureau are of its own making, any additional funding needs for fiscal year 2008 should come out of the budget of the Census Bureau or the Department of Commerce. The real "emergency" with the 2010 Census is the failure, mismanagement and incompetence of the Census Bureau.

According to Congress' own rules, emergency spending is only allowed for needs that truly cannot wait until the next spending cycle. These rules are not difficult to understand and lay out clearly what is and what is not an emergency.

There are many activities funded in the bill that are not actual emergencies according to the rules, but at the top of the list of non-emergencies is the \$210 million for the 2010 Census. The 2010 Census may go down in history as one of the worst managed and most expensive of all time, primarily because it saw enormous problems on the horizon and chose to ignore them—leading to the emergency today.

Problems at the Census Bureau have been obvious to auditors and to Congress for years, and the funding in this bill is nothing more than a taxpayer-subsidized bailout for a mismanaged and incompetent agency. The Senate should uphold a point of order against the \$210 million included in this bill for the 2010 Census because it violates every definition of emergency spending and provides no accountability for how the money will be spent by an agency that has proven that it desperately needs accountability.

According to the rules, spending can only qualify as an emergency if it meets all of the following criteria:

It is a necessary expenditure—an essential or vital expenditure, not one that is merely useful or beneficial;

It is sudden—coming into being quickly, not building up over time;

It is urgent—a pressing and compelling need requiring immediate action;

It is unforeseen—not predictable or seen beforehand as a coming need, although an emergency that is part of an overall level of anticipated emergencies, particularly when estimated in advance, would not be "unforeseen"; and

It is not permanent—the need is temporary in nature.

Not only does funding for the Census fall short of meeting all of the criteria for emergency spending, it actually fails to meet any of the criteria.

According to Senate Concurrent Resolution 21, any emergency funding for the Census would have to be "necessary, essential, or vital—not merely useful or beneficial." The purpose of this rule is to separate true emergencies from needs that can wait for the regular appropriations process. An accurate count of the population is important for apportioning the House of Representatives, but that alone does not qualify it for emergency funding.

One of the best ways to determine whether funding is "necessary" or "vital" is to ask the following basic question: "How does the Census Bureau plan to spend \$210 million?" If funding is truly necessary then there should be a clear answer to that question in the form of a specific plan stating the emergency and how the money would be spent. So, what is the money for? The answer is: no one knows.

The Census Bureau has not requested any emergency funding from the emergency supplemental appropriations bill, nor has it provided a plan for how the money would be spent if received. At a March 6, 2008, hearing of the Senate Appropriations Subcommittee on Commerce, Justice, and Science, Chairman BARBARA MIKULSKI directly asked both the Commerce Secretary, Carlos Gutierrez, and the Census Director, Steven Murdock, whether they needed emergency funding. Sen. MIKULSKI gave them a deadline of April 10 to make their request, but both the Secretary of Commerce and the Director of the Census Bureau declined to request any funding. In response, the Commerce Department stated that it did not need emergency money because plenty of funding was available within the department's existing budget. On April 3, 2008—a week ahead of Sen. MIKULSKI's deadline—Secretary of Commerce Gutierrez instead sent Congress a request to allow the Department to reprogram the department's existing funds to cover the cost overruns at the Census Bureau. Reprogramming existing funds would force the Department of Commerce to offset an increase in Census funding and to bear the burden of its own mistakes rather than placing the burden on taxpayers. On June 9, the President sent a letter to Congress asking for an increase to its fiscal year 2009 budget request for the Census, but also provides offsetting decreases to other programs. The Administration has stated that it would like for all Census money to come from non-emergency spending, which would ensure that the Census Bureau's needs are not paid for out of deficit spending.

Unfortunately, Congress has chosen deficit spending over fiscal responsibility by including \$210 million in this bill for the Census. Congress would rather spend additional taxpayer

money than cut existing program budgets within the Department of Commerce. Including money in this bill for the census shows little regard for taxpayers, viewing them as a source of easy money rather than as people who work hard for their income. Congress is simply playing games with the budget rules and driving up the deficit.

Senate rules require that emergency spending bills be reserved only for needs that are “sudden, urgent and unforeseen” in nature. The United States has been conducting a census every 10 years since 1790 as required by the Constitution and therefore is never unforeseen.

The Census Bureau is, however, currently facing a likely \$3 billion cost overrun for the 2010 Census because of its decision to abandon the use of handheld computers and rely exclusively on paper. Only by stretching the meaning of “sudden, urgent and unforeseen” beyond recognition can it be said that the Census Bureau did not see this problem coming. More than 18 months ago, the Census Bureau itself recognized that abandoning the handheld computers for paper would result in a cost increase for the 2010 Census of at least \$1 billion.

On August 31, 2006, Former Census Director Louis Kincannon wrote a letter to the Subcommittee on Federal Financial Management with the following warning about reverting to a paper-based census:

“In addition to significant cost increases to the 2010 Census, reverting to a paper-based operation will compromise efforts to improving coverage . . . and will significantly increase the risk of operational failure during the 2010 Census.”

Even as that letter was written, the Census Bureau was being warned that its poor management of the handheld computer project could force the Bureau to revert to an all-paper census. The problems and cost overruns that are materializing today were predicted publicly for a long time, but the Census Bureau ignored the warnings and took no action to prevent the problems.

Chairman HENRY WAXMAN, of the House Oversight and Government Reform Committee, has extensively documented the warnings that were given to the Census Bureau over several years. In addition, the Census Bureau was warned repeatedly by the Government Accountability Office, the Commerce Inspector General, the MITRE Corporation and Congress about its poor planning of the 2010 Census. Each step along the way, the Bureau systematically ignored every warning, leading to the schedule delays and cost overruns being experienced today. The following chronology shows clearly that the current problems being experienced by the Census Bureau are not “sudden, urgent or unforeseen.”

January 2004—GAG recommended that the Secretary of Commerce develop a “single integrated project plan” for executing the 2010 Census, in-

cluding how to incorporate technology. The Census Bureau ignored the recommendation and moved forward without a plan.

September 2004—The Commerce Inspector General warned that the Bureau should follow a number of key “software engineering practices” to avoid pitfalls with the handheld computers. These included doing a better job with “system requirements” and overseeing its contractor. The contract for the handhelds was awarded to the Harris Corporation with very few details about what should be produced—more than two years later the plans are still not finalized.

June 2005—GAG warned the Census Bureau that the agency was “at increased risk of not adequately managing major IT investments and is more likely to experience cost and schedule overruns and performance shortfalls.” GAO made several recommendations aimed at improving weaknesses in the Bureau’s management of information technology. The Census Bureau failed to adequately respond to these recommendations.

March 2006—As the Bureau was getting ready to award the contract to the Harris Corporation, GAO warned that the agency did not have a “full set of capabilities they need to effectively manage the acquisitions.” Unless the problem was to be addressed, GAO warned that technology problems could lead to “cost overruns, schedule delays, and performance shortfalls.” The Census Bureau ignored the warnings and still has not addressed them more than two years later.

June 2006—The Senate Subcommittee on Federal Financial Management held a hearing on the Census and then-Director Louis Kincannon was asked about whether there was a backup plan if the handheld computers did not work. Even as the GAO was raising concerns that technology for the 2010 Census was in jeopardy, the Director said that no backup plan was needed since the computers were guaranteed to work, and said the following:

“You might as well ask me what happens if the Postal Service refuses to deliver the census forms.”

July 2006—GAO issued a report stating that if the Census Bureau did not do more to ensure the success of the handheld computers, it would be faced with the “possibility of having to revert to the costly paper-based census used in 2000.”

April 2007—GAO testified before Congress that “uncertainty surrounded” the handheld computers because the devices were not being properly tested and The Census Bureau ignored the warnings.

June 2007—The Census Bureau’s private, independent consultant—the MITRE Corporation—sounded a loud alarm and warned that the Bureau’s continued refusal to make final specifications could put the entire census at risk of severe cost overruns. Census Bureau management dismissed the warning.

July 2007—GAO testified again before a Senate subcommittee that there were “technical problems with the handheld computing devices” and that “risk management activities” were “imperative.” Failure to address these concerns could threaten to overtake the handheld computer project.

October 2007—Once again GAO, with a rising sense of urgency, warned that the handheld contract faced “an increased probability that decennial systems will not be delivered on schedule and within budget.” The Census Bureau did not disagree with this assessment.

November 2007—MITRE Corporation executives called an emergency meeting with the Deputy Director of the Census to recommend that he develop a backup plan for paper because the problems with the handheld computers were so severe.

December 2007—In the last days of the year on December 11, the outgoing Director of the Census Bureau testified at a House hearing about the handheld computers and brushed off any concerns raised by Members. He denied that any serious problems existed or that there were any significant delays or cost overruns.

For years, there were warnings raised to the Census Bureau on nearly a monthly basis at times, but those warnings were patently ignored and disdained by Census management. Not until February 2008—when the media caught wind of the true situation—did the Census Bureau acknowledge publicly that there was a serious problem with the handheld computers and that large cost overruns were likely.

In testimony before the Senate Homeland Security Committee on March 5, 2008, the Secretary of Commerce, Carlos Gutierrez, took it one step further and accepted responsibility for failing to act earlier. He said: “Clearly the problem was more significant than had been conveyed in the December 11 hearing.

In testimony before the Committee on April 15, Secretary Gutierrez admitted that the Bureau was aware of problems by early 2007, when he said:

“Concerns about the [handheld computer] program grew over time and Census and Commerce officials became increasingly aware of the significance of the problems through GAO and Office of Inspector General reviews, the 2007 dress rehearsal and internal assessments.”

None of these concerns were relayed to Congress until it was too late and emergency funding was the only recourse. With this chronology of events, it is simply not possible to claim that any problems with the 2010 Census being seen today are “sudden, urgent and unforeseen.” They have been just the opposite: unsurprising, longstanding and predictable.

Without diminishing the importance of the 2010 Census, the funding in this bill does not meet the definition of an emergency by a long shot. The problems surfacing today were not only

predicted many times in the past few years, but were documented publicly in numerous congressional hearings. A vote to waive the rules on emergency spending in this situation is a vote to render the emergency spending rules meaningless. A vote to waive the rules is also a vote to reward incompetent management at the Census Bureau despite its ignoring years of repeated warnings that problems were on the horizon.

In order to qualify for emergency funding, it must be proved that funding for the 2010 Census is "temporary in nature." The rule is intended to ensure that needs that are long-standing or ongoing do not get funding under emergency rules. Rather, only those needs that are short-lived can qualify as an emergency.

No activity of the U.S. Government has existed for a longer period of time nor has an activity of the government been as predictable as the decennial census. Article 1, Section 2 of the Constitution states that "The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct." With these words, the Founding Fathers established that a census of the entire population would be taken every ten years in perpetuity. Since the birth of the Nation more than 230 years ago, a census has been taken every 10 years—few things in government are as permanent as the census.

It should come as a surprise to no one that there will be a census in 2010, least of all to Congress and to the Census Bureau. \$210 million in emergency spending should not be included in a bill that is intended only for measures that are "not permanent" or "temporary."

The Census Bureau finds itself today as the recipient of a bailout from Congress because it has been taught by past experience to expect a bailout whenever times get tough. The example of the 2000 Census provides an illustration of how the expectation of a congressional bailout drives up costs because it decreases concerns about getting the best price.

By the late 1990s, census planners were operating under the assumption that the 2000 Census would cost \$4 billion—then the most expensive of all time. At the time, the Census Bureau was planning to use a method of data collection known as "sampling" during the 2000 Census. On January 25, 1999, only 15 months before Census Day 2000, the Supreme Court ruled that sampling was not allowable, and that the Census Bureau would have to redesign the 2000 Census.

Although the issue was highly controversial, and subject to a ruling by the Supreme Court, the Census Bureau failed to make any plans whatsoever in the event that sampling would not be allowed. In September 1999, GAO re-

ported that: "The bureau did not begin detailed budgeting for a nonsampling-based census until after the Supreme Court ruled that the Census Act prohibited the use of statistical sampling." Thus, poor planning and mismanagement forced the Census Bureau to request an additional \$2.6 billion from Congress during the final year of preparations.

Congress was faced with the decision to either cut \$2.6 billion from existing programs or designate the new funding as an emergency. Not surprisingly, Congress chose to designate the \$2.6 billion as an emergency since it allowed the funding to get around the budget rules that would have otherwise required spending cuts. It is the worst kept secret in Washington that emergency spending is nothing more than a ploy by politicians to bust through the budget caps and spend more money. Although Members of Congress were spared from having to make any difficult choices, taxpayers were not so lucky.

Today, for the 2010 Census, Congress is once again facing a decision about how to come up with \$3 billion. And, once again it wants to pay for it on the backs of the American people. Management at the Census Bureau is smart enough to know that Congress will never hold the agency accountable for its mismanagement of taxpayer dollars, as evidenced by the \$210 million in this bill. Congress should begin holding the Census Bureau accountable today and sustain the point of order against emergency funding for the census in this bill.

MEMBERS OF CONGRESS HAVE REPEATEDLY NOTED THAT CENSUS PROBLEMS WERE A FAILURE OF MANAGEMENT, NOT THE RESULT OF AN EMERGENCY

By providing \$210 million to the Census Bureau, Congress is disregarding the findings of its own committees. There have been no fewer than five committee hearings in the past 3 months detailing the long-standing failures of the Census Bureau to properly manage the 2010 Census.

Several members of Congress from both parties and both houses have commented over the past several months about the poor management of the Census Bureau and the shocking indifference it showed towards those that tried to raise a warning. The following statements have been made in recent months by various Members of Congress.

On March 6, the Chairman of the Senate Commerce, Justice and State Appropriations Subcommittee, Senator BARBARA MIKULSKI, said that it was "shocking" that the 2010 Census will be done the same way "we've been doing censuses for 200 years." Senator MIKULSKI also stated that "a paper census in America borders on a scandal."

On June 18th, the ranking member of the CJS Subcommittee, Senator RICHARD SHELBY, said that the \$3 billion cost overrun is the result of "gross mismanagement of the Census Bureau in acquiring hand held computers."

In March 2008, Representative CAROLYN MALONEY called the management of the 2010 Census a "mess" and said that "what we're facing is a statistical Katrina." In April 2008, upon hearing that the Census Bureau decided to abandon the handheld computers, she said: "It brings little satisfaction to have been right about this, but we've said since last year the Census was in real peril."

Representative HENRY WAXMAN, Chairman of the House Oversight and Government Reform Committee, blamed the cost overruns on "serious mismanagement" and said that "the costly decision to return to a paper census was avoidable."

At a hearing in March, Senator TOM CARPER, Chairman of the subcommittee with jurisdiction over the Census Bureau, said that "the Census Bureau did not heed the warnings coming from GAO and others that their handheld project was troubled."

Representative LACY CLAY, who chairs the House Census Subcommittee said, "This appalling failure of management oversight by both the Census Bureau and Harris Interactive, combined with ridiculous cost overruns is totally unacceptable." Representative CLAY also said: "[Harris] is delivering half of the hand-held computers that the Census Bureau originally ordered. The machines can't do what we wanted them to do. And yet, Harris expects the taxpayers to provide more than \$700 million more to pay for their failures. That is outrageous."

Senator JOE LIEBERMAN said that "it is inexcusable that the Census Bureau must still rely on paper and pencils to perform its most important function."

Senator SUSAN COLLINS, in discussing the management of the census, said that "there is little to applaud and much to be concerned about." Senator COLLINS went to blame agency management for a "combination of wishful thinking, lax management, and tunnel vision."

Even the Secretary of Commerce, Carlos Gutierrez, who is ultimately responsible for the 2010 Census, said that the problems with the handheld computers are not the result of an unexpected emergency, but is "a management problem."

THE CENSUS BUREAU HAS A POOR TRACK RECORD OF USING TAXPAYER MONEY

The Census Bureau has one of the worst track records of any federal agency when it comes to spending taxpayer money. Numerous accounts can be given to highlight the way in which the Census Bureau wastes money through negligence, mismanagement and incompetence. The \$210 million in emergency funding in the bill is nothing more than rewarding bad behavior with more money and no accountability.

Consider the following ways in which the Census Bureau has done a poor job of controlling the cost of the census:

The cost of the census has doubled every time it has been taken since 1970.

In 1970, it cost only \$248 million to count 200,000 American citizens, but in 2010, it will cost nearly \$15 billion to count 300,000 citizens—that means it will cost 60 times more to count 1½ times as many people. In the 1990 Census it cost \$10 per person to count the population—in the 2010 Census, it will cost at least \$47 per person.

More recently, the Census Bureau awarded a \$600 million cost-plus contract to the Harris Corporation for the development of handheld computers, which has skyrocketed above the original plan. The handheld computers were supposed to perform a number of functions, including two functions called Address Canvassing and Non-Response Follow Up:

Address Canvassing is the process of plotting every American household with a GPS coordinate.

Non-Response Follow Up is the process of collecting information door-to-door from households that don't respond to the census by mail.

Due to mismanagement by the Census Bureau, the project has not only been severely scaled back but the cost of the contract will likely double. In April, the Secretary of Commerce decided to eliminate Non-Response Follow Up from the list of functions that the handheld computer would perform, leaving only Address Canvassing. The Harris Corporation estimated that the impact of that decision so close to the 2010 Census would increase the cost of the contract from approximately \$600 million to \$1.3 billion—an overrun of \$700 million to be funded by taxpayers.

According to estimates based on the new contract, the unit cost for each handheld computer would be \$600 for a device that can do nothing more than plot homes on a map using GPS coordinates. This means that the Census Bureau will pay \$600 for a custom-made handheld device that can do less than an off-the-shelf BlackBerry that costs \$200 or an iPhone that costs \$275.

One of the most glaring examples of wasted money at the Census Bureau is seen in the recent cost overrun for a technology help-desk planned for census takers going door-to-door in 2010. The original for the help desk—before the decision was made to abandon technology for a paper census—was \$36 million. After the decision to use paper only, the estimated cost of the technology help desk increased to \$217 million.

Some will argue that without immediate emergency funding, the Census Bureau will not be able to pull off the 2010 Census, putting apportionment and important programs in jeopardy.

This is not true. The next fiscal year is only 3 months away and any funding that the Census Bureau needs can be provided then. There is no compelling argument that emergency deficit spending on the 2010 Census is needed immediately. Perhaps the reason why \$210 million is being included is because the Congress—like the Census Bureau—is once again mismanaging its

constitutional duties to pass appropriations bills on time.

Also, as I already stated earlier, it is not clear what this money would actually be used for and so it is impossible to say it is essential. It is incomprehensible why the Census Bureau needs an extra \$210 million at this point when it is planning to spend an overall amount of \$14.5 billion on the 2010 Census. That is more than twice as much as the cost of the 2000 Census that was done the exact same way—by pencil and paper.

There are plenty of deficit-neutral options available to provide funding for the 2010 Census, including transferring money already available within the Department of Commerce. Or, Congress could cut or eliminate less important programs to free up money for the 2010 Census.

Furthermore, some may argue that the concerns about poor management at the Census Bureau can be dealt with another time—the most important thing is getting the 2010 Census done right and without delay.

I would respond by noting that this country is always in the middle of preparations for the next decennial census—if management concerns are always pushed back then they will never be addressed. Providing a bailout for the Census Bureau now is tantamount to excusing the poor management that has prevailed at the agency for the better part of a decade.

Report after report by the GAO and the Inspector General have called upon the Census Bureau to improve its poor management of the 2010 Census. Each of those reports and warnings were ignored because, ultimately, the agency knew that Congress didn't care about accountability. Congress should deal with the management concerns immediately and start by withholding the bailout money in this bill.

Mr. President, this is a simple point of order, but it has tremendous ramifications on whether we are going to effectively oversight the rest of the executive agencies.

Three and a half years ago, TOM CARPER and I started oversight hearings on the census. At that time, GAO said: They are not going to make it. They are not doing what they need to do. It was totally ignored, both by the Census Bureau as well as the Department of Commerce. Now we find that even though they have had two contracts—one with Lockheed and one with another company—to put the census online—we are going to be the only modern country that doesn't have the census online—they have totally withheld, totally canceled that contract, and totally didn't perform. The other, to do with electronic data collection, is now a flop, and they admit the reason it is a flop is because the Census Bureau did not communicate with the contractor.

In this bill is \$210 million to say: Oh, we are sorry. We are going to give you more money because you didn't do it well.

Secretary Gutierrez says there is plenty of money in the Commerce Department to cover this cost, and I am going to raise a point of order that it is not an emergency. There is plenty of money there, and we are sending exactly the wrong message to every other agency in this Government by allowing an agency that is going to do the census the same way it did 200 years ago because of incompetency. We are going to give them \$200 million on an emergency basis, and we are going to charge the next generation because we are not going to pay for it. We are going to borrow the money, and we are going to embrace and endorse incompetence.

So, Mr. President, I raise a point of order, pursuant to section 204(a)(5) of the fiscal year 2008 budget resolution, S. Con. Res. 21, against the emergency designation of \$200 million for the Census Bureau in the message in the pending amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, the Senator from Oklahoma has raised a point of order, and I want all our colleagues to know that his point of order lies against the emergency designations for the census funding, as he has just talked about, but in reality his point of order lies against all the emergency spending in this amendment, including the veterans education funding and the extension of unemployment benefits, and against the disaster relief.

So I urge our colleagues to vote with us on the point of order. It has already been part of the agreement. I ask for the yeas and nays on the motion.

The PRESIDING OFFICER. Under the previous order, the motion to waive the Budget Act is considered made.

Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 77, nays 21, as follows:

[Rollcall Vote No. 161 Leg.]

YEAS—77

Akaka	Coleman	Lautenberg
Alexander	Collins	Leahy
Baucus	Cornyn	Levin
Bayh	Dodd	Lieberman
Bennett	Dole	Lincoln
Biden	Domenici	Lugar
Bingaman	Dorgan	Martinez
Bond	Durbin	McCaskill
Boxer	Feingold	McConnell
Brown	Feinstein	Menendez
Brownback	Hagel	Mikulski
Bunning	Harkin	Murkowski
Byrd	Hutchison	Murray
Cantwell	Inouye	Nelson (FL)
Cardin	Johnson	Nelson (NE)
Carper	Kerry	Obama
Casey	Klobuchar	Pryor
Clinton	Kohl	Reed (RI)
Cochran	Landrieu	Reid (NV)

Roberts	Snowe	Vitter
Rockefeller	Specter	Warner
Salazar	Stabenow	Webb
Sanders	Stevens	Whitehouse
Schumer	Sununu	Wicker
Shelby	Tester	Wyden
Smith	Thune	

NAYS—21

Allard	Craig	Gregg
Barrasso	Crapo	Hatch
Burr	DeMint	Inhofe
Chambliss	Ensign	Isakson
Coburn	Enzi	Kyl
Conrad	Graham	Sessions
Corker	Grassley	Voinovich

NOT VOTING—2

Kennedy	McCain
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The PRESIDING OFFICER. On this vote, the yeas are 77, the nays are 21. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Mrs. MURRAY. Mr. President, I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, 1 year ago, Congress sent the President a war funding supplemental that included clear direction to bring our troops home by December of 2007. The President chose to veto that bill. If he had signed that bill, most of our troops would be home today.

Instead of bringing our troops home, the President decided to increase our commitment of U.S. troops and treasure to a war that has now entered its sixth year. Over 4,100 U.S. servicemembers have died. Over 30,000 U.S. servicemembers have been wounded. This year, the President asked Congress to approve another \$178 billion for this endless war. With enactment of this supplemental, Congress will have approved over \$656 billion for the war in Iraq.

Once again, the President threw down the gauntlet and said he would veto the supplemental bill if Congress added funding for anything other than the war. He made this demand at a time when the U.S. economy is in trouble.

Under the President's failed fiscal leadership, deficits and debt are on the rise. Unemployment is on the rise, with the largest 1 month increase in 20 years. Economic growth came to a virtual halt at the end of last year. Food and fuel costs are dramatically climbing. Mr. President, 8.8 million home owners have mortgages that exceed the value of their homes, and foreclosures have increased 57 percent.

While saying no to funds for America, the President wanted this Congress to approve more funding to reconstruct Iraq. We have already approved \$45 billion for reconstruction projects in Iraq. Despite the fact that the Iraqi government is running a huge surplus due to excess oil revenues, the President asked this Congress to spend another \$3 billion of American taxpayer dollars on reconstructing Iraq.

The President wants money to build schools in Sadr City but not in Seattle.

He wants money for roads in Ramadi but not Richmond. The President wants money for Mosul but not Minneapolis. He wants to reconstruct Baghdad but not Baltimore or Birmingham.

Congress listened to the President. We had hearings on his request, and we concluded that, notwithstanding his ill-considered veto threat, we would include funding to help our citizens here at home.

The amendment that is before the Senate extends unemployment benefits for 13 weeks. Over the past year, the number of unemployed workers in this country has grown by 1.6 million to a level of 8.5 million people.

I am pleased that the amendment includes critical funding for our veterans. I commend Senator WEBB and Senator WARNER for their leadership in drafting legislation that provides our veterans with an education benefit that they have earned.

We also have a moratorium on six burdensome Medicaid regulations. The President wanted to pass billions of dollars of expenses on to the States for rehabilitation services and school-based services for children with special needs. Congress said no.

We have included \$2.65 billion for disaster assistance to help the victims of the Midwest floods, as well as other disasters that have happened over the last year for which the President sought no additional funding. We have added funding for the Food and Drug Administration to help protect our food and drug supplies. We also modified the President's request for the war by adding \$160 million to his request for funding DOD efforts in Afghanistan. We must never forget that those who attacked us on 9/11 trained in Afghanistan, not Iraq. We also include language mandating that Iraq match, dollar for dollar, further U.S. contributions to reconstructing Iraq.

This year, the Appropriations Committee has held, and will continue to hold, oversight hearings looking at waste, fraud and corruption in Iraq. Unchecked corruption in Iraq is providing much of the funding for the very enemy our servicemen and women are fighting—and President Bush has demonstrated either unwillingness or an inability to check the flow of funds and weapons from these sources to the enemy. This amendment requires the Secretary of State to develop a comprehensive anticorruption strategy and submit to Congress the identities of Iraqi officials believed to have committed corrupt acts. I am also pleased that this legislation continues to provide funding, funding not requested by President Bush, for the Special Inspector General for Iraqi Reconstruction. As a result of our recent hearings on fraud and corruption in Iraq, we learned that there are only five FBI agents assigned to investigate fraud in Iraq and Afghanistan. For this administration, look no evil, see no evil. Well, it is time to take our blinders off.

This amendment includes \$5 million to increase FBI investigations, and the committee will continue to hold hearings on fraud and waste in Iraq.

Despite the positive measures for struggling Americans, our veterans, and their families included in this amendment, I deeply regret that this legislation will go to President Bush without the necessary checks to ensure that the war in Iraq is not open-ended. The majority of the American people have come to see this war as a costly mistake that needs to be brought to a close. This legislation brings us no closer to that goal.

However, with this legislation, we will once again take care of our troops. We also invest in America here at home.

There is more to do. I am disappointed that the White House blocked our efforts to add funding to help the Gulf States recover from Hurricane Katrina, to provide additional low-income home energy assistance, and to invest in our infrastructure. I have consulted with the leadership, and next month, the committee will consider a second supplemental to deal with the Midwest floods, Hurricane Katrina, and to make critical investments in America.

I urge adoption of the amendment.

I ask unanimous consent that an explanatory statement be printed in the RECORD.

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

EXPLANATORY STATEMENT SUBMITTED BY SENATOR ROBERT C. BYRD, CHAIRMAN OF THE SENATE COMMITTEE ON APPROPRIATIONS, REGARDING THE HOUSE AMENDMENT TO THE SENATE AMENDMENT TO HOUSE AMENDMENT NUMBER 2 TO THE SENATE AMENDMENT TO H.R. 2642

Following is an explanation of the fiscal year 2008 supplemental appropriations and fiscal year 2009 appropriations in the further amendment of the House to Senate amendment numbered 2 to House amendment numbered 2 to the amendment of the Senate to H.R. 2642, the Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2008, including disclosure of congressionally directed spending items as defined in rule XLIV of the Standing Rules of the Senate.

The further House amendment provides that, in lieu of the matter proposed to be inserted by the Senate, language be inserted providing supplemental appropriations for military construction, international affairs, disaster assistance, and other security-related and domestic needs, as well as language providing for accountability in contracting, improved veterans education benefits, temporary extended unemployment compensation, and a moratorium on certain Medicaid regulations. The amendment also strikes lines 1 through 3 on page 60 of the Senate engrossed amendment of September 6, 2007.

Unless otherwise noted, all appropriations in the amendment are designated as emergency requirements and necessary to meet emergency needs pursuant to section 204(a) of S. Con. Res. 21 and section 301(b)(2) of S. Con. Res. 70, the congressional budget resolutions for fiscal years 2008 and 2009.

NOTIFICATION OF EMERGENCY LEGISLATION

The congressional budget resolution (S. Con. Res. 21) agreed to by Congress for fiscal

year 2008 includes a provision relating to the notification of emergency spending. This provision requires a statement of how the emergency provisions contained in the bill meet the criteria for emergency spending as identified in the budget resolution. The amendment contains emergency funding for fiscal year 2008 for overseas deployments and other activities, for hurricane recovery in the gulf coast region, for the 2008 Midwest floods, and other natural disasters, and for other needs. The funding is related to unanticipated needs and is for situations that are sudden, urgent, and unforeseen, specifically the global war on terror, the hurricanes of 2005, the ongoing floods in the Midwest and other natural disasters, and rising unemployment. The amendment also funds the costs of ongoing military deployments and other requirements through the beginning months of the next fiscal year. These needs meet the criteria for emergency funding.

TITLE I—MILITARY CONSTRUCTION, VETERANS AFFAIRS, INTERNATIONAL AFFAIRS, AND OTHER SECURITY-RE- LATED MATTERS

CHAPTER 1—AGRICULTURE DEPARTMENT OF AGRICULTURE FOREIGN AGRICULTURAL SERVICE PUBLIC LAW 480 TITLE II GRANTS

The amended bill provides a total of \$850,000,000 to remain available until expended for Public Law 480 Title II Grants for fiscal year 2008. The amended bill provides \$350,000,000, as requested, for the urgent humanitarian needs identified by the administration. Further, the amended bill provides an additional \$500,000,000 for unanticipated cost increases for food and transportation to be made available immediately.

In addition, because the need for urgent humanitarian food assistance and continuing volatility of food and transportation costs are expected to continue into fiscal year 2009, the amended bill provides a total of \$395,000,000, as requested, to be made available beginning October 1, 2008.

CHAPTER 2—JUSTICE DEPARTMENT OF JUSTICE OFFICE OF INSPECTOR GENERAL

The amended bill includes \$4,000,000 for the Office of Inspector General. The Inspector General is directed to continue its audit and oversight activities of the Federal Bureau of Investigation's use of National Security Letters (NSLs) and orders for business records, pursuant to Section 215 of the USA PATRIOT Act.

LEGAL ACTIVITIES SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

The amended bill includes \$1,648,000 for General Legal Activities for the Criminal Division to provide litigation support services to the Special Inspector General for Iraq Reconstruction for its ongoing investigations and cases involving corruption in the reconstruction of Iraq. The amended bill does not include funding requested to create Iraq and Afghanistan support units within General Legal Activities, Criminal Division. These worthy activities should be supported

through funds made available to the Department of State or Defense.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

The amended bill includes \$5,000,000 for the U.S. Attorneys for extraordinary litigation expenses associated with terrorism prosecutions in the United States.

UNITED STATES MARSHALS SERVICE SALARIES AND EXPENSES

The amended bill includes \$28,621,000 for the U.S. Marshals Service. Within this funding level is \$7,951,000 to provide security at high-threat terrorist trials in the United States and \$3,700,000 to improve court and witness security in Afghanistan.

FEDERAL BUREAU OF INVESTIGATION SALARIES AND EXPENSES

The amended bill provides \$106,122,000 for the Federal Bureau of Investigation (FBI). This funding level includes \$101,122,000 for operations in Iraq and Afghanistan and for enhanced counterterrorism activities and \$5,000,000 to increase the FBI's capacity to investigate fraudulent contracts in Iraq and Afghanistan. The FBI is directed to provide the House and Senate Committees on Appropriations with a detailed plan for the obligation of these funds no later than 30 days after the enactment of this Act and to update this plan on a quarterly basis with actual obligations.

The amended bill also provides \$82,600,000 in bridge funding for the FBI to maintain the operations described above into fiscal year 2009.

DRUG ENFORCEMENT ADMINISTRATION SALARIES AND EXPENSES

The amended bill includes \$29,861,000 for the Drug Enforcement Administration to further its narco-terrorism initiative and Operation Breakthrough; to conduct financial investigations and to support intelligence activities, such as signals intelligence, to assist the Government of Afghanistan's counter-narcotics and narco-terrorism programs; and to purchase a helicopter for Foreign-deployed Advisory Support Team transportation.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

The amended bill includes \$4,000,000 for the Bureau of Alcohol, Tobacco, Firearms and Explosives for necessary costs of operations in Iraq.

FEDERAL PRISON SYSTEM SALARIES AND EXPENSES

The amended bill provides \$9,100,000 for the Bureau of Prisons to monitor communications of incarcerated terrorists, collect intelligence, and disseminate relevant information to other Federal law enforcement agencies.

GENERAL PROVISION, THIS CHAPTER

The amended bill includes a provision authorizing the use of funds appropriated in this chapter, or available by the transfer of funds in this chapter, for activities pursuant to section 504 of the National Security Act of 1947.

CHAPTER 3—MILITARY CONSTRUCTION AND VETERANS AFFAIRS

DEPARTMENT OF DEFENSE

Iraq.—The Administration's request has been reviewed for military construction in Iraq to ensure that the recommended projects are consistent with contingency construction standards. The establishment of permanent bases in Iraq is not supported, and the amended bill does not include any funds to establish any such base, or convert any base in Iraq from a temporary to permanent status. The amended bill includes language prohibiting the obligation or expenditure of funds for Iraq construction projects provided under Military Construction, Army, and Military Construction, Air Force, until the Secretary of Defense certifies that none of the funds are to be used for the purpose of providing facilities for permanent basing of U.S. military personnel in Iraq. The Secretary of Defense is further directed to provide to the Committees on Appropriations of both Houses of Congress, no later than 30 days after enactment of this act, an updated Master Plan for U.S. basing in Iraq, including an inventory of installations that have been closed; those that are scheduled to close, and the timeline for their closure; and a finite list of potential enduring locations describing the mission, military construction requirements, and projected population of these locations.

Child Development Centers.—The amended bill recommends a total of \$210,258,000 to design and build twenty new child development centers for the Army, Navy, Marine Corps, and Air Force. The Department should be commended for following the lead of Congress by requesting funds for additional child development centers.

Army Barracks Improvements.—The deplorable conditions that have recently been uncovered in some permanent party Army barracks, including those which house soldiers returning from the wars in Iraq and Afghanistan, have raised numerous concerns about the adequacy of living conditions for military personnel. The Army created a permanent party barracks modernization program in 1994 to eliminate inadequate barracks. However, this program is not projected to be completely funded until 2013. Given this timeline, it is unacceptable that the Army has allowed some of its existing permanent party barracks to fall into disrepair. While many of the repairs and upgrades to existing barracks can be accomplished with Sustainment, Restoration, and Modernization (SRM) funds, there is a need for additional military construction funds to expedite barracks replacements. The amended bill includes a total of \$200,000,000 for the Army to accelerate the construction of new barracks, or to provide major renovations to existing barracks. The funding is provided subject to the development of an expenditure plan to be submitted to the Committees on Appropriations of both Houses of Congress.

MILITARY CONSTRUCTION, ARMY

The amended bill recommends \$1,108,200,000 for Military Construction, Army. The funds are provided as follows:

(In thousands of dollars)

Location	Project description	Request	Recommendation
AK: Fort Wainwright	Child Development Center 1	17,000	17,000
CA: Fort Irwin	Child Development Center 1	11,800	11,800
CO: Fort Carson	Child Development Center 1	8,400	8,400
CO: Fort Carson	Soldier Family Assistance Center	8,100	8,100
GA: Fort Gordon	Child Development Center 1	7,800	7,800
GA: Fort Stewart	Soldier Family Assistance Center	6,000	6,000
HI: Schofield Barracks	Child Development Center	12,500	12,500
KS: Fort Riley	Transitioning Warrior Support Complex	50,000	50,000
KY: Fort Campbell	Child Development Center 1	9,900	9,900
KY: Fort Campbell	Soldier Family Assistance Center	7,400	7,400
KY: Fort Campbell	Knox Child Development Center	7,400	7,400

[In thousands of dollars]

Location	Project description	Request	Recommendation
LA: Fort Polk	Soldier Family Assistance Center	4,900	4,900
MO: Fort Leonard Wood	Starbase Complex 6, Phase 1		50,000
NC: Fort Bragg	Child Development Center ¹	8,500	8,500
NY: Fort Drum	Warrior in Transition Facilities	38,000	38,000
OK: Fort Sill	Child Development Center ¹	9,000	9,000
TX: Fort Bliss	Child Development Center ¹	5,700	5,700
TX: Fort Bliss	Child Development Center ¹	5,900	5,900
TX: Fort Bliss	Child Development Center ¹	5,700	5,700
TX: Fort Hood	Child Development Center ¹	7,200	7,200
TX: Fort Hood	Warrior In Transition Unit Ops Facilities	9,100	9,100
TX: Fort Sam Houston	Child Development Center ¹	7,000	7,000
VA: Fort Lee	Child Development Center ¹	7,400	7,400
Afghanistan: Bagram AB	Administrative Building ¹	13,800	13,800
Afghanistan: Bagram AB	Aircraft Maintenance Hangar	5,100	5,100
Afghanistan: Bagram AB	Ammunition Supply Point	62,000	62,000
Afghanistan: Bagram AB	Bulk Fuel Storage and Supply, Phase 3	23,000	23,000
Afghanistan: Bagram AB	Bulk Fuel Storage and Supply, Phase 4	21,000	21,000
Afghanistan: Bagram AB	New Roads	27,000	27,000
Afghanistan: Bagram AB	Power Plant	41,000	41,000
Afghanistan: Ghazni	Rotary Wing Parking	5,000	5,000
Afghanistan: Kabul	Consolidated Compound	36,000	36,000
Afghanistan: Various Locations	Counter IED Road—Route Alaska	16,500	16,500
Afghanistan: Various Locations	Counter IED Road—Route Connecticut	54,000	54,000
Iraq: Al Asad AB	Hot Cargo Ramp	18,500	18,500
Iraq: Al Asad AB	Landfill	3,100	3,100
Iraq: Al Asad AB	Power Plant	40,000	
Iraq: Al Asad AB	South Airfield Apron (India Ramp)	28,000	28,000
Iraq: Al Asad AB	Urban Bypass Road	43,000	
Iraq: Baghdad IAP	Water Supply, Treatment & Storage Ph III	13,000	13,000
Iraq: Camp Adder	Convoy Support Center Relocation, Phase II	39,000	39,000
Iraq: Camp Adder	Multi-Class Storage Warehouse	17,000	
Iraq: Camp Adder	POL Storage Area	10,000	10,000
Iraq: Camp Adder	Power Plant	39,000	
Iraq: Camp Adder	Wastewater Treatment & Collection System	9,800	9,800
Iraq: Camp Anaconda	Hazardous Waste Incinerator	4,300	4,300
Iraq: Camp Anaconda	Landfill	6,200	6,200
Iraq: Camp Anaconda	Power Plant	39,000	
Iraq: Camp Constitution	Juvenile TIFRIC	11,700	11,700
Iraq: Camp Cropper	Brick Factory	9,500	
Iraq: Camp Marez	Landfill	880	880
Iraq: Camp Ramadi	Landfill	880	880
Iraq: Camp Speicher	Aviation Navigation Facilities	13,400	13,400
Iraq: Camp Speicher	Landfill	5,900	5,900
Iraq: Camp Speicher	Military Control Point	5,800	5,800
Iraq: Camp Speicher	Power Plant	39,000	
Iraq: Camp Speicher	Rotary Wing Parking Apron	49,000	
Iraq: Camp Taqqadum	Landfill	880	880
Iraq: Camp Warrior	Landfill	880	880
Iraq: Fallujah	Landfill	880	880
Iraq: Mosul	Urban Bypass Road	43,000	
Iraq: Qayyarah West	North Entry Control Point	11,400	11,400
Iraq: Qayyarah West	Perimeter Security Upgrade	14,600	14,600
Iraq: Qayyarah West	Power Plant	26,000	
Iraq: Scania	Entry Control Point	5,000	5,000
Iraq: Scania	Water Storage Tanks	9,200	9,200
Iraq: Victory Base	Landfill	6,200	6,000
Iraq: Victory Base	Level 3 Hospital	13,400	13,400
Iraq: Victory Base	Wastewater Treatment & Collection System	9,800	9,800
Iraq: Victory Base	Water Treatment & Storage Phase II	18,000	18,000
Iraq: Various Locations	Facilities Replacement	72,000	
Iraq: Various Locations	Overhead Cover—eGlass	135,000	135,000
Kuwait: Camp Arifjan	Communication Center	30,000	30,000
Worldwide: Unspecified	Planning and Design (GWOT)	64,200	52,800
Worldwide: Unspecified	Planning and Design (WIT)	14,600	14,600
Worldwide: Unspecified	Planning and Design (COG) ¹	6,000	6,000
Total		1,486,100	1,108,200

¹ Requested by the Department of Defense in fiscal year 2008 and/or the March 2008 Adjustments package.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

The amended bill recommends \$355,907,000 for Military Construction, Navy and Marine Corps. The funds are provided as follows:

[In thousands of dollars]

Location	Project description	Request	Recommendation
CA: Camp Pendleton	11th Marine Regiment HQ, Armory, BEQ	34,970	34,970
CA: Camp Pendleton	5th Marine Regiment Addition, San Mateo	10,890	10,890
CA: Camp Pendleton	Armory Intelligence Battalion, 16 Area	4,180	4,180
CA: Camp Pendleton	Armory, Regiment & Battalion HQ, 53 Area	5,160	5,160
CA: Camp Pendleton	BEQ & Mess Hall HQ (13) Area	24,390	24,390
CA: Camp Pendleton	EOD Operations Facility	13,090	13,090
CA: Camp Pendleton	ISR Camp—Intelligence Battalion	1,114	1,114
CA: Camp Pendleton	JIEDDO Battle Courses ¹	9,270	9,270
CA: Camp Pendleton	Military Police Company Facilities	8,240	8,240
CA: Twentynine Palms	Regimental Combat Team HQ Facility	4,440	4,440
CA: China Lake NAWS	JIEDDO Battle Courses ¹	7,210	7,210
CA: Point Mugu	JIEDDO Battle Courses ¹	7,250	7,250
CA: San Diego	Child Development Center ¹	17,930	17,930
CA: Twentynine Palms	JIEDDO Battle Courses ¹	11,250	11,250
FL: Whiting Field NAS	JIEDDO Battle Courses ¹	780	780
MS: Gulfport NCBC	JIEDDO Battle Courses ¹	6,570	6,570
NC: Camp Lejeune	Child Development Center ¹	16,000	16,000
NC: Camp Lejeune	JIEDDO Battle Courses ¹	11,980	11,980
NC: Camp Lejeune	Maintenance/Operations Complex 2/9	43,340	43,340
SC: Parris Island MCRD	Recruit Barracks		25,360
VA: Yorktown NWS	JIEDDO Battle Courses ¹	8,070	8,070
Djibouti: Camp Lemonier	CJTF—HQA HQ Facility	29,710	
Djibouti: Camp Lemonier	Dining Facility	20,780	20,780
Djibouti: Camp Lemonier	Fuel Farm ¹	4,000	4,000
Djibouti: Camp Lemonier	Full Length Taxiway ¹	15,490	15,490
Djibouti: Camp Lemonier	Network Infrastructure Expansion	6,270	6,270
Djibouti: Camp Lemonier	Water Production	19,140	19,140
Djibouti: Camp Lemonier	Western Taxiway ¹	2,900	2,900
Worldwide: Unspecified	Planning and Design (GTF)	7,491	7,491
Worldwide: Unspecified	Planning and Design (GWOT)	4,300	4,300
Worldwide: Unspecified	Planning and Design (CDC) ¹	1,101	1,101
Worldwide: Unspecified	Planning and Design (JIEDDO) ¹	2,951	2,951
Total		360,257	355,907

¹ Requested by the Department of Defense in fiscal year 2008 and/or the March 2008 Adjustments package.

Joint IED Defeat Organization (JIEDDO) Battle Courses.—The amended bill recommends \$65,331,000 to construct facilities for enhanced counter-improvised explosive device training in furtherance of the goals of the Joint IED Defeat Organization. These funds address a technical correction in the Administration’s fiscal year 2008 Global War on Terror budget request and are offset by a rescission in title IX.

MILITARY CONSTRUCTION, AIR FORCE

The amended bill recommends \$399,627,000 for Military Construction, Air Force. The funds are provided as follows:
(In thousands of dollars)

Location	Project description	Request	Recommendation
CA: Beale AFB	Child Development Center ¹	17,600	17,600
FL: Eglin AFB	Child Development Center ¹	11,000	11,000
NJ: McGuire AFB	JIEDDO Battle Courses ¹	6,200	6,200
NM: Cannon AFB	Child Development Center ¹	8,000	8,000
Afghanistan: Bagram AB	East Side Helo Ramp	44,400	44,400
Afghanistan: Bagram AB	ISR Ramp	26,300	26,300
Afghanistan: Bagram AB	Parallel Taxiway Phase 2	21,400	21,400
Afghanistan: Bagram AB	Strategic Ramp	43,000	43,000
Iraq: Balad AB	Fighter Ramp	11,000	11,000
Iraq: Balad AB	Foxrot Taxiway	12,700	12,700
Iraq: Balad AB	Helicopter Maintenance Facilities	34,600	34,600
Kyrgyzstan: Manas AB	Strategic Ramp	30,300	30,300
Oman: Masirah AB	Expeditionary Beddown Site	6,300	6,300
Qatar: Al Udeid AB	Facility Replacements	40,000	30,000
Qatar: Al Udeid AB	Northwest (CAS) Ramp ¹	60,400	60,400
Worldwide: Unspecified	Planning and Design (GWOT)	35,000	35,000
Worldwide: Unspecified	Planning and Design (CDC) ¹	1,427	1,427
Total .....	.....	409,627	399,627

¹ Requested by the Department of Defense in fiscal year 2008 and/or the March 2008 Adjustments package.

Joint IED Defeat Organization (JIEDDO) Battle Courses.—The amended bill recommends \$6,200,000 to construct facilities for enhanced counter-improvised explosive device training in furtherance of the goals of the Joint IED Defeat Organization. These funds address a technical correction in the Administration’s fiscal year 2008 Global War on Terror budget request and are offset by a rescission in title IX.

MILITARY CONSTRUCTION, DEFENSE-WIDE

The amended bill recommends \$890,921,000 for Military Construction, Defense-Wide. The funds are provided as follows:
(In thousands of dollars)

Location	Project description	Request	Recommendation
GA: Fort Benning	Hospital Replacement .....	.....	350,000
KS: Fort Riley	Hospital Replacement .....	.....	404,000
NC: Camp Lejeune	Hospital Addition .....	.....	64,300
TX: Fort Sam Houston	Burn Rehabilitation Center	21,000	21,000
Qatar: Al Udeid AB	Logistics Storage Warehouse	6,600	6,600
Worldwide: Unspecified	Planning and Design (MTF) .....	.....	45,021
Total .....	.....	27,600	890,921

Medical Treatment Facilities Construction.—There is a great concern with the large backlog of needed recapitalization for medical treatment facilities for military service members and their families. The current Future Years Defense Plan (FYDP) for Tricare Management Activity military construction averages \$412,000,000 per year for fiscal years 2009 through 2013, and much of this amount is accounted for by medical research facilities. With the services identifying recapitalization requirements ranging in the several billions of dollars, the current FYDP for medical construction is obviously and severely insufficient. The Department’s inventory of medical treatment facilities is riddled with aging hospitals, clinics, and other facilities that do not meet current standards for medical care. Adding to this problem is

the fact that several installations are adding thousands of personnel and dependents due to Base Realignment and Closure, the relocation of units from Europe and Korea to the United States, and the Growing the Force initiative that will add 92,000 active duty personnel to the Army and Marine Corps. The amended bill therefore recommends \$863,321,000 for additional medical treatment facility construction. These funds will provide for the Army’s top two priority hospital replacement projects in the United States as well as a top priority hospital addition for the Marine Corps.

The Department of Defense is also directed to develop a comprehensive master plan for medical treatment facilities construction, to include both recapitalization and new requirements. This plan shall include a comprehensive priority list of projects for all

services, provide a cost estimate for each project, supply data on the current state of facilities and the projected change in demand for services due to growth for each location on the list, indicate the extent to which identified construction requirements are programmed in the FYDP, and indicate the resources required for associated planning and design work. This report shall be submitted to the Committees on Appropriations of both Houses of Congress no later than December 31, 2008.

FAMILY HOUSING CONSTRUCTION, NAVY AND MARINE CORPS

The amended bill recommends \$11,766,000 for Family Housing Construction, Navy and Marine Corps. The funds are provided as follows:

(In thousands of dollars)

Location	Project description	Request	Recommendation
CA: Camp Pendleton	Public-Private Venture, Phase 6B	10,692	10,692
CA: Twentynine Palms	Public-Private Venture, Phase 2A	1,074	1,074
Total .....	.....	11,766	11,766

DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT 2005

The amended bill recommends \$1,278,886,000 for Department of Defense Base Closure Account 2005 instead of \$1,202,886,000 as requested by the Administration. The amount provided fully funds the Administration’s request to expedite medical facility construction at Bethesda and Fort Belvoir, and provides an additional \$862,976,000 for BRAC 2005 implementation.

DEPARTMENT OF VETERANS AFFAIRS

DEPARTMENTAL ADMINISTRATION

GENERAL OPERATING EXPENSES

The amended bill recommends \$100,000,000 for General Operating Expenses to implement the provisions of title V of this Act.

INFORMATION TECHNOLOGY SYSTEMS

The amended bill recommends \$20,000,000 for Information Technology Systems to implement the provisions of title V of this Act, including support for any personnel increases within the Veterans Benefits Administration.

CONSTRUCTION, MAJOR PROJECTS

The amended bill recommends \$396,377,000 for Construction, Major Projects to accelerate and complete planned major construction of Level I polytrauma rehabilitation centers as identified in the Department of Veterans Affairs’ Five Year Capital Plan.

Polytrauma Center Initiative.—The nature of combat in Iraq and Afghanistan has resulted in new patterns of polytraumatic injuries and disabilities requiring specialized intensive rehabilitation and high coordination of care. Operating under a national Memorandum of Agreement with the Department of Defense (DOD), the Department of Veterans Affairs (VA) polytrauma rehabilitation

centers continue to provide treatment and care to severely injured combat personnel requiring polytrauma inpatient rehabilitation. The medical care the VA is providing to military personnel is exceptional. However, space in the existing polytrauma facilities is dated, with cramped quarters and treatment facilities scattered throughout hospital campuses. These inefficiencies prove to be difficult for patients with mobility issues, compromised immune systems, and those suffering from psychological wounds. In an effort to accelerate the VA's planned expansion and consolidation of polytrauma rehabilitation centers on existing hospital campuses as outlined in the Department's February 2008 Five Year Capital Plan, the amended bill recommends providing \$396,377,000 to fully fund the design and construction of these crucial projects.

GENERAL PROVISIONS, THIS CHAPTER
The amended bill includes the following general provisions for this chapter:

Section 1301 provides an additional appropriation for Military Construction, Army for the acceleration of barracks improvements at Army installations.
Section 1302 relates to the Armed Forces Institute of Pathology.
Section 1303 relates to the collection of certain debts owed to the Department of Veterans Affairs by service members killed in a combat zone.

**CHAPTER 4—DEPARTMENT OF STATE
AND FOREIGN OPERATIONS
SUBCHAPTER A—SUPPLEMENTAL
APPROPRIATIONS FOR FISCAL YEAR 2008
INTRODUCTION**

The budget request totals \$5,073,608,000 in emergency supplemental funds for fiscal year 2008, and the Department of State, Foreign Operations and Related Programs Appropriations Act, 2008 (Public Law 110-161) provided \$1,473,800,000 for immediate requirements. The amended bill provides for Department of State, Foreign Operations and Re-

lated Programs a total of \$5,164,108,000, which is \$90,500,000 above the pending budget request.

**DEPARTMENT OF STATE
ADMINISTRATION OF FOREIGN AFFAIRS
DIPLOMATIC AND CONSULAR PROGRAMS**

The budget request included \$2,283,008,000 for Diplomatic and Consular Programs, of which \$575,000,000 was appropriated in the Department of State, Foreign Operations and Related Programs Appropriations Act, 2008 (Public Law 110-161) for operations and security at the United States Embassy in Iraq.

The amended bill includes an additional \$1,465,700,000 for Diplomatic and Consular Programs, which is \$242,308,000 below the pending request. Within the amount provided, \$210,400,000 is for worldwide security protection. Funds for diplomatic and consular programs are to be allocated as follows:

DIPLOMATIC AND CONSULAR PROGRAMS (In thousands of dollars)			
Activity	Pending request	Amended bill	Change from request
Iraq Diplomatic Operations	1,545,608	1,150,000	-395,608
Afghanistan—Operations and Worldwide Security Protection	162,400	200,200	+37,800
Pakistan—Operations		7,500	+7,500
Western Hemisphere Travel Initiative		1,000	+1,000
Worldwide Security Protection		48,000	+48,000
Civilian Workforce Initiative		55,000	+55,000
Public Diplomacy		4,000	+4,000
Total, Diplomatic and Consular Programs	1,708,008	1,465,700	-242,308

Afghanistan.—Within the total, the amended bill includes \$200,200,000, which is \$37,800,000 above the request, for necessary expenses for diplomatic and security operations in Afghanistan. Of this amount, \$162,400,000 is for enhanced security operations, including additional high threat protection teams, increased overhead cover and physical security measures, replacement of armored vehicles, and local guard service. In addition, \$19,000,000 is for the establishment of a Department of State-managed air transport capability in Afghanistan for Department of State and United States Agency for International Development (USAID) personnel to manage country programs, provide support for medical evacuation, and other security-related operations. Finally, \$18,800,000 is for support of operations and personnel for Provincial Reconstruction Teams (PRTs) in Afghanistan.

Iraq.—Within the total, \$1,150,000,000 is for the diplomatic and security operations of the United States Mission in Iraq, which is \$395,608,000 below the pending request. The cost of operations of the United States Mission in Iraq totals \$2,141,000,000 for fiscal year 2008, including \$1,150,000,000 provided in this Act, \$575,000,000 provided as bridge funding in Public Law 110-161 and \$416,000,000 in funds carried over from prior year appropriations. Nearly \$900,000,000 is requested for supporting security requirements for diplomatic and development personnel in Iraq.

The amended bill includes funding for mission operations, security, logistics support, information technology, and operations of PRTs. Congress has provided an additional \$196,543,000 since fiscal year 2006 for follow-on facilities requirements identified by the Department of State, as follows: extend the perimeter wall; construct a dining facility; construct additional housing; construct a tactical operations center for Diplomatic Security; construct a static guard camp; and construct overhead cover. The actual cost of building the New Embassy Compound (NEC) has reached a total of \$788,543,000 to date.

The number of permanent and temporary personnel assigned to Iraq, with the excep-

tion of USAID, should be decreased to accommodate all personnel within the NEC and any improvements can be made with previously appropriated funds. USAID will play a critical role in assisting the Government of Iraq in effectively allocating its budgetary resources.

The additional \$43,804,000 requested for follow-on projects for the NEC in Baghdad is not included. At least \$77,027,000 in prior year funding programmed for follow-on projects is available for obligation and these funds should be used to provide additional secure housing for a smaller number of personnel.

None of the funds provided under this heading in this Act shall be made available for follow-on projects, other than the proposed funding for overhead cover. The Department of State should include a detailed plan for the use of funds for follow-on projects as part of the spending plan required by this Act.

Due to an extended accreditation and verification process and the addition of follow-on projects, occupancy of the NEC offices and housing has been delayed. This rigorous process to address and validate whether the NEC was constructed to code and contract specifications was supported. Now that the process is complete, occupancy of the offices and housing should proceed without delay in order to provide the maximum protection to United States personnel.

The rationale for co-location of the Departments of State and Defense in the NEC is recognized. However, the proposed New Office Building and the Interim Office Building reconfigurations are projected to delay occupancy of NEC offices by up to one year. Given the difficult security environment in Baghdad, this lengthy delay is not acceptable. The Departments of State and Defense are expected to consult with the Committees on Appropriations on options for moving forward with limited co-location plans in the most accelerated, secure, and cost-effective manner. Any future construction in Iraq shall be subject to the Capital Security Cost Sharing Program, in the same manner as all

other embassy construction projects worldwide.

There is a concern that private security contractors have been utilized without the necessary authority, oversight, or accountability. The Department of State is directed to provide a report to the Committees on Appropriations not later than 45 days after enactment of this Act on the implementation status of each of the recommendations of the October 2007 report of the Secretary of State's Panel on Personal Protective Services. The Department of State is encouraged to aggressively review security procedures and seek the necessary authority to ensure that increased security is achieved with effective oversight and accountability.

The Secretary of State should take appropriate steps to ensure that assistance for Iraq is not provided to or through any individual, private entity or educational institution that the Secretary knows or has reason to believe advocates, plans, sponsors, or engages in, terrorist activities.

Pakistan.—The amended bill includes \$7,500,000 for operations, security, and personnel engaged in diplomatic activities to promote economic and political development in the Federally Administered Tribal Areas along the Pakistan and Afghanistan border.

Sudan.—The amended bill includes resources to support the diplomatic mission in Sudan including the United States Special Envoy for Sudan.

Buying Power Maintenance Account.—The amended bill provides authority to transfer funds available in this Act, and in a prior Act, to the Buying Power Maintenance Account in accordance with section 24 of the State Department Basic Authorities Act, to manage exchange rate losses in fiscal year 2008.

Civilian Workforce Initiative.—The amended bill provides \$55,000,000 to increase the civilian diplomatic capacity of the Department of State to meet the increasing and complex demands of diplomacy in the 21st century. Within the total, \$30,000,000 is for the initial development and deployment of a civilian

capacity to respond to post-conflict stabilization and reconstruction challenges and \$25,000,000 is to strengthen capabilities of the United States diplomatic corps and promote broader engagement with the rest of the world, including expanding training and enhanced interagency collaboration.

The amended bill includes funds to replace Foreign Service positions worldwide, which were previously moved to Iraq and to increase the number of positions participating in critical needs foreign language training. The Department of State has transferred approximately 300 Foreign Service positions from embassies around the world to Iraq and to associated language training, leaving key posts understaffed. These funds are to be used to support United States foreign policy in priority, understaffed regions, particularly South and East Asia, the Western Hemisphere, and Africa.

Funds made available for the civilian stabilization initiative are for the Active and Standby Response Corps portion of the initiative and to enhance operations of the Office of the Coordinator for Reconstruction and Stabilization. In addition to the funds provided to the Department of State, \$25,000,000 is appropriated in this Act under the heading "Operating Expenses of the United States Agency for International Development" to implement the USAID portion of the civilian stabilization initiative. The funding request for the Civilian Response Corps will be considered as part of the fiscal year 2009 appropriations process and none of the funds provided in this Act are to be used to implement the Civilian Response Corps portion of the initiative.

Diplomatic Security-Worldwide Security Protection.—The amended bill also includes \$48,000,000 above the request for worldwide security protection. The amount provided is available to restore 100 positions in the diplomatic security personnel that were redirected to Iraq to address urgent security requirements for United States personnel elsewhere in the world.

Directorate of Defense Trade Controls.—Increased demands on the Directorate of Defense Trade Controls' Office of Defense Trade Controls Licensing have led to delays in license processing. The Secretary of State is directed to review the workload demands and staffing needs of the office and report any recommendations to the Committees on Appropriations not later than 45 days after enactment of this Act.

Middle East Peace Process.—The security and support requirements for the personnel and operations that accompany the Middle East peace process have been, and should continue to be, supported through the operations funds available in fiscal year 2008. Any additional requirements associated with these activities will be considered during the fiscal year 2009 appropriations process.

Public Diplomacy.—The amended bill includes \$4,000,000 for the Office of Public Diplomacy and Public Affairs to expand new media for targeted Arabic language television programs for the purpose of fostering cultural, educational, and professional dialogues through indigenous Arabic language satellite media.

Western Hemisphere Travel Initiative.—The amended bill recommends not less than \$1,000,000 to expand public outreach efforts related to implementation of the Western Hemisphere Travel Initiative (WHTI). With WHTI implementation occurring as early as June 2009, there is concern about the lack of a comprehensive, coordinated plan between the Department of State, the Department of Homeland Security, and the United States Postal Service to broadly disseminate information to the traveling public concerning the final WHTI implementation require-

ments at the Nation's land and sea ports. The Department of State is encouraged to provide significantly increased outreach to border communities, including through radio, print media, and additional passport fairs.

OFFICE OF INSPECTOR GENERAL (INCLUDING TRANSFER OF FUNDS)

The amended bill includes an additional \$9,500,000 for Office of Inspector General (OIG) at the Department of State, which is \$9,500,000 above the pending request. Of the total, \$5,000,000 is to enhance the Department of State Inspector General's oversight of programs in Iraq and Afghanistan, \$2,500,000 is for operations of the Special Inspector General for Iraq Reconstruction (SIGIR), and \$2,000,000 is for operations of the Special Inspector General for Afghanistan Reconstruction (SIGAR).

The Department of State OIG, USAID OIG, SIGIR, and SIGAR each have independent oversight responsibilities in Iraq and Afghanistan. The inspectors general should, to the maximum extent practicable, coordinate, and de-conflict all activities related to oversight of assistance programs for the reconstruction of Iraq and Afghanistan to ensure that oversight resources are used effectively and are not unnecessarily duplicative.

To ensure continuity of oversight of permanent United States Missions, the USAID OIG and the Department of State OIG are expected to actively participate in oversight of all programs funded by this Act and prior Acts making appropriations for the Department of State and foreign operations, in particular oversight of diplomatic and development operations and facilities. Joint oversight with SIGIR or SIGAR is strongly encouraged; however once fully staffed, the Department of State OIG or the USAID OIG should, to the maximum extent practicable, be designated as the lead for any joint oversight conducted with SIGIR or SIGAR of funds involving diplomatic operations and facilities in Iraq and Afghanistan.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The amended bill includes an additional \$76,700,000 for urgent embassy security, construction, and maintenance costs, which is \$83,300,000 below the request. The funds are to construct 300 secure apartments and a secure office building, including the necessary perimeter security, utility, and dining facilities, for United States Mission staff in Afghanistan. Currently, there are a small number of permanent construction apartments and the majority of diplomatic and Mission personnel live in structures with limited protection. Additional funds for this purpose are provided in subchapter B.

INTERNATIONAL ORGANIZATIONS CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The amended bill includes \$66,000,000 for Contributions to International Organizations, which is for United States contributions to the U.N. Assistance Mission in Afghanistan and the U.N. Assistance Mission in Iraq. Funding is also provided to meet fiscal year 2008 assessed dues to organizations whose missions are critical to protecting United States national security interests, including the North Atlantic Treaty Organization, the International Atomic Energy Agency, and the Organization for the Prohibition of Chemical Weapons.

The Department of State is directed not later than 45 days after enactment of this Act, to provide a report to the Committees on Appropriations detailing total United States-assessed contributions, any arrears from prior years and potential arrears for fiscal years 2008 and 2009 for each of the organizations funded under this heading.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The budget request included \$723,600,000 for Contributions for International Peacekeeping Activities, of which \$390,000,000 of funds designated as an emergency was provided in the Department of State, Foreign Operations and Related Programs Appropriations Act, 2008 (Public Law 110-161) for the United States contribution to the United Nations/African Union (UN/AU) hybrid peacekeeping mission to Darfur (UNAMID).

The amended bill includes an additional \$373,708,000 for assessed costs to U.N. peacekeeping operations. Within the total under this heading, not less than \$333,600,000 is provided for UNAMID, which is the same as the request. Additionally, the amended bill includes \$40,108,000 to meet unmet fiscal year 2008 assessed dues for the international peacekeeping missions to countries such as the Democratic Republic of the Congo, Côte d'Ivoire, Haiti, Liberia, and Sudan.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The amended bill includes an additional \$2,000,000 for International Broadcasting Operations to continue increased broadcasting to Tibet.

BILATERAL ECONOMIC ASSISTANCE FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL DISASTER ASSISTANCE

The budget request included \$80,000,000 for International Disaster Assistance. The Department of State, Foreign Operations and Related Programs Appropriations Act, 2008 (Public Law 110-161) provided \$110,000,000 for emergency humanitarian requirements.

The amended bill includes \$220,000,000 for International Disaster Assistance, which is \$220,000,000 above the pending request. These funds should be used to respond to urgent humanitarian requirements worldwide, including in Burma, Bangladesh, the People's Republic of China, and countries severely affected by the international food crisis.

USAID is directed to substantially increase food assistance for Haiti to address critical food shortages and malnutrition. Preventing hunger and combating poverty in Haiti should be a USAID priority.

As the State Peace and Development Council (SPDC) has compounded the humanitarian crisis in Burma by failing to respond to the needs of the Burmese people in the wake of Cyclone Nargis and by refusing offers of assistance from the international community, the Department of State and USAID should seek to avoid providing assistance to or through the SPDC.

The amended bill also includes funds under this heading and the heading "Development Assistance" in subchapter B to help address the international food crisis. Programs should address both rural and urban food requirements.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The budget request included \$61,800,000 for Operating Expenses of the United States Agency for International Development, of which \$20,800,000 was provided in the Department of State, Foreign Operations and Related Programs Appropriations Act, 2008 (Public Law 110-161) for operations in Iraq.

The amended bill includes \$150,500,000 for Operating Expenses of the United States Agency for International Development.

Of the funds provided under this heading, the amended bill includes \$41,000,000 to continue support for security needs in Iraq and Afghanistan, which is the same as the request. In addition, \$30,000,000 is included to increase support for staffing, security, and

operating needs in Afghanistan and Sudan, and \$19,500,000 in Pakistan.

The amended bill also includes \$25,000,000 to support the development and deployment of a civilian capacity to respond to post-conflict stabilization and reconstruction needs. Funds made available for the civilian stabilization initiative are for the Active and Standby Response Corps portion of the initiative and none of the funds provided in this Act may be used to develop the Civilian Response Corps. Additional funding for this initiative is provided in the "Diplomatic and Consular Programs" account for the Department of State portion of the initiative.

In addition, the amended bill includes \$35,000,000 to enable USAID to hire above attrition in fiscal year 2008. The Administration's request for fiscal year 2009 includes \$92,000,000 for hiring 300 USAID foreign service officers as part of a three-year initiative. Funding provided in this Act is intended to support the hiring of additional Foreign Service officers in fiscal year 2008 in order to begin rebuilding the capacity of the Agency to carry out its mission. USAID is directed to consult with the Committees on Appropriations on the use of these funds and to recruit mid-career personnel. As USAID seeks to strengthen its workforce, USAID is encouraged to consult with the Department of Defense on ways to benefit from the experience of retiring officers, including establishment of a transition program.

OPERATING EXPENSES OF THE UNITED STATES
AGENCY FOR INTERNATIONAL DEVELOPMENT
OFFICE OF INSPECTOR GENERAL

The amended bill includes an additional \$4,000,000 for the United States Agency for International Development Office of Inspector General to support increased oversight of programs in Iraq and Afghanistan.

OTHER BILATERAL ECONOMIC
ASSISTANCE

ECONOMIC SUPPORT FUND

The budget request included \$2,217,000,000 for Economic Support Fund (ESF), of which \$208,000,000 was provided in the Department of State, Foreign Operations and Related Programs Appropriations Act, 2008 (Public Law 110-161) for emergency requirements in the West Bank and in North Korea, as requested.

The amended bill includes \$1,882,500,000 for ESF, which is \$126,500,000 below the request. An additional \$75,000,000 is provided under the heading Democracy Fund for political development programs for Iraq. Funds are to be allocated as follows:

ECONOMIC SUPPORT FUND

(In thousands of dollars)

Country and region	Amended bill
Afghanistan	859,000
Bangladesh	25,000
Central America	25,000
Central African Republic	1,000

IRAQ PROGRAMS

(In thousands of dollars)

ECONOMIC SUPPORT FUND—Continued

(In thousands of dollars)

Country and region	Amended bill
Chad	2,000
Democratic Republic of the Congo	12,500
Iraq	424,000
Jordan	175,000
Kenya	12,000
Mexico	20,000
Nepal	7,000
North Korea	53,000
Philippines	15,000
Sri Lanka	6,000
Sudan	45,000
Thailand	2,500
Uganda	17,500
West Bank and Gaza	171,000
Zimbabwe	5,000
Exchanges Africa	5,000
Total	1,882,500

Iraq.—The amended bill includes \$424,000,000 for Iraq, which is \$373,000,000 below the request. The sums provided enable the Department of State and USAID to continue programs in Iraq through the end of fiscal year 2008 and into the first two quarters of fiscal year 2009. After providing more than \$45,000,000,000 to help rebuild Iraq, the United States should reduce bilateral assistance levels and reduce the number of Department of State personnel involved in the reconstruction effort who are located in Iraq. Funds provided for Iraq are to be allocated as follows:

Activity	Pending request	Amended bill	Change from request
Provincial Reconstruction Teams (PRTs)	165,000	139,000	−26,000
Provincial Reconstruction Development Councils	100,000	85,000	−15,000
Local Governance Program	65,000	54,000	−11,000
Community Stabilization Program (CSP)	155,000	100,000	−55,000
Community Action Program (CAP) .....	.....	75,000	+75,000
Infrastructure Security Protection for Oil, Water and Electricity	70,000	.....	−70,000
Operations and Maintenance of Key USG-Funded Infrastructure	134,000	10,000	−124,000
Iraqi-American Enterprise Fund	25,000	.....	−25,000
Provincial Economic Growth (including Agriculture and Microfinance) .....	.....	25,000	+25,000
National Capacity Development	248,000	70,000	−178,000
Marla Fund .....	.....	5,000	+5,000
Total	797,000	424,000	−373,000

Community Action Program (CAP).—The amended bill includes \$75,000,000 for continued support for the Community Action Program.

Community Stabilization Program (CSP).—The amended bill includes \$100,000,000 for the CSP, which is \$55,000,000 below the request. Recent findings of a March 18, 2008 USAID Inspector General audit (E-267-08-001-P) of possible fraud and misuse of some CSP funds are of concern. Therefore the amended bill withholds 50 percent of funding until the Secretary of State certifies and reports that USAID is implementing recommendations contained in the audit to ensure proper use of funds.

Enterprise Fund.—The amended bill does not include any funding for the creation, capitalization, operation, or support of any enterprise fund in Iraq. The Department of State is directed not to reprogram any funds made available by this or prior Acts for an enterprise or enterprise-related fund in Iraq.

Infrastructure Security Protection for Oil, Water, and Electricity.—The amended bill does not include funding for these functions, which should be supported by the Government of Iraq.

Marla Ruzicka Iraqi War Victims Fund.—The amended bill includes \$5,000,000 for the Marla Ruzicka Iraqi War Victims Fund for continued assistance for Iraqi civilians who suffer losses as a result of the military operations.

National Capacity Development (NCD).—Within the amount provided in ESF for Iraq, \$70,000,000 is provided for NCD, which is \$178,000,000 below the request. The Government of Iraq should assume increasing responsibility for the cost of these activities.

Operations and Maintenance of Key U.S. Government-Funded Infrastructure.—The

amended bill includes \$10,000,000 for operations and maintenance of key United States government-funded infrastructure, which is \$124,000,000 below the request. These functions should be funded by the Government of Iraq and this Act includes sufficient funding to allow the United States to provide technical assistance and training. In addition, the amended bill conditions the funds on the signing and implementation of an asset transfer agreement between the United States and Iraq.

Provincial Economic Growth.—The amended bill includes \$25,000,000 for provincial economic growth activities.

Vulnerable Groups.—Up to \$10,000,000 of funds made available for Iraq in this chapter, including from the Migration and Refugee Assistance and International Disaster Assistance accounts, should be made available for programs to assist vulnerable Iraqi religious and ethnic minority groups, including Christians. The Secretary of State should designate staff at United States Embassy Baghdad to oversee and coordinate such assistance.

Afghanistan.—The amended bill includes \$859,000,000 in ESF for Afghanistan, which is \$25,000,000 above the request. USAID is directed to review its reconstruction efforts in Afghanistan; focus its assistance, including capacity building, through local Afghan entities; give greater attention to accountability and monitoring to minimize corruption; and emphasize programs which directly improve the economic, social, and political status of Afghan women and girls. Funds provided for Afghanistan are to be allocated as follows:

AFGHANISTAN PROGRAMS

[In thousands of dollars]

Activity	Pending request	Amended bill	Change from request
Civilian Assistance Program		10,000	+ 10,000
Governance and Capacity Building	135,000	165,000	+ 30,000
2009 Elections	100,000	70,000	- 30,000
National Solidarity Program	40,000	65,000	+ 25,000
Health and Education	50,000	75,000	+ 25,000
North Atlantic Treaty Organization POHRF		2,000	+ 2,000
Power	175,000	150,000	- 25,000
Provincial Reconstruction Teams (PRTs)/Provincial Governance		50,000	+ 50,000
Roads	329,000	200,000	- 129,000
Rural Development/Alternative Livelihoods		65,000	+ 65,000
Trade and Investment	5,000	7,000	+ 2,000
Total	834,000	859,000	+ 25,000

Civilian Assistance.—The amended bill includes \$10,000,000 for USAID's Afghan Civilian Assistance Program to continue assistance for civilians who have suffered losses as a result of the military operations, and \$2,000,000 for the NATO/ISAF Post-Operations Humanitarian Relief Fund.

Governance and Capacity Building.—The amended bill provides \$165,000,000 for governance and capacity building programs, which is \$30,000,000 above the request, to fund rule of law, human rights, and local and national capacity building.

National Solidarity Program.—The amended bill includes \$65,000,000 for the National Solidarity Program to support small-scale development initiatives. The funding shall be programmed in a manner consistent with the Afghan National Development Strategy.

Power.—The amended bill includes \$150,000,000 for power, which is \$25,000,000 below the request. The request includes funding for gas and diesel power projects and there is a concern that diesel generators are costly to maintain and will exacerbate Kabul's already heavily polluted air. The completion of the north-south transmission line to enable Afghanistan to purchase electricity from its northern neighbors for distribution to other areas of the country is supported. Funding for the Northern Electrical Power System or the Sheberghan Gas-Fired Plant is not included. The World Bank should play a larger role in financing such infrastructure projects.

It is noted that Afghanistan has considerable potential for small hydro and solar power development to service Afghanistan's many remote communities that have no other access to electricity, and not less than \$15,000,000 of the funds shall be used for renewable energy projects in rural areas.

Provincial Reconstruction Teams.—The amended bill provides \$50,000,000 for PRTs in Afghanistan.

Roads.—The amended bill includes \$200,000,000 for roads, which is \$129,000,000 below the request.

Rural Development and Alternative Livelihoods.—The amended bill includes \$65,000,000 for rural development and alternative livelihood programs and an additional \$35,000,000 for counternarcotics under the "International Narcotics Control and Law Enforcement" account to expand counternarcotics programs in Afghanistan. The Secretary of State is directed to consult with the Committees on Appropriations on the use of these funds.

2009 Elections.—The amended bill includes \$70,000,000 for preparations for the 2009 elections.

Bangladesh.—The amended bill includes \$25,000,000 for assistance for Bangladesh for cyclone recovery and reconstruction assistance.

Central America.—The amended bill includes \$25,000,000 for the countries of Central America in fiscal year 2008, in addition to funds otherwise made available for assist-

ance for these countries, for a program to be called the "Economic and Social Development Fund for Central America", of which \$20,000,000 is to be administered by USAID, in consultation with the Department of State. The purpose of the program is to promote economic and social development and good governance in targeted, low-income areas, including rural communities that are particularly vulnerable to drug trafficking and related violence and organized crime. These funds should support programs that emphasize community initiatives and public-private partnerships. United States funds should be matched with contributions from public and private sources to the maximum extent practicable. USAID is directed to consult with the Committees on Appropriations prior to the obligation of these funds. Of the funds available, \$5,000,000 shall be administered by the Bureau of Educational and Cultural Affairs for educational exchanges with the countries of Central America.

Democratic Republic of the Congo.—The amended bill includes \$12,500,000 for assistance for eastern Democratic Republic of the Congo for urgent conflict mitigation and recovery programs and for programs relating to sexual violence against women and girls. Of this amount, not less than \$1,000,000 is to establish and support a training center for health workers who provide care and treatment for victims of sexual violence, and not less than \$2,000,000 is for training military and civilian investigators, prosecutors, and judges to bring the perpetrators of such crimes to justice.

Exchanges with Africa.—The amended bill includes \$5,000,000 for educational exchanges with countries in Africa, specifically to counter extremism. These funds should be administered by the Bureau of Educational and Cultural Affairs.

Jordan.—The amended bill includes a total of \$200,000,000 for economic assistance for Jordan, of which \$175,000,000 is appropriated under this heading, and \$25,000,000 is appropriated through a general provision. The Government of Jordan remains a key ally and has played a leading role in supporting peace initiatives in the Middle East. Programming of these resources should be done in consultation with the Government of Jordan and refugee relief organizations and funds should be used to meet the needs of Iraqi refugees. The Secretary of State, after consultation with the Government of Jordan, the United Nations, and international organizations and non-governmental organizations with a presence in Iraq, is directed to submit a report to the Committees on Appropriations not later than 45 days after enactment of this Act detailing (1) short- and medium-term options the United States and other countries and organizations could pursue to assist Iraqis in Jordan to maintain their educational and vocational skills and earn income; and (2) longer term options that the United States and the Government of Jordan can take to address the economic,

social and health needs of refugees from Iraq, including the feasibility of extending temporary residence status for Iraqis registered with the United Nations High Commissioner for Refugees.

Kenya.—The amended bill includes \$12,000,000 for assistance for Kenya for political, ethnic and tribal reconciliation activities.

Mexico.—The amended bill includes \$20,000,000 for assistance for Mexico for institution building and support of civil society. Funding for these purposes was requested through the International Narcotics and Law Enforcement (INCLE) account. The amended bill includes \$5,000,000 for human rights training for police, prosecutors, and prison officials; \$3,000,000 for victim and witness protection; and \$3,000,000 to support NGOs and civil society. The amended bill also includes \$5,000,000 for a literacy program for local police. USAID is encouraged to work with non-governmental organizations, civil society, and local police to replicate the literacy program being implemented in Nezahualcoyotl, Mexico. The amended bill also includes funding for the Office of the UN High Commissioner for Human Rights in Mexico (OHCHR). The Department of State is directed to work with the Mexican Government, the OHCHR, and civil society organizations in Mexico to promote respect for human rights by Mexican police and military forces.

Nepal.—The amended bill includes \$7,000,000 for assistance for Nepal to strengthen democracy and support the peace process, including the demobilization and reintegration of ex-combatants, and for economic development programs in rural communities affected by conflict.

North Korea.—The amended bill includes up to \$53,000,000 for energy-related assistance for North Korea in support of the goals of the Six-Party Talks Agreement, in addition to the \$53,000,000 appropriated in division J of Public Law 110-161, which is the same as the total amount requested. Prior to the obligation of assistance for North Korea, the Secretary of State is directed to report to the Committees on Appropriations that North Korea is continuing to fulfill its commitments under the Six-Party Talks Agreement.

Pakistan.—The amended bill does not include funding for assistance for Pakistan in this subchapter. These needs are addressed in funding appropriated in the fiscal year 2009 bridge.

Philippines.—The amended bill includes \$15,000,000 for assistance for the Philippines for programs to further peace and reconciliation in the southern Philippines, and recognizes the shared interest between the United States and the Philippines in combating terrorism in this region.

Sri Lanka.—The amended bill includes \$6,000,000 for assistance for Sri Lanka to be provided through USAID to support economic development programs in the eastern region of Sri Lanka to solidify recent gains

against the Liberation Tigers of Tamil Eelam. These funds should be used to assist Tamil and Muslim minorities in Sri Lanka.

Sudan.—The amended bill includes \$45,000,000 for assistance for Sudan to support election-related activities.

Thailand.—The amended bill includes \$2,500,000 for assistance for Thailand to address economic and social development needs in southern Thailand. The Department of State is directed to consult with the Committees on Appropriations prior to the obligation of these funds.

Uganda.—The amended bill includes \$17,500,000 for assistance for northern Uganda. These funds should be used to support economic development, governance, assistance for war victims, and reintegration of ex-combatants.

West Bank and Gaza.—The amended bill includes not more than \$171,000,000 for economic assistance for the West Bank and Gaza, which is \$24,000,000 below the request. The Department of State is directed to provide a report to the Committees on Appropriations not later than 90 days after the enactment of this Act on how United States economic assistance for the West Bank supports the larger Palestinian Reform and Development Plan as well as a description of other donor support of this plan. The report should describe how assistance from the United States and other donors will improve conditions in the West Bank, including through job creation and housing programs.

Zimbabwe.—The amended bill includes \$5,000,000 for assistance for Zimbabwe to support political reconciliation activities.

DEPARTMENT OF STATE

DEMOCRACY FUND

The amended bill includes \$76,000,000 for Democracy Fund programs, requested under the heading "Economic Support Fund", to be made available as follows:

Chad.—The amended bill includes \$1,000,000 for democracy activities in Chad.

Iraq.—The amended bill includes \$75,000,000 for democracy activities in Iraq. These funds are intended to be available through non-governmental organizations, including the National Endowment for Democracy, and not less than \$8,000,000 for the United States Institute of Peace. These funds should be awarded expeditiously to prevent interruption of current operations.

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The amended bill includes \$390,300,000 for International Narcotics Control and Law Enforcement (INCLE) activities in Afghanistan, Iraq, Mexico, Central America, Haiti, the Dominican Republic, and the West Bank, which is \$343,700,000 below the request. The Secretary of State is directed to consult with the Committees on Appropriations on the use of these funds.

Iraq.—The amended bill includes \$85,000,000 for Iraq for justice and rule of law programs, which is \$74,000,000 below the request. Funding for prison construction is not included.

Afghanistan.—The amended bill includes \$35,000,000, which is \$35,000,000 above the request, to support programs to strengthen counternarcotics efforts, to improve the training of the Afghan police, including border police, to advance the development of institutional capacity professionalism of the justice sector, and to help facilitate cooperation between the police and the judiciary at both the national and regional levels. The Department of State is directed to report to the Committees on Appropriations not later than 180 days after enactment of this Act on the level of counternarcotics cooperation by the Government of Afghanistan at the national and regional level and should detail,

nationally and by province, the steps that the Government of Afghanistan is taking to arrest and prosecute leaders of Afghan drug cartels; disarm and disband private militias; and end corruption among national and provincial police forces.

Central America.—The amended bill includes \$24,800,000 for assistance for Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, and Panama, and an additional \$5,000,000 for Haiti and the Dominican Republic under the Merida Initiative. Although funding was requested only through the INCLE account, funding for the Merida Initiative is provided in the accounts from which such activities are traditionally funded. The amended bill provides funding for specialized police training and non-lethal equipment to strengthen the law enforcement and criminal justice institutions for the purpose of combating drug trafficking and related violent crime and increasing the capacity and professionalism of Central American police forces.

Impunity within the military and police forces of several of these countries and corruption within their justice systems is of concern. The Secretary of State is directed to submit a report in writing on mechanisms in place to ensure eligibility of recipients of United States assistance.

The omission of Haiti and the Dominican Republic from the request for the Merida Initiative makes it more likely that these vulnerable countries would become increasingly favored transit routes for drug traffickers. The amended bill includes \$2,500,000 for Haiti and \$2,500,000 for the Dominican Republic as part of the Merida Initiative to support counternarcotics and border security programs, anti-corruption, judicial reform, institution-building, and rule of law programs.

Mexico.—There is a shared responsibility between the United States and Mexico to combat drug trafficking and related violence and organized crime. The amended bill includes \$215,500,000 to support programs to enable the Government of Mexico to respond to these threats in accordance with the rule of law. The amended bill includes \$10,000,000 for demand reduction and drug rehabilitation activities; \$3,000,000 to provide technical and other assistance to enable the Government of Mexico to put into service a unified national police registry; and not more than \$24,000,000 for program development and support. To the extent possible, any equipment and technology purchases should be interoperable based on open standards with the equipment and technology being used by their United States Government counterparts.

Corruption and impunity within Mexico's military and police forces are of concern. Recommendations of the National Human Rights Commission have been ignored and investigations of violations of human rights by Mexican military and police forces rarely result in convictions. The Secretary of State, in consultation with relevant Mexican Government authorities, is directed to report to the Committees on Appropriations that mechanisms are in place to ensure eligibility of recipients of United States assistance.

There is concern with the failure to investigate and prosecute the police officers responsible for human rights violations, including rape and sexual violence against women, at San Salvador Atenco on May 3-4, 2006, and in Oaxaca between June and December 2006. These and other such violations by members of the Mexican military and police forces have been documented and require thorough, credible and transparent investigation and prosecution by the Mexican Attorney General.

The state and Federal investigations into the October 27, 2006, killing in Oaxaca of

American citizen Bradley Will have been flawed and the Secretary of State is directed, not later than 45 days after enactment of this Act and 120 days thereafter, to submit a report to the Committees on Appropriations detailing progress in conducting a thorough, credible, and transparent investigation to identify the perpetrators of this crime and bring them to justice. The Department of State should work with Mexican Government authorities and relevant Federal government agencies of the United States to assist in the investigation of this case.

West Bank.—The amended bill includes \$25,000,000 for ongoing training of vetted units of the Palestinian National Security Forces, which is the same as the request.

MIGRATION AND REFUGEE ASSISTANCE

The budget request included \$230,000,000 for Migration and Refugee Assistance, of which \$200,000,000 was provided in the Department of State, Foreign Operations and Related Programs Appropriations Act, 2008 (Public Law 110-161) for emergency refugee requirements in Iraq and the West Bank and Gaza.

The amended bill includes \$315,000,000 for Migration and Refugee Assistance, which is \$285,000,000 above the pending request. Funds should be made available to meet unmet global refugee needs, including to assist Iraqi refugees in Jordan, Syria, Lebanon, Turkey, Egypt, and the surrounding region, as well as internally displaced persons in Iraq. Funds may also be used, if necessary, for the admissions costs of Iraqis granted special immigrant status under the Special Immigrant Visa program authorized by the National Defense Authorization Act of 2008. In addition, funds may be used to offset administrative costs associated with the expanded requirements of the Iraqi refugee program, in consultation with the Committees on Appropriations.

The humanitarian crisis involving Iraqi refugees and internally displaced persons is of concern and the Government of Iraq has dedicated insufficient resources to assist this most vulnerable segment of the Iraqi population. The Department of State shall urge the Government of Iraq to provide a substantial increase in funding for humanitarian assistance to the Iraqi refugee population residing in the region and within the country. In addition, the Secretary of State should ensure that the Senior Coordinator for Iraqi Refugee Issues gives particular attention to the needs of vulnerable minority groups, including ethnic and religious minorities.

The welfare and security of the 7,900 Lao Hmong in the Thai military camp in Petchaboon, northern Thailand is of concern and the Department of State is directed to urge the Government of Thailand to support a transparent screening process to identify those who have a legitimate fear of return to Laos. Any attempt to force the return of Hmong refugees to Laos is strongly opposed.

UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND

The amended bill includes \$31,000,000 for the United States Emergency Refugee and Migration Assistance Fund to prevent depletion of this emergency fund.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND RELATED PROGRAMS

The amended bill includes \$13,700,000 for Nonproliferation, Anti-terrorism, Demining and Related Programs (NADR), which is \$8,700,000 above the request.

Of these funds, \$5,000,000 is for presidential protective service support in Afghanistan, which is the same as the request, and \$2,500,000 is for a United States contribution to the Comprehensive Test Ban Treaty International Monitoring System.

Central America.—The amended bill also includes \$6,200,000 for the Merida Initiative for

the countries of Central America, which is \$6,200,000 above the request. Although funding for these purposes was requested only through the INCLE account, funding has been provided in the NADR account, from which such activities are traditionally funded.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

FOREIGN MILITARY FINANCING PROGRAM

The amended bill includes \$137,500,000 for Foreign Military Financing Program, which is \$137,500,000 above the request.

Central America.—The amended bill includes \$4,000,000 to augment the ongoing naval cooperation program and maritime security assistance to strengthen the ability of the countries of Central America to improve maritime security and interdiction capabilities, including to complement existing regional systems and programs.

Jordan.—The amended bill includes a total of \$50,000,000 for military assistance for Jordan, of which \$17,000,000 is appropriated under this heading and \$33,000,000 is appropriated through a general provision.

Mexico.—The amended bill includes \$116,500,000 in support of military-to-military cooperation between the United States and Mexico.

SUBCHAPTER B—BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009

The budget request totals \$3,605,000,000 in emergency supplemental funds for fiscal year 2009. The amended bill provides a total of \$3,679,500,000 for the Department of State, Foreign Operations and Related Programs for fiscal year 2009 emergency supplemental requirements, which is \$74,500,000 above the request.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

The amended bill includes \$704,900,000 for Diplomatic and Consular Programs. Within this amount, \$78,400,000 is available for worldwide security protection and not more than \$550,500,000 is available as a bridge fund for Iraq operations.

To meet increased security and personnel requirements, the amended bill includes \$89,400,000 for Afghanistan, \$7,000,000 for Pakistan, \$3,000,000 for Somalia, and \$15,000,000 for Sudan. In addition, the amended bill includes \$40,000,000 to continue the support of new positions to develop language and other critical skills of the diplomatic corps and for civilian post-conflict stabilization initiatives.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

The amended bill includes \$57,000,000 for Office of Inspector General at the Department of State, of which \$15,500,000 is to continue oversight of programs in Iraq and Afghanistan, and the Middle East.

Special Inspector General for Iraq Reconstruction (SIGIR).—The amended bill includes \$36,500,000 for SIGIR for continued oversight of United States reconstruction programs in Iraq, as authorized by section 3001 of Public Law 108-106.

Special Inspector General for Afghanistan Reconstruction (SIGAR).—The amended bill includes \$5,000,000 for SIGAR, which is \$5,000,000 above the request, and which is authorized by section 1229 of Public Law 110-181. Such funds shall be used for oversight of United States reconstruction programs in Afghanistan. None of the funds shall be used to duplicate investigations that have been conducted or to support offices or systems of inspectors general at the Department of

State or USAID. SIGAR should co-locate staff and “back office” support systems with other inspectors general to the extent feasible.

EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

The amended bill includes \$41,300,000 for urgent embassy security, construction, and maintenance costs. Funds should be used to construct safe and secure office space for the increasing number of diplomatic and development personnel living and working in Kabul, Afghanistan.

INTERNATIONAL ORGANIZATIONS

CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

The amended bill includes \$75,000,000 for Contributions to International Organizations.

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The amended bill includes \$150,500,000 for Contributions for International Peacekeeping Activities to fund the Administration's revised estimate of the United States-assessed contribution to international peacekeeping.

RELATED AGENCY

BROADCASTING BOARD OF GOVERNORS

INTERNATIONAL BROADCASTING OPERATIONS

The amended bill includes \$6,000,000 for International Broadcasting Operations.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

GLOBAL HEALTH AND CHILD SURVIVAL

The amended bill includes \$75,000,000 for Global Health and Child Survival to continue programs to combat avian influenza.

DEVELOPMENT ASSISTANCE

The amended bill includes \$200,000,000 for Development Assistance, which is for a new Food Security Initiative to promote food security in countries affected by significant food shortages, such as programs to assist farmers to increase crop yields, including in Darfur. Of this amount, up to \$50,000,000 should be used for local and regional purchase. The Secretary of State is directed to submit a report to the Committees on Appropriations not later than 45 days after enactment of this Act, and prior to the initial obligation of funds, on the proposed uses of funds to alleviate starvation, hunger, and malnutrition overseas, including a list of those countries facing significant food shortages.

INTERNATIONAL DISASTER ASSISTANCE

The amended bill includes \$200,000,000 for International Disaster Assistance to meet urgent humanitarian requirements worldwide, including support for critical needs in Bangladesh, Burma, and the People's Republic of China. A portion of these funds should be used for assistance for internally displaced persons in Iraq and Afghanistan. In addition, funds are available under this heading to assist in the response to the international food crisis.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

The amended bill includes \$93,000,000 for Operating Expenses of the United States Agency for International Development to address staffing, security, and operating needs.

OPERATING EXPENSES OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT OFFICE OF INSPECTOR GENERAL

The amended bill includes \$1,000,000 for Operating Expenses of the United States Agency for International Development Office of Inspector General.

OTHER BILATERAL ECONOMIC ASSISTANCE

ECONOMIC SUPPORT FUND

The amended bill includes \$1,124,800,000 for Economic Support Fund to address critical health, economic, and security needs. These funds are to be allocated as follows:

ECONOMIC SUPPORT FUND

(In thousands of dollars)

Country and region	Amended bill
Afghanistan	455,000
Bangladesh	50,000
Burma	5,300
Central African Republic	2,000
Chad	5,000
Democratic Republic of the Congo	10,000
Iraq	102,500
Jordan	100,000
Kenya	25,000
North Korea	15,000
Pakistan	150,000
Sudan	25,000
Uganda	15,000
West Bank and Gaza	150,000
Zimbabwe	15,000
Total	1,124,800

Afghanistan.—The amended bill includes \$455,000,000 for assistance for Afghanistan.

Governance and Capacity Building.—The amended bill includes \$20,000,000 for the National Solidarity Program to support small-scale development initiatives; and not less than \$35,000,000 for preparations for the 2009 elections. The funding shall be programmed in a manner consistent with the Afghan National Development Strategy.

Rural Development and Alternative Livelihoods.—The amended bill includes not less than \$35,000,000 for rural development and alternative livelihoods.

Bangladesh.—The amended bill includes \$50,000,000 for cyclone recovery and reconstruction assistance.

Burma.—The amended bill includes \$5,300,000 for assistance for Burma for humanitarian programs along the Thai-Burma border.

Iraq.—The amended bill includes \$102,500,000 for assistance for Iraq.

Community Action Program (CAP).—The amended bill includes \$32,500,000 for continued support for the Community Action Program.

Community Stabilization Program (CSP).—The amended bill includes \$32,500,000 for continued support for the Community Stabilization Program.

Marla Ruzicka Iraqi War Victims Fund.—The amended bill includes \$2,500,000 for the Marla Ruzicka Iraqi War Victims Fund for continued assistance for Iraqi civilians who suffer losses as a result of the military operations.

Provincial Reconstruction Teams (PRTs).—The amended bill includes \$35,000,000 for continued support for the Provincial Reconstruction Teams.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT

The amended bill includes \$199,000,000 for International Narcotics Control and Law Enforcement activities in Iraq, Afghanistan, the West Bank, Mexico, and Africa. The Secretary of State is directed to consult with the Committees on Appropriations on the use of these funds.

MIGRATION AND REFUGEE ASSISTANCE

The amended bill includes \$350,000,000 for Migration and Refugee Assistance to respond to urgent humanitarian and refugee admissions requirements, including those involving refugees from Iraq, Afghanistan, and central Africa.

NONPROLIFERATION, ANTI-TERRORISM, DEMINING, AND RELATED PROGRAMS

The amended bill includes \$4,500,000 for Nonproliferation, Anti-terrorism, Demining

and Related Programs, for humanitarian demining in Iraq.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT FOREIGN MILITARY FINANCING PROGRAM

The amended bill includes \$302,500,000 for Foreign Military Financing Program, of which \$100,000,000 is for assistance for Jordan, \$170,000,000 is for assistance for Israel, and \$32,500,000 is for assistance for Lebanon.

PEACEKEEPING OPERATIONS

The amended bill includes \$95,000,000 for Peacekeeping Operations for programs in Africa to address needs beyond those projected in the fiscal year 2009 budget request, including for Darfur and \$10,000,000 for Peacekeeping Operations in the Democratic Republic of the Congo (DRC). These funds are made available to support infantry battalions of the DRC armed forces, to protect vulnerable civilians in the eastern region of the country, and should be made available in accordance with thorough vetting procedures. The Department of State should ensure that trained units are being provided professional leadership, appropriate training in human rights, and adequate pay.

SUBCHAPTER C—GENERAL PROVISIONS, THIS CHAPTER

The amended bill includes the following general provisions for this chapter:

EXTENSION OF AUTHORITIES

Section 1401 extends certain authorities necessary to expend Department of State and foreign assistance funds.

IRAQ

Section 1402 imposes certain conditions and limitations on assistance for Iraq and requires reports.

AFGHANISTAN

Section 1403 imposes certain conditions and limitations on assistance for Afghanistan and requires a report.

WEST BANK

Section 1404 directs the Department of State to provide a report to the Committees on Appropriations not later than 90 days after enactment of this Act, and 180 days thereafter, on the Palestinian security assistance program.

WAIVER OF CERTAIN SANCTIONS AGAINST NORTH KOREA

Section 1405 grants waiver authority to the President with respect to certain assistance to North Korea and the “Glenn Amendment,” which established automatic sanctions in the Arms Export Control Act on non-nuclear weapon states that detonate a nuclear device.

MEXICO

Section 1406 sets a ceiling on funding for Mexico at \$400,000,000. The provision also provides a restriction on the use of funding for budget support or cash payments and restricts obligation of 15 percent of the funding provided under the headings “Foreign Military Financing Program” and “International Narcotics Control and Law Enforcement” until the Secretary of State submits a report in writing.

CENTRAL AMERICA

Section 1407 states that \$65,000,000 may be made available for the countries of Central America, Haiti and the Dominican Republic and prohibits the use of funding for budget support or cash payments. The provision restricts obligation of 15 percent of the funding provided under the headings “Foreign Military Financing Program” and “International Narcotics Control and Law Enforcement” for the military and police forces until the Secretary of State submits a report in writing.

BUYING POWER MAINTENANCE ACCOUNT (INCLUDING TRANSFERS OF FUNDS)

Section 1408 provides authority to utilize \$26,000,000 from appropriations for Diplomatic and Consular Programs from a prior Act and authority to transfer up to an additional \$74,000,000 of the funds made available by this Act to the Buying Power Maintenance Account to manage exchange rate losses in fiscal year 2008. The Department of State shall consult on any proposed transfers resulting from this authority. The Department of State estimates the impact of currency fluctuations to be at least \$260,000,000 on United States diplomatic operations worldwide.

In addition, the provision includes authority to transfer unobligated and expired balances after fiscal year 2008 into the Buying Power Maintenance Account to address future exchange rate losses. The Secretary of State shall submit a report to the Committees on Appropriations not later than October 15, 2008, on the amount transferred by this authority in this or any fiscal year, the total amount of exchange rate losses in fiscal year 2008, and the accumulated impact of losses from prior years.

Finally, authority is granted to the Broadcasting Board of Governors to transfer unobligated and expired balances after fiscal year 2008 into its Buying Power Maintenance Account.

SERBIA

Section 1409 authorizes the Secretary of State to withhold funds related to reimbursement of costs associated with damage to the United States Embassy in Belgrade resulting from the February 21, 2008, attack.

RESCISSIONS

Section 1410 rescinds prior year funds and makes them available for a contribution to the World Food Program and for programs in the INCLE account. The provision also rescinds prior year funds from the Iraq Relief and Reconstruction Fund.

DARFUR PEACEKEEPING

Section 1411 authorizes the President to utilize prior year Foreign Military Financing Program and Peacekeeping Operations funds for transfer or lease of helicopters or related equipment necessary for operations of the AU/UN hybrid peacekeeping mission in Darfur.

TIBET

Section 1412 provides up to \$5,000,000 for the establishment of a United States Consulate in Lhasa, Tibet, under the headings “Diplomatic and Consular Programs” and “Embassy Security, Construction and Maintenance” in this and prior Acts, and recommends certain actions regarding the opening of such a consulate.

The Secretary of State is directed to submit a report to the Committees on Appropriations not later than 90 days after enactment of this Act detailing efforts taken by the Department of State to establish a United States Consulate in Lhasa, Tibet, and a description of any policies or programs by the Government of the People's Republic of China aimed at undermining public support for Tibet including in the media, academia, and political arenas.

JORDAN

(INCLUDING RESCISSION OF FUNDS)

Section 1413 provides \$58,000,000 for assistance for Jordan, which is offset by a rescission of an equal amount from the Millennium Challenge Corporation.

ALLOCATIONS

Section 1414 requires that funds in the specified accounts shall be allocated as indicated in the respective tables in this explan-

atory statement. Any change to these allocations shall be subject to the regular notification procedures of the Committees on Appropriations.

REPROGRAMMING AUTHORITY

Section 1415 allows for reprogramming of funds made available in prior years to address critical food shortages, subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations.

SPENDING PLANS AND NOTIFICATION PROCEDURES

Section 1416 requires the Secretary of State to provide detailed spending plans to the Committees on Appropriations on the uses of funds appropriated in subchapters A and B. These funds are also subject to the regular notification procedures of the Committees on Appropriations.

TERMS AND CONDITIONS

Section 1417 establishes that unless designated otherwise in this chapter, the terms and conditions contained within the Department of State, Foreign Operations and Related Programs Appropriations Act, 2008 (Public Law 110-161) shall apply to funds appropriated by this chapter, with the exception of section 699K.

TITLE II—DOMESTIC MATTERS

CHAPTER 1—FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

The amended bill provides an additional \$150,000,000 for Food and Drug Administration, Salaries and Expenses, available until September 30, 2009. FDA is directed to provide the Committees on Appropriations monthly expenditures reports on the use of these funds.

CHAPTER 2—COMMERCE, JUSTICE, AND SCIENCE

DEPARTMENT OF COMMERCE

BUREAU OF THE CENSUS

PERIODIC CENSUSES AND PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The amended bill includes \$210,000,000 for increased costs associated with the poor management of the 2010 Decennial Census. Within the funds provided, not less than \$50,300,000 shall be used to restore funding associated with the approved March 26, 2008 reprogramming within the Bureau of the Census. Funds transferred pursuant to the reprogramming to address immediate shortfalls within the Field Data Collection Automation contract from the American Community Survey, Census Coverage Measurement activities, and other Census activities may result in increased risk and other unintended consequences to other parts of the Census. The \$50,300,000 shall be available solely to complete previously planned activities and address vacancies in the aforementioned areas in order to reduce risk and ensure a successful 2010 Decennial Census.

The Census Bureau shall submit to the Committees on Appropriations of the Senate and the House of Representatives, within 30 days of enactment of this Act, a detailed plan showing a timeline of milestones and expenditures for the 2010 Decennial Census, and shall include a quantitative assessment of the associated risk to the program as it is currently constituted. In addition, the Inspector General shall submit quarterly reports to the Committees on Appropriations, until the conclusion of the 2010 Decennial Census, detailing the progress of the revised plan for the execution of the 2010 Decennial

Census and any unanticipated slippages from the revised 2010 milestones, as well as reassessing the associated risk to the program. The Census Bureau is directed to provide the Inspector General with any required information so that the quarterly reports can begin 60 days after submission of the plan.

Because rising costs associated with the 2010 Decennial Census and the Department's and the Bureau's lack of contract oversight are cause for particular concern, the bill includes not less than \$3,000,000 for the Department's Office of the Inspector General for Census contract oversight activities and not less than \$1,000,000 solely for a reimbursable agreement with the Defense Contract Management Agency to review and improve Census contract management.

DEPARTMENT OF JUSTICE
FEDERAL PRISON SYSTEM
SALARIES AND EXPENSES

The amended bill includes \$178,000,000 for additional costs of the Bureau of Prisons (BOP) related to the custody and care of inmates and the maintenance and operation of correctional and penal institutions. The BOP has been chronically underfunded in recent budget requests, due to consistently underestimated growth in inmate populations and inadequate funding requests for medical expenses. As a result, BOP facilities face rising staff-to-inmate ratios, placing corrections officers and inmates at unacceptable risk of violence. The amended bill includes funding for FCI Pollock activation costs and for inmate drug abuse treatment required by law. The Administration is urged to re-estimate BOP fixed costs and prisoner population for fiscal year 2009 and to provide the House and Senate Committees on Appropriations with those estimates no later than August 1, 2008. Further, the BOP is directed to notify the Committees of current staff-to-inmate ratios at all Federal prisons on a monthly basis.

OTHER AGENCIES

NATIONAL AERONAUTICS AND SPACE
ADMINISTRATION

SCIENCE, AERONAUTICS AND EXPLORATION

The amended bill includes \$62,500,000 for Science, Aeronautics and Exploration.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

The amended bill includes \$22,500,000 for Research and Related Activities, of which \$5,000,000 shall be available solely for activities authorized by section 7002(b)(2)(A)(iv) of Public Law 110-69.

EDUCATION AND HUMAN RESOURCES

The amended bill includes \$40,000,000 for Education and Related Activities of which \$20,000,000 is for section 10 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n-1) and \$20,000,000, is for activities authorized by section 10A of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n-1a).

CHAPTER 3—ENERGY

DEPARTMENT OF ENERGY
ENERGY PROGRAMS
SCIENCE

The amended bill includes an additional \$62,500,000 for Science. The Department of Energy is instructed to utilize this funding to eliminate all furloughs and reductions in force which are a direct result of budgetary constraints. Workforce reductions which are a result of completed work or realignment of mission should proceed as planned. This funding is intended to maintain technical expertise and capability at the Office of Science, and may be used for National Laboratory Research and Development including research related to new neutrino initiatives.

Funding for research efforts shall not be allocated until the Office of Science has fully funded all personnel requirements.

ENVIRONMENTAL AND OTHER DEFENSE
ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

The amended bill includes an additional \$62,500,000 for Defense Environmental Cleanup.

CHAPTER 4—LABOR AND HEALTH AND
HUMAN SERVICES

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

STATE UNEMPLOYMENT INSURANCE AND
EMPLOYMENT SERVICE OPERATIONS

The amended bill provides \$110,000,000 for Unemployment Compensation State Operations to compensate the States for the administrative costs of processing the Unemployment Insurance (UI) claims workload for the balance of fiscal year 2008. New UI claims are increasing, reaching a level in April 2008 nearly 18 percent greater than the previous year. States are beginning to experience service degradation in the form of call center delays for claimants, waiting times for adjudication of disputed claims, and reductions in program integrity activities, tax collection, and tax audits. While funding in the Consolidated Appropriations Act, 2008 is sufficient to cover the costs of processing 2.4 million Average Weekly Insured Unemployment (AWIU), claims have already climbed above 2.9 million AWIU. The amount provided will compensate States for the claims workload estimated by the Department of Labor up to the point where additional funds are released under a legislated trigger.

DEPARTMENT OF HEALTH AND HUMAN
SERVICES

NATIONAL INSTITUTES OF HEALTH

OFFICE OF THE DIRECTOR

(INCLUDING TRANSFER OF FUNDS)

The amended bill provides \$150,000,000 in additional funding for the National Institutes of Health to support additional scientific research. This funding is to be distributed on a pro-rata basis across the NIH institutes and centers.

CHAPTER 5—LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

PAYMENT TO WIDOWS AND HEIRS OF DECEASED
MEMBERS OF CONGRESS

The amended bill provides the customary death gratuity to Annette Lantos, widow of Tom Lantos, late a Representative from the State of California.

TITLE III—NATURAL DISASTER RELIEF
AND RECOVERY

CHAPTER 1—AGRICULTURE

DEPARTMENT OF AGRICULTURE

FARM SERVICE AGENCY

EMERGENCY CONSERVATION PROGRAM

The amended bill provides \$89,413,000 for the Emergency Conservation Program for disaster relief. The recent Midwest floods and tornadoes have added to disaster relief funding needs. Therefore, these funds are provided to meet these and other disaster relief funding needs.

NATURAL RESOURCES CONSERVATION SERVICE

EMERGENCY WATERSHED PROTECTION PROGRAM

The amended bill provides \$390,464,000 for the Emergency Watershed Protection Program for disaster relief. The recent Midwest floods and tornadoes have added to disaster relief funding needs. Therefore, these funds are provided to meet these and other disaster relief funding needs.

CHAPTER 2—COMMERCE

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE
PROGRAMS

The amended bill provides \$100,000,000 for economic development assistance in Presidentially-declared disaster areas to provide disaster relief, long-term recovery and restoration of infrastructure.

CHAPTER 3—CORPS OF ENGINEERS

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

Public Law 109-148, the 3rd emergency supplemental appropriations act of 2006, Public Law 109-234, the 4th emergency supplemental appropriations act of 2006, and Public Law 110-28, the emergency supplemental appropriations act of 2007, provided funds to repair and restore hurricane damaged projects, accelerate completion of New Orleans area flood and storm damage reduction projects, and provide 100-year storm protection for the greater New Orleans area. The scope and magnitude of the work required has increased with time. The current cost estimate requires \$5,761,000,000 in additional Federal funds and a non-Federal cost-share of \$1,527,000,000.

The Administration requested this funding under the Construction account in the fiscal year 2009 budget. The amended bill provides the full amount of the request as a supplemental appropriation to ensure the existing schedule for completion of 100-year protection for the greater New Orleans area by 2011 is met. However, \$2,926,000,000 is provided under Flood Control and Coastal Emergencies in order to provide continuity in appropriations for projects to repair, restore, and accelerate completion of the levels of protection authorized prior to Hurricane Katrina. None of the funds recommended for this purpose shall be available until October 1, 2008.

In addition, the amended bill provides \$605,988,800 to respond to recent natural disasters. The funding included under the Construction; Mississippi River and Tributaries; Operation and Maintenance; and Flood Control and Coastal Emergency accounts that reference natural disasters are provided to address nationwide disaster recovery and emergency situations and should not be construed to pertain exclusively to any single disaster event. The Corps shall prioritize all projects to ensure that the most critical health and safety risks are addressed.

CONSTRUCTION

The amended bill includes \$2,896,700,000 for Construction. Within the recommended funds, \$1,077,000,000 is provided to complete the 100-year storm protection for the Lake Pontchartrain and Vicinity project; \$920,000,000 is provided to complete the 100-year storm protection for the West Bank and Vicinity project; and \$838,000,000 is provided for elements of the Southeast Louisiana Urban Drainage project that are within the geographic perimeter of the West Bank and Vicinity projects and the Lake Pontchartrain and Vicinity project.

The amended bill includes a provision which requires the Lake Pontchartrain and Vicinity, West Bank and Vicinity and Southeast Louisiana projects be cost shared 65 percent Federal and 35 percent non-Federal as proposed by the Administration with a resulting Federal cost of \$2,835,000,000 and a non-Federal cost of \$1,527,000,000. While the amended bill includes specific statutory dollar amounts for the three projects, statutory language has been included that would allow the Administration to request a reprogramming of funds, if required. However, the

Corps should use this reprogramming ability sparingly.

Due to recent natural disasters, the Corps of Engineers has identified a number of projects that are currently under construction that have been damaged by storm and flood events. The amended bill includes \$61,700,000 for the Corps to repair and rehabilitate these construction projects that were affected by natural disasters.

MISSISSIPPI RIVER AND TRIBUTARIES

Due to recent natural disasters, the Corps of Engineers has identified a number of Federally-maintained construction and maintenance projects that have been damaged or otherwise impacted by storm and flood events. The amended bill includes \$17,590,000 for the Corps to repair and rehabilitate these projects that were affected by natural disasters.

OPERATION AND MAINTENANCE

Due to recent natural disasters, the Corps of Engineers has identified a number of navigation and flood damage reduction projects that have been impacted by storm and flood events. The amended bill provides \$298,344,000 for the Corps to restore navigation channels and harbors to pre-storm conditions; and to repair eligible flood damage reduction and other projects in States affected by natural disasters.

FLOOD CONTROL AND COASTAL EMERGENCIES

The amended bill provides \$3,152,854,800 for Flood Control and Coastal Emergencies. The funding includes, at full Federal expense, the following amounts: \$704,000,000 to modify the 17th Street, Orleans Avenue, and London Avenue drainage canals and install pumps and closure structures at or near the lakefront; \$90,000,000 for storm-proofing interior pump stations to ensure the operability of the stations during hurricanes, storms, and high water events; \$459,000,000 for armoring critical elements of the New Orleans hurricane and storm damage reduction system; \$53,000,000 to improve protection at the Inner Harbor Navigation Canal; \$456,000,000 to replace or modify certain non-Federal levees in Plaquemines Parish to incorporate the levees into the existing New Orleans to Venice hurricane protection project; \$412,000,000 for reinforcing or replacing flood walls, as necessary, in the existing Lake Pontchartrain and Vicinity project and the existing West Bank and Vicinity project to improve the performance of the systems; \$393,000,000 for repair and restoration of authorized protections and floodwalls; and \$359,000,000 to complete the authorized protection for the Lake Pontchartrain and Vicinity Project, for the West Bank and Vicinity Project and the New Orleans to Venice Project. While the Committee has recommended specific statutory dollar amounts for the projects identified under this heading, statutory language has been included that would allow the Administration to request a reprogramming of funds, if required. However, the Corps should use this reprogramming ability sparingly.

Due to recent natural disasters, the Corps of Engineers has identified a number of projects that have been damaged by storm and flood events. The amended bill includes \$226,854,800 for the Corps to prepare for flood, hurricane and other natural disasters and support emergency operations, repairs, and other activities in response to flood and hurricane emergencies, as authorized by law; to repair and rehabilitate eligible projects that were affected by natural disasters; and to fund claims processing and discovery costs associated with Hurricane Katrina lawsuits.

The amended bill includes a provision directing the Corps to continue the NEPA alternative evaluation of all options for permanent pumping of storm water in the New

Orleans metropolitan area with particular attention to Options 1, 2 and 2a and within 90 days of enactment of this Act provide the House and Senate Appropriation Committees cost estimates to implement Options 1, 2 and 2a of the above cited report. Current plans do not fully account for the operational challenges that arise during major storm events and are not, therefore, fully protective of public safety.

EXPENSES

The amended bill includes \$1,500,000 for additional oversight and management costs associated with Hurricane Katrina recovery efforts.

CHAPTER 4—SMALL BUSINESS SMALL BUSINESS ADMINISTRATION DISASTER LOANS PROGRAM ACCOUNT (INCLUDING TRANSFER OF FUNDS)

Based on early estimates of damages due to severe storms and flooding in a number of states, the amended bill includes \$164,939,000 in loan subsidy for the costs of providing direct loans for homeowners and business-owners so that they can recover from the effects of these disasters. The amended bill also includes a total of \$101,814,000 for the administrative costs for carrying out the loan program. These funds will provide for the on site presence of Small Business Administration (SBA) employees to assist disaster victims in obtaining low interest loans from the SBA. Funding will support additional to staff in call centers, disaster resource sites, and loan processing centers and for field inspections to verify damages and losses of homes and businesses. Funding is also necessary to hire additional attorneys to carry out the loan closing process, as well as staff to service the loans. Of this amount, \$6,000,000 may be transferred to the Salaries and Expenses account for indirect administrative expenses and \$1,000,000 is for the Office of Inspector General for audits and reviews of disaster loans.

CHAPTER 5—FEMA DISASTER RELIEF DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY DISASTER RELIEF

The amended bill provides an additional \$897,000,000 for Disaster Relief. The recent Midwest floods and tornadoes have added to disaster relief funding needs. The 1993 Midwest floods cost FEMA over \$1.1 billion fifteen years ago and the current damage is likely to cost at least this amount, but in inflated dollars. This funding is provided to partially meet these and other disaster relief funding needs.

CHAPTER 6—HOUSING AND URBAN DEVELOPMENT DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

PERMANENT SUPPORTIVE HOUSING

The amended bill includes funding for Louisiana Permanent Supportive Housing, in the amount of \$73,000,000. This is a new program, and the money is split between two accounts in the bill—the Homeless Assistance Grants and the Project-Based Rental Assistance programs. This program will provide funding for the 3,000 units of permanent supportive housing that are envisioned in the HUD-approved Louisiana Road Home Program. This will enable the promise of the Road Home Program to address the housing needs of our most vulnerable citizens, in particular extremely low-income homeless, disabled and frail elderly persons, to be fulfilled. Of the \$73,000,000 provided, \$20,000,000 will fund 2,000 project-based vouchers (funded for 1-year terms) with \$3,000,000 in administrative fees, and \$50,000,000 will fund 1,000 Shelter Plus Care units (funded for five-year terms).

These are the ideal and proven housing programs for creating permanent supportive housing for the populations in question. The program funds are provided to the State of Louisiana or its designee or designees, and language is included stating that the administering entity or entities can act as a public housing agency for purposes of administering the funding.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

The amended bill provides \$300,000,000 for the Community Development Fund for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure in areas for which the President declared a major disaster.

TITLE IV—EMERGENCY UNEMPLOYMENT COMPENSATION

The amended bill includes language providing a temporary extension of unemployment benefits to workers who have lost their jobs. Specifically, the amended bill provides up to 13 weeks of extended unemployment benefits in every State to workers exhausting regular unemployment compensation. The extended benefits program will terminate on March 31, 2009. The percentage of workers exhausting unemployment benefits is currently 37 percent, which is higher than at the beginning of any of the past five recessions. Not only will workers and their families benefit from extended benefits, providing this financial assistance also can reduce the severity and duration of an economic downturn. Experts agree that extending unemployment benefits is one of the most cost-effective and fast acting forms of economic stimulus because workers who have lost their paychecks have little choice but to spend these benefits quickly.

TITLE V—VETERANS EDUCATIONAL ASSISTANCE

Title V of the amended bill includes provisions designed to expand the educational benefits for men and women who have served in the armed forces since the terrorist attacks of September 11, 2001. The provisions will closely resemble the educational benefits provided to veterans returning from World War II.

The benefits included in title V would apply to all members of the military who have served on active duty, including activated reservists and National Guard. To qualify, veterans must have served at least three months of qualified active duty, beginning on or after September 11, 2001. The amended bill provides for benefits to be paid in amounts linked to the amount of active duty service.

In addition to tuition and other established charges, the benefit includes a monthly stipend for housing costs as well as tutorial assistance and licensure and certification tests.

The amended bill would create a new program in which the government will agree to match, dollar for dollar, any voluntary additional contributions to veterans from institutions whose tuition is more expensive than the maximum educational assistance provided in the amended bill.

In addition, title V allows for members of the armed services to transfer their benefits to their spouse or children.

Finally, the amended bill provides for the veterans to have up to fifteen years after they leave active duty to use their educational assistance entitlement. Veterans would be barred from receiving concurrent assistance from this program and another similar program.

**TITLE VI—ACCOUNTABILITY AND
TRANSPARENCY IN GOVERNMENT CON-
TRACTING**

**CHAPTER 1—CLOSE THE CONTRACTOR
FRAUD LOOPHOLE**

Chapter 1 of title VI is identical to the language of H.R. 5712, “Close the Contractor Fraud Loophole Act,” passed by the House on April 23, 2008 and was in the Senate amendment adopted on May 22, 2008. It closes a loophole in a proposed rule so that mandatory fraud reporting requirements would apply to U.S. contractors working overseas as well as to contractors working here at home.

**CHAPTER 2—GOVERNMENT FUNDING
TRANSPARENCY**

Chapter 2 of title VI is identical to the language of H.R. 3928, “Government Funding Transparency Act of 2007,” passed by the House on April 23, 2008 and was in the Senate amendment adopted on May 22, 2008. It requires any company or organization receiving at least \$25 million and 80 percent or more of their revenue from federal payments to disclose the compensation of their most highly-compensated officers.

TITLE VII—MEDICAID PROVISIONS

Title VII of the amended bill includes language extending the current moratorium to April 2009 on four Medicaid regulations pertaining to: graduate medical education payments; limits on payments to government safety net providers; rehabilitation services; and school-based administrative and specialized medical transportation services for children. The amended bill also establishes a moratorium for the same period for two Medicaid regulations pertaining to: health care provider taxes and targeted case management. The cost of the moratoria is fully offset over five and ten years in the amended bill by provisions that extend an asset

verification demonstration to all fifty States and reduce balances in the Physician Assistance and Quality Initiative Fund. These six moratoria are identical to those included in H.R. 5613, which was approved by the House by a 349-62 vote and were in the Senate amendment adopted on May 22, 2008.

The moratorium on these six regulations is included in the amended bill due to concerns about their potential negative impact on essential medical services for millions of people, particularly for seniors, people with disabilities, and children, and on the providers of these safety net services. These regulations also would have a far-reaching impact on graduate medical education, outreach and supportive services designed to help individuals get the medical care they need, and foster care services.

According to the Congressional Budget Office (CBO), these regulatory changes would reduce Federal Medicaid spending by more than \$17,500,000,000 over the next five years, shifting these costs to States and localities. These cuts would occur during an economic downturn when States and localities are least able to restore services. Further, the authorizing committees indicate that many of these regulations alter longstanding Medicaid policy without specific Congressional authorization.

Additional time is required to examine the potential impact of these regulations. Accordingly, the amended bill includes \$5,000,000 for a study to be completed no later than September 2009 by an independent entity to assess the prevalence of the problems in the Medicaid program the regulations were intended to address and their impact on each State. The amended bill also includes \$25,000,000 for the purpose of reducing fraud and abuse in the Medicaid program.

**TITLE VIII—GENERAL PROVISIONS, THIS
ACT**

The amended bill includes the following general provisions:

Section 8001 establishes the period of availability for obligation for appropriations provided in this Act.

Section 8002 provides that, unless otherwise noted, all appropriations in this Act are designated as emergency requirements and necessary to meet emergency needs pursuant to section 204(a) of S. Con. Res. 21 and section 301(b)(2) of S. Con. Res. 70, the congressional budget resolutions for fiscal years 2008 and 2009.

Section 8003 provides for a reduction of \$3,577,845,000 from the Procurement; Research, Development, Test and Evaluation; and Defense Working Capital headings within chapter 1 of title IX of this Act. The section also provides that the reduction shall be applied proportionally to each appropriation account under such headings, and to each program, project, and activity within each such appropriation account.

Section 8004 amends section 9310 of this Act, which prohibits the obligation or expenditure of funds available to the Department of Defense to implement any final action on joint basing initiatives. The amendment excepts funds deposited in the Department of Defense Base Closure Account 2005 from this restriction.

Section 8005 makes funds provided in Public Law 110-28, which remain available for obligation, within the operation and maintenance portion of the Defense Health Program for Post Traumatic Stress Disorder and Traumatic Brain Injury (TBI) available for psychological health and traumatic brain injury.

Section 8006 provides that this Act may be referred to as the “Supplemental Appropriations Act, 2008”.

HOUSE AMENDMENT TO SENATE AMENDMENT 2 TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request

TITLE I			
MILITARY CONSTRUCTION, VETERANS AFFAIRS, INTERNATIONAL AFFAIRS, AND OTHER SECURITY-RELATED MATTERS			
CHAPTER 1			
DEPARTMENT OF AGRICULTURE			
Foreign Agricultural Service			
Public Law 480 Title II Grants, FY 2008 (emergency)...	350,000	850,000	+500,000
Public Law 480 Title II Grants, FY 2009 (emergency)...	395,000	395,000	---
Total, Chapter 1.....	745,000	1,245,000	+500,000
CHAPTER 2			
DEPARTMENT OF JUSTICE			
Office of Inspector General (emergency).....	---	4,000	+4,000
Legal Activities			
Salaries and expenses, general legal activities (emergency).....	4,093	1,648	-2,445
Salaries and expenses, United States Attorneys (emergency).....	5,000	5,000	---
Total, Legal activities.....	9,093	6,648	-2,445
United States Marshals Service			
Salaries and expenses (emergency).....	14,921	28,621	+13,700
Federal Bureau of Investigation			
Salaries and expenses, FY 2008 (emergency).....	101,122	106,122	+5,000
Salaries and expenses, FY 2009 (emergency).....	39,062	82,600	+43,538
Total, Federal Bureau of Investigation.....	140,184	188,722	+48,538
Drug Enforcement Administration			
Salaries and expenses (emergency).....	8,468	29,861	+21,393
Bureau of Alcohol, Tobacco, Firearms and Explosives			
Salaries and expenses (emergency).....	4,000	4,000	---
Federal Prison System			
Salaries and expenses (emergency).....	9,100	9,100	---
Total, Chapter 2.....	185,766	270,952	+85,186
CHAPTER 3			
DEPARTMENT OF DEFENSE			
Military construction, Army (emergency).....	1,440,750	1,108,200	-332,550
Military construction, Navy and Marine Corps (emergency).....	237,505	355,907	+118,402
Military construction, Air Force (emergency).....	305,000	399,627	+94,627
Military construction, Defense-Wide (emergency).....	27,600	890,921	+863,321
Total, Active Components.....	2,010,855	2,754,655	+743,800

HOUSE AMENDMENT TO SENATE AMENDMENT 2 TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
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Family housing construction, Navy and Marine Corps (emergency).....	11,766	11,766	---
Base realignment and closure account 2005 (emergency).....	415,910	1,278,886	+862,976
Total, Department of Defense.....	2,438,531	4,045,307	+1,606,776
DEPARTMENT OF VETERANS AFFAIRS			
Departmental Administration			
General operating expenses (emergency).....	---	100,000	+100,000
Information technology systems (emergency).....	---	20,000	+20,000
Construction, major projects (emergency).....	---	396,377	+396,377
Total, Departmental Administration.....	---	516,377	+516,377
General Provisions			
Sec. 1301. Barracks improvements (emergency).....	---	200,000	+200,000
Total, Department of Veterans Affairs.....	---	716,377	+716,377
Total, Chapter 3.....	2,438,531	4,761,684	+2,323,153
CHAPTER 4			
SUBCHAPTER A			
SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2008			
DEPARTMENT OF STATE			
Administration of Foreign Affairs			
Diplomatic and consular programs (emergency).....	1,708,008	1,465,700	-242,308
Worldwide security protection.....	(162,400)	(210,400)	(+48,000)
Office of the Inspector General (emergency).....	---	9,500	+9,500
Embassy security, construction, and maintenance (emergency).....	160,000	76,700	-83,300
Total, Administration of Foreign Affairs.....	1,868,008	1,551,900	-316,108
International Organizations			
Contributions to international organizations (emergency).....	53,000	66,000	+13,000
Contributions for international peacekeeping activities, current year (emergency).....	333,600	373,708	+40,108
Total, International Organizations.....	386,600	439,708	+53,108
Total, Department of State.....	2,254,608	1,991,608	-263,000
RELATED AGENCY			
Broadcasting Board of Governors			
International broadcasting operations (emergency).....	---	2,000	+2,000
BILATERAL ECONOMIC ASSISTANCE			
Funds Appropriated to the President			
International disaster assistance (emergency).....	---	220,000	+220,000
Operating expenses of the United States Agency for International Development (emergency).....	41,000	150,500	+109,500

HOUSE AMENDMENT TO SENATE AMENDMENT 2 TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
Operating expenses of the US Agency for International Development, Office of Inspector General (emergency).....	---	4,000	+4,000
Other Bilateral Economic Assistance			
Economic support fund (emergency).....	2,009,000	1,882,500	-126,500
Department of State			
Democracy Fund (emergency).....	---	76,000	+76,000
International narcotics control and law enforcement (emergency).....	734,000	390,300	-343,700
Migration and refugee assistance (emergency).....	30,000	315,000	+285,000
U.S. Emergency Refugee and Migration Assistance Fund (emergency).....	---	31,000	+31,000
Nonproliferation, anti-terrorism, demining and related programs (emergency).....	5,000	13,700	+8,700
Total, Bilateral Economic Assistance.....	2,819,000	3,083,000	+264,000
MILITARY ASSISTANCE			
Funds Appropriated to the President			
Foreign Military Financing Program (emergency).....	---	137,500	+137,500
Total, Subchapter A.....	5,073,608	5,214,108	+140,500
SUBCHAPTER B			
BRIDGE FUND SUPPLEMENTAL APPROPRIATIONS FOR FISCAL YEAR 2009			
DEPARTMENT OF STATE			
Administration of Foreign Affairs			
Diplomatic and consular programs (emergency).....	1,064,450	704,900	-359,550
Worldwide security protection.....	(45,800)	(78,400)	(+32,600)
Office of the Inspector General (emergency).....	16,800	57,000	+40,200
Embassy security, construction, and maintenance (emergency).....	---	41,300	+41,300
Total, Administration of Foreign Affairs.....	1,081,250	803,200	-278,050
International Organizations			
Contributions to international organizations (emergency).....	40,000	75,000	+35,000
Contributions for international peacekeeping activities, current year (emergency).....	---	150,500	+150,500
Total, International Organizations.....	40,000	225,500	+185,500
Total, Department of State.....	1,121,250	1,028,700	-92,550
RELATED AGENCY			
Broadcasting Board of Governors			
International broadcasting operations (emergency).....	---	6,000	+6,000
BILATERAL ECONOMIC ASSISTANCE			
Funds Appropriated to the President			
Global health and child survival (emergency).....	---	75,000	+75,000
Development assistance (emergency).....	210,000	200,000	-10,000

HOUSE AMENDMENT TO SENATE AMENDMENT 2 TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request
International disaster assistance (emergency).....	270,000	200,000	-70,000
Operating expenses of the United States Agency for International Development (emergency).....	60,000	93,000	+33,000
Operating expenses of the US Agency for International Development, Office of Inspector General (emergency)	---	1,000	+1,000
Total, Funds Appropriated to the President.....	540,000	569,000	+29,000
Other Bilateral Economic Assistance			
Economic support fund (emergency).....	1,297,700	1,124,800	-172,900
Department of State			
International narcotics control and law enforcement (emergency).....	225,000	199,000	-26,000
Migration and refugee assistance (emergency).....	191,000	350,000	+159,000
Nonproliferation, anti-terrorism, demining and related programs (emergency).....	---	4,500	+4,500
Total, Department of State.....	416,000	553,500	+137,500
Total, Bilateral Economic Assistance.....	2,253,700	2,247,300	-6,400
MILITARY ASSISTANCE			
Funds Appropriated to the President			
Foreign Military Financing Program (emergency).....	170,000	302,500	+132,500
Peacekeeping operations (emergency).....	60,000	95,000	+35,000
Total, Military Assistance.....	230,000	397,500	+167,500
Total, Subchapter B.....	3,604,950	3,679,500	+74,550
SUBCHAPTER C - GENERAL PROVISIONS			
Sec. 1410:			
(a)(1) World Food Program.....	---	20,000	+20,000
(a)(2) Andean Counterdrug Initiative (rescission).	---	-20,000	-20,000
(b)(1) International narcotics control and law enforcement (Sudan).....	---	10,000	+10,000
(b)(2) International narcotics control and law enforcement (prior-year rescission).....	---	-10,000	-10,000
(c) Iraq Relief and Reconstruction Fund (rescission of emergency appropriations).....	---	-50,000	-50,000
Sec. 1413:			
(a)(b) Jordan.....	---	58,000	+58,000
(c) Millennium Challenge Corporation (rescission).	---	-58,000	-58,000
Total, Subchapter C.....	---	-50,000	-50,000
Total, Chapter 4.....	8,678,558	8,843,608	+165,050
GENERAL PROVISIONS			
DEPARTMENT OF HOMELAND SECURITY			
Customs and Border Protection			
Salaries and expenses (rescission).....	-50,000	---	+50,000
Total, title I.....	11,997,855	15,121,244	+3,123,389

HOUSE AMENDMENT TO SENATE AMENDMENT 2 TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request

TITLE II			
DOMESTIC MATTERS			
CHAPTER 1			
DEPARTMENT OF HEALTH AND HUMAN SERVICES			
Food and Drug Administration			
Salaries and expenses (emergency).....	---	150,000	+150,000
CHAPTER 2			
DEPARTMENT OF COMMERCE			
Bureau of the Census			
Periodic censuses and programs (emergency).....	---	210,000	+210,000
DEPARTMENT OF JUSTICE			
Federal Prison System			
Salaries and expenses (emergency).....	---	178,000	+178,000
OTHER AGENCIES			
National Aeronautics and Space Administration			
Science, aeronautics and exploration (emergency).....	---	62,500	+62,500
National Science Foundation			
Research and related activities (emergency).....	---	22,500	+22,500
Education and human resources (emergency).....	---	40,000	+40,000
Total, National Science Foundation.....	---	62,500	+62,500
Total, Other Agencies.....	---	125,000	+125,000
Total, Chapter 2.....	---	513,000	+513,000
CHAPTER 3			
DEPARTMENT OF ENERGY			
Energy Programs			
Science (emergency).....	---	62,500	+62,500
Environmental and Other Defense Activities			
Defense environmental cleanup (emergency).....	---	62,500	+62,500
Total, Chapter 3.....	---	125,000	+125,000
CHAPTER 4			
DEPARTMENT OF LABOR			
Employment and Training Administration			
State unemployment insurance and employment service operations (emergency).....	---	110,000	+110,000

HOUSE AMENDMENT TO SENATE AMENDMENT 2 TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request

DEPARTMENT OF HEALTH AND HUMAN SERVICES			
National Institutes of Health			
Office of the Director (emergency).....	---	150,000	+150,000
Total, Chapter 4.....	---	260,000	+260,000
CHAPTER 5			
HOUSE OF REPRESENTATIVES			
Payments to Widows and Heirs of Deceased Members of Congress.....	---	169	+169
Total, title II.....	---	1,048,169	+1,048,169
=====			
TITLE III			
NATURAL DISASTER RELIEF AND RECOVERY			
CHAPTER 1			
DEPARTMENT OF AGRICULTURE			
Farm Service Agency			
Emergency Conservation Program (emergency).....	---	89,413	+89,413
Natural Resources Conservation Service			
Emergency Watershed Protection Program.....	---	390,464	+390,464
Total, Chapter 1.....	---	479,877	+479,877
CHAPTER 2			
DEPARTMENT OF COMMERCE			
Economic Development Administration			
Economic development assistance programs (emergency)..	---	100,000	+100,000
CHAPTER 3			
DEPARTMENT OF THE ARMY			
Corps of Engineers - Civil			
Construction, general (emergency).....	---	61,700	+61,700
Construction, FY 2009 (emergency).....	5,761,000	2,835,000	-2,926,000
Mississippi River and tributaries (emergency).....	---	17,590	+17,590
Operation and maintenance (emergency).....	---	298,344	+298,344
Flood control and coastal emergencies.....	---	226,855	+226,855
Flood control and coastal emergencies, FY 2009(emerg.)	---	2,926,000	+2,926,000
Expenses (emergency).....	---	1,500	+1,500
Total, Chapter 3.....	5,761,000	6,366,989	+605,989

HOUSE AMENDMENT TO SENATE AMENDMENT 2 TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request

CHAPTER 4			
Small Business Administration			
Disaster Loans Program Account:			
Direct loans subsidy (emergency).....	---	164,939	+164,939
Administrative expenses (emergency).....	---	101,814	+101,814

Total, Chapter 4.....	---	266,753	+266,753
CHAPTER 5			
DEPARTMENT OF HOMELAND SECURITY			
Federal Emergency Management Agency			
Disaster Relief (emergency).....	---	897,000	+897,000
CHAPTER 6			
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT			
Permanent supportive housing (emergency).....	---	73,000	+73,000
Community Planning and Development			
Community Development Fund (emergency).....	---	300,000	+300,000

Total, Chapter 6.....	---	373,000	+373,000

Total, title III.....	5,761,000	8,483,619	+2,722,619
TITLE IV			
EMERGENCY UNEMPLOYMENT COMPENSATION			
Federal-State agreements, FY 2008 (emergency).....	---	4,790,000	+4,790,000
Federal-State agreements, FY 2009 (emergency).....	---	7,765,000	+7,765,000
	=====		
Total, title IV.....	---	12,555,000	+12,555,000
	=====		
TITLE V			
VETERANS EDUCATIONAL ASSISTANCE			
Veterans educational assistance, FY 2008 (emergency)...	---	50,000	+50,000
Veterans educational assistance, FY 2009 (emergency)...	---	746,000	+746,000
	=====		
Total, title V.....	---	796,000	+796,000
	=====		
TITLE VII			
MEDICAID PROVISIONS			
Medicaid moratorium, FY 2008 (emergency).....	---	305,000	+305,000
Medicaid moratorium, FY 2009 (emergency).....	---	805,000	+805,000
	=====		
Total, title VII.....	---	1,110,000	+1,110,000
	=====		

HOUSE AMENDMENT TO SENATE AMENDMENT 2 TO H.R. 2642
(Amounts in thousands)

	Request	Recommended	Recommended vs. Request

TITLE VIII			
GENERAL PROVISIONS			
Sec. 8003. General defense reduction (emergency).....	---	-3,577,845	-3,577,845
	=====	=====	=====
Grand total.....	17,758,855	35,536,187	+17,777,332
Appropriations.....	---	(88,169)	(+88,169)
Emergency appropriations.....	(17,808,855)	(35,586,018)	(+17,777,163)
Rescissions.....	(-50,000)	(-88,000)	(-38,000)
Rescissions of emergency funding.....	---	(-50,000)	(-50,000)
	=====	=====	=====

DISCLOSURE OF CONGRESSIONALLY DIRECTED
SPENDING ITEMS

Following is a list of congressionally directed spending items (as defined in rule XLIV of the Standing Rules of the Senate)

included in the House amendment discussed in this explanatory statement, along with the name of the Senator who submitted a request to the Committee of jurisdiction for the items so identified. The items were con-

tained in the Senate-passed amendment. Neither the amendment nor the explanatory statement contains any limited tax benefits or limited tariff benefits as defined in rule XLIV.

MILITARY CONSTRUCTION

(In thousands of dollars)

Account	State	Location	Project Title	Amount	Requested By
Army	Alaska	Fort Wainwright	Child Development Center	17,000	The Administration ¹
Army	California	Fort Irwin	Child Development Center	11,800	The Administration ¹
Navy	California	Camp Pendleton	Armory—5th Marine Regiment	10,890	The President
Navy	California	Camp Pendleton	Bachelor Quarters & Armory	34,970	The President
Navy	California	Camp Pendleton	Bachelor Quarters & Dining Facility	24,390	The President
Navy	California	Camp Pendleton	Company Headquarters—Military Police	8,240	The President
Navy	California	Camp Pendleton	Explosive Ordnance Detachment—Ops	13,090	The President
Navy	California	Camp Pendleton	Intelligence Surveillance Reconnaissance	1,114	The President
Navy	California	Camp Pendleton	Armory—Regimental & Battalion HQ	5,160	The President
Navy	California	Camp Pendleton	Armory—Intelligence Battalion	4,180	The President
Navy	California	Camp Pendleton	JIEDDO Battle Courses	9,270	The Administration ¹
Navy	California	China Lake	JIEDDO Battle Courses	7,210	The Administration ¹
Navy	California	Point Mugu	JIEDDO Battle Courses	7,250	The Administration ¹
Navy	California	San Diego	Child Development Center	17,930	The Administration ¹
Navy	California	Twentynine Palms	Regimental Headquarters Addition	4,440	The President
Navy	California	Twentynine Palms	JIEDDO Battle Courses	11,250	The Administration ¹
Air Force	California	Beale AFB	Child Development Center	17,600	The Administration ¹
Army	Colorado	Fort Carson	Child Development Center	8,400	The Administration ¹
Army	Colorado	Fort Carson	Soldier Family Assistance Center	8,100	The President
Navy	Florida	Eglin AFB	JIEDDO Battle Course Additions	780	The Administration ¹
Air Force	Florida	Eglin AFB	Child Development Center	11,000	The Administration ¹
Army	Georgia	Fort Gordon	Child Development Center	7,800	The Administration ¹
Army	Georgia	Fort Stewart	Soldier Family Assistance Center	6,000	The President
Defense-Wide	Georgia	Fort Benning	Hospital Replacement	350,000	(²)
Army	Hawaii	Schofield Barracks	Child Development Center	12,500	The Administration ¹
Army	Kansas	Fort Riley	Transitioning Warrior Support Complex	50,000	The President
Defense-Wide	Kansas	Fort Riley	Hospital Replacement	404,000	(²)
Army	Kentucky	Fort Campbell	Child Development Center	9,900	The Administration ¹
Army	Kentucky	Fort Campbell	Soldier Family Assistance Center	7,400	The President
Army	Kentucky	Fort Knox	Child Development Center	7,400	The Administration ¹
Army	Louisiana	Fort Polk	Soldier Family Assistance Center	4,900	The President
Navy	Mississippi	Gulftort	JIEDDO Battle Courses	6,570	The Administration ¹
Army	Missouri	Fort Leonard Wood	Starbase Complex 6, Phase 1	50,000	(²)
Air Force	New Jersey	McGuire AFB	JIEDDO Training Facility	6,200	The Administration ¹
Air Force	New Mexico	Cannon AFB	Child Development Center	8,000	The Administration ¹
Army	New York	Fort Drum	Warrior in Transition Facilities	38,000	The President
Army	North Carolina	Fort Bragg	Child Development Center	8,500	The Administration ¹
Navy	North Carolina	Camp Lejeune	Child Development Center	16,000	The Administration ¹
Navy	North Carolina	Camp Lejeune	JIEDDO Battle Courses	11,980	The Administration ¹
Navy	North Carolina	Camp Lejeune	Maintenance/Operations Complex	43,340	The President
Defense-Wide	North Carolina	Camp Lejeune	Hospital Addition/Alteration	64,300	(²)
Army	Oklahoma	Fort Sill	Child Development Center	9,000	The Administration ¹
Navy	South Carolina	Parris Island	Recruit Barracks	25,360	(²)
Army	Texas	Fort Bliss	Child Development Center	5,700	The Administration ¹
Army	Texas	Fort Bliss	Child Development Center	5,900	The Administration ¹
Army	Texas	Fort Bliss	Child Development Center	5,700	The Administration ¹
Army	Texas	Fort Hood	Child Development Center	7,200	The Administration ¹
Army	Texas	Fort Hood	Warrior in Transition Facilities	9,100	The President
Army	Texas	Fort Sam Houston	Child Development Center	7,000	The Administration ¹
Defense-Wide	Texas	Fort Sam Houston	Burn Rehab Unit	21,000	The President
Army	Virginia	Fort Lee	Child Development Center	7,400	The Administration ¹
Navy	Virginia	Yorktown	JIEDDO Battle Courses	8,070	The Administration ¹
Army	Afghanistan	Bagram	Administrative Building	13,800	The Administration ¹
Army	Afghanistan	Bagram	New Roads	27,000	The President
Army	Afghanistan	Bagram	Ammunition Supply Point	62,000	The President
Army	Afghanistan	Bagram	Power Plant	41,000	The President
Army	Afghanistan	Bagram	Bulk Fuel Storage & Supply, Phase 3	23,000	The President
Army	Afghanistan	Bagram	Bulk Fuel Storage & Supply, Phase 4	21,000	The President
Army	Afghanistan	Various Locations	CIED Road—Rte Alaska	16,500	The President
Army	Afghanistan	Bagram	Aircraft Maintenance Hangar	5,100	The President
Army	Afghanistan	Ghazni	Rotary Wing Parking	5,000	The President
Army	Afghanistan	Kabul	Consolidated Compound	36,000	The President
Army	Afghanistan	Various Locations	CIED Road—Rte Connecticut	54,000	The President
Air Force	Afghanistan	Bagram	Strategic Ramp	43,000	The President
Air Force	Afghanistan	Bagram	Parallel Taxiway, Phase 2	21,400	The President
Air Force	Afghanistan	Bagram	East Side Helo Ramp	44,400	The President
Air Force	Afghanistan	Kandahar	ISR Ramp	26,300	The President
Navy	Djibouti	Camp Lemonier	Network Infrastructure Expansion	6,270	The President
Navy	Djibouti	Camp Lemonier	Dining Facility	20,780	The Administration ¹
Navy	Djibouti	Camp Lemonier	Water Production	19,140	The President
Navy	Djibouti	Camp Lemonier	Full Length Taxiway	15,490	The Administration ¹
Navy	Djibouti	Camp Lemonier	Fuel Farm	4,000	The Administration ¹
Navy	Djibouti	Camp Lemonier	Western Taxiway	2,900	The Administration ¹
Army	Iraq	Camp Adder	Petro Oil & Lubricant Storage	10,000	The President
Army	Iraq	Camp Adder	Waste Water Treatment & Collection	9,800	The President
Army	Iraq	Camp Adder	Convoy Support Center Relocation, Phase 2	39,000	The President
Army	Iraq	Al Asad	Landfill Construction	3,100	The President
Army	Iraq	Al Asad	Hot Cargo Ramp	18,500	The President
Army	Iraq	Al Asad	South Airfield Apron (India Ramp)	28,000	The President
Army	Iraq	Camp Anaconda	Landfill Construction	6,200	The President
Army	Iraq	Camp Anaconda	Hazardous Waste Incinerator	4,300	The President
Army	Iraq	Camp Constitution	Juvenile TIFRIC	11,700	The President
Army	Iraq	Fallujah	Landfill Construction	880	The President
Army	Iraq	Camp Marez	Landfill Construction	880	The President
Army	Iraq	Q-West	North Entry Control Point	11,400	The President
Army	Iraq	Q-West	Perimeter Security Upgrade	14,600	The President
Army	Iraq	Camp Ramadi	Landfill Construction	880	The President
Army	Iraq	Scania	Entry Control Point	5,000	The President
Army	Iraq	Scania	Water Storage Tanks	9,200	The President
Army	Iraq	Camp Speicher	Military Control Point	5,800	The President
Army	Iraq	Camp Speicher	Landfill Construction	5,900	The President
Army	Iraq	Camp Speicher	Aviation Navigation Facilities	13,400	The President
Army	Iraq	Camp Taqqadum	Landfill Construction	880	The President
Army	Iraq	Camp Victory	Landfill Construction	6,200	The President
Army	Iraq	Camp Victory	Level 3 Hospital	13,400	The President
Army	Iraq	Camp Victory	Waste Water Treatment & Collection	9,800	The President
Army	Iraq	Camp Victory	Water Supply, Treatment & Storage, Phase 3	13,000	The President
Army	Iraq	Camp Victory	Water Treatment & Storage, Phase 2	18,000	The President
Army	Iraq	Camp Warrior	Landfill Construction	880	The President
Army	Iraq	Various Locations	Overhead Cover—eGlass	30,000	The President
Army	Iraq	Various Locations	Overhead Cover—eGlass, Phase 4	105,000	The President
Air Force	Iraq	Balad AB	Helicopter Maintenance Facilities	34,600	The President
Air Force	Iraq	Balad AB	Foxtrot Taxiway	12,700	The President

MILITARY CONSTRUCTION—Continued

(In thousands of dollars)

Account	State	Location	Project Title	Amount	Requested By
Air Force	Iraq	Balad AB	Fighter Ramp	11,000	The President
Army	Kuwait	Camp Arifjan	Communications Center	30,000	The President
Air Force	Kyrgyzstan	Manas AB	Strategic Ramp	30,300	The President
Air Force	Oman	Masirah AB	Expeditionary Beddown Site	6,300	The Administration ¹
Air Force	Qatar	Al Udeid	Facilities Replacement	30,000	The Administration ¹
Air Force	Qatar	Al Udeid	Close Air Support Parking Apron	60,400	The Administration ¹
Defense-Wide	Qatar	Al Udeid	Special Operations Forces Warehouse	6,600	The President

¹ These projects were requested by the Department of Defense subsequent to the submission of the President's budget request and were not included in the official budget request.

² These projects were added by the House Committee on Appropriations as a result of hearings, site visits, and departmental briefings on trainee and recruit facilities and medical treatment facilities.

CONGRESSIONALLY DIRECTED SPENDING ITEMS

Account	Project	Funding	Member
SUBCOMMITTEE ON ENERGY AND WATER DEVELOPMENT			
Corps of Engineers—Construction	In the aftermath of Hurricane Katrina, Lake Ponchartrain and Vicinity, LA	\$1,077,000,000	The President, Senators Landrieu, Vitter
Corps of Engineers—Construction	In the aftermath of Hurricane Katrina, West Bank and Vicinity, LA	920,000,000	The President, Senators Landrieu, Vitter
Corps of Engineers—Construction	In the aftermath of Hurricane Katrina, Southeast Louisiana, LA	838,000,000	The President, Senators Landrieu, Vitter
Corps of Engineers—Flood Control and Coastal Emergencies	In the aftermath of Hurricane Katrina, 17th Street, Orleans, and London Avenue Canal pumps and closures, LA	704,000,000	The President, Senators Landrieu, Vitter
Corps of Engineers—Flood Control and Coastal Emergencies	In the aftermath of Hurricane Katrina, Stormproofing interior pump stations, LA	90,000,000	The President, Senators Landrieu, Vitter
Corps of Engineers—Flood Control and Coastal Emergencies	In the aftermath of Hurricane Katrina, Levee and critical element armoring, LA	459,000,000	The President, Senators Landrieu, Vitter
Corps of Engineers—Flood Control and Coastal Emergencies	In the aftermath of Hurricane Katrina, Navigable closure at the Inner Harbor Navigation Canal, LA	53,000,000	The President, Senators Landrieu, Vitter
Corps of Engineers—Flood Control and Coastal Emergencies	In the aftermath of Hurricane Katrina, Incorporation of Plaquemines Parish, Louisiana, Non-Federal levee	456,000,000	The President, Senators Landrieu, Vitter
Corps of Engineers—Flood Control and Coastal Emergencies	In the aftermath of Hurricane Katrina, reinforcing or Replacing Floodwalls in the existing Lake Ponchartrain and Vicinity, and West Bank and Vicinity Projects in New Orleans, LA	412,000,000	The President, Senators Landrieu, Vitter
Corps of Engineers—Flood Control and Coastal Emergencies	In the aftermath of Hurricane Katrina, repair and restoration of authorized protections and floodwalls in New Orleans, LA	393,000,000	The President, Senators Landrieu, Vitter
Corps of Engineers—Flood Control and Coastal Emergencies	In the aftermath of Hurricane Katrina, complete authorized Lake Ponchartrain and Vicinity and West Bank and Vicinity projects in New Orleans, LA	359,000,000	The President, Senators Landrieu, Vitter
SUBCOMMITTEE ON TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES			
Department of Housing and Urban Development: Permanent Supportive Housing	Permanent Supportive Housing vouchers for the State of Louisiana for elderly, disabled and other at-risk homeless individuals directly impacted by Hurricane Katrina	73,000,000	Senator Landrieu

Mr. BYRD. Mr. President, today, the Senate Appropriations Committee reported the fiscal year 2009 Labor, Health and Human Services, Education, and Related Agencies Appropriations Act. In this bill, the Senate Committee has continued its aggressive efforts to improve the safety of miners in the coal fields.

After the deadly tragedy at the Sago Mine in 2006, the Congress passed the Mine Improvement and New Emergency Response, MINER, Act, which I was pleased to cosponsor. Among other things, that bill required the immediate installation of emergency breathing devices and also the installation of wireless communications and tracking equipment by June 2009. The MINER Act also required the Mine Safety and Health Administration, MSHA, to draft several new regulations, including rules on penalties, mine rescue teams, and the sealing of abandoned areas. It also required a report from the National Institute for Occupational Safety and Health, NIOSH, on refuge alternatives, as well as a report on belt-air ventilation and the fire-retardant properties of belt materials from a technical study panel. I would note that the Appropriations Committee included two amendments to the MINER Act in the fiscal year 2008 Omnibus appropriations bill directing MSHA to finalize regulations later this year that would implement the recommendations on refuge alternatives and belt safety provided by NIOSH and the Technical Study Panel. MSHA issued the proposed rules this month for comment.

In order to meet these new mandates and so that MSHA can fulfill its other important health and safety respon-

sibilities, like completing 100 percent of statutory inspections, the Senate Appropriations Committee increased funding for coal enforcement from \$117 million in fiscal year 2006, to \$150 million in fiscal year 2008. In May 2006, the Senate Appropriations Committee also directed MSHA to hire 170 new coal inspectors and provided \$25.6 million to accomplish that task. Since then, MSHA has hired 322 coal enforcement personnel—increasing the number of inspectors from 587 in June 2006, to 750 in May 2008.

I also proudly note that the committee has added funding for mine safety research at NIOSH, increasing to \$50 million the budget for the development of health and safety technologies. The committee also provided \$23 million in the fiscal years 2006 and 2007 Supplemental Appropriations Acts in order to expedite the deployment of safety technologies. With the funding the committee has provided since Sago, NIOSH has unveiled an improved self-contained, self-rescuer, SCSR, that allows miners to replace their oxygen supply without removing their SCSR. NIOSH has also announced progress on more durable and survivable communications systems, and completed critical studies of seals and refuge alternatives, which MSHA has used as the basis for its regulatory proposals.

Having increased funding in previous years, the Appropriations Committee focused this year on ensuring that the administration does not back away from its commitment to mine safety. In his fiscal year 2009 budget, President Bush proposed cutting coal enforcement by \$10 million. The committee-reported fiscal year 2009 bill rejects this

proposal, and increases the budget for coal enforcement to \$155 million. This is \$4.4 million above the fiscal year 2008 enacted level, and when you discount \$6 million of one-time expenditures last fiscal year, the total increase is more than \$10 million.

This funding would enable MSHA to continue to hire inspectors, specialists, and support staff, and to implement the MINER Act. It would also enable MSHA to achieve 100 percent compliance with its statutory mandates. In addition, the fiscal year 2009 committee-reported bill includes \$2 million above the president's budget request for MSHA to minimize coal dust levels through increased spot inspections. This is a new funding priority for the committee, in light of NIOSH reports in 2007 about alarming clusters of rapidly progressing black lung around southern West Virginia. The bill also includes language requiring by March 31, 2009, a report from MSHA on the feasibility and efficacy of MSHA assuming responsibility for collecting dust samples and using single, full-shift measurements instead of averages to ensure compliance with the law.

Mr. President, I praise the work of the dedicated enforcement personnel laboring in the coal fields. With funding from the Appropriations Committee, they have been working overtime and putting in long and hard hours. After too many years of neglect in the President's budgets, I am proud to note that there are visibly and noticeably more inspectors in the coal fields today, and additional inspectors are on the way. That is real, tangible progress. We must continue it. The argument that MSHA can now afford to

cut back its budget for coal enforcement must not be allowed to take root. We must provide MSHA personnel with everything they need to do their job. As coal production increases across the Nation and MSHA struggles to implement the mandates of the MINER Act, the Congress must ensure sufficient funding to ensure that each and every mandate of the Coal Act is enforced.

Mr. COCHRAN. Mr. President, over the past few months I have spoken several times in this Chamber about the need to approve a supplemental request from the President for appropriations to fund activities and operations of the Department of Defense. Progress on this request has been terribly slow. It has now been more than 500 days since the President submitted his request.

In a hearing before the Defense Appropriations Subcommittee last month, Secretary of Defense Gates testified that the military personnel accounts that pay our soldiers, and the operations and maintenance accounts that fund readiness, training and salaries of civilian employees were running dry. Secretary Gates has been able to forestall this depletion of funds for a short period of time, but only by employing measures that are disruptive to the operations and management of the Department of Defense.

Secretary Gates has had to transfer funding from Air Force, Navy and Marine accounts to the Army to enable the Army to meet its military and civilian payroll, and to fund current operations. It is incredible to think that to be able to pay military personnel who are on the frontlines, engaged in combat, the Secretary of Defense has had to transfer funding between accounts because the Congress will not act on a supplemental request that has been pending for almost a year and a half.

The delay in providing supplemental funding has caused the Defense Department to divert thousands of man hours from focusing on how best to support our men and women in uniform to figuring out how to cash flow the Defense Department so our men and women in uniform will receive a paycheck. We will probably never know how many millions of dollars have been wasted during this shell game. And we will probably never know how many sailors, soldiers, airmen or marines have been put at greater risk because Defense Department leaders and managers have had to shift their attention from supporting the warfighter to figuring out how to make the payroll, or deciding what activities are "exempt" from cessation because the Department's funding has been depleted.

The delay in providing funding for our troops has disrupted operations in Afghanistan as well as Iraq. Admiral Mullen, the Chairman of the Joint Chiefs of Staff, testified at a Defense Appropriations Subcommittee hearing that during his visit to the front lines he learned that the soldiers were unable to allocate funds from the Com-

mander's Emergency Response Program because all the money had essentially already been allocated. We are more than two-thirds of the way through the fiscal year, yet Congress has provided less than one-third of the funds requested for this emergency response. Admiral Mullen said, and I quote,

I'm especially concerned about the availability of funds into the Commander's Emergency Response Program, authority for which expires next month. (The program) has proven in most cases more valuable and perhaps more rapid than bullets or bombs in the fight against extremism . . .

I worry that the Congress is becoming an impediment to the efficiency and the capability of our government, and to our Department of Defense particularly. I worry that we are not acting as expeditiously as we should to protect our troops in the field that are conducting dangerous missions. The delays we have experienced with this supplemental were as unnecessary as they are inexcusable.

I am also disappointed that the supplemental before the Senate means that the gulf coast's ongoing recovery from Hurricane Katrina will be slowed. Mississippi's gulf coast suffered tremendous devastation as Senators know as a result of Hurricane Katrina. There was significant loss of life as well as significant damage to property. In last year's supplemental spending bill, the Congress tasked the U.S. Army Corps of Engineers to recommend measures to protect the Mississippi gulf coast from future storms. The Corps of Engineers has drafted its recommendations, and the Senate responded by including funding for these important Corps-recommended projects in our version of the supplemental appropriations bill.

One of the projects included in the Senate-passed supplemental is the restoration of Mississippi's Barrier Islands. These islands, which are federally owned, suffered terrible damage after Hurricane Camille in 1969 and are now so vulnerable that even a relatively small hurricane may destroy them completely. These are my State's last line of defense before a major hurricane moves inland. Continued delay leaves my state more vulnerable.

The Corps of Engineers also concluded that homeowner relocation assistance would be the most effective alternative for reducing the risk from future hurricane surge events by relocating structures and population centers from the high risk zones. This voluntary program would assist those who are looking to locate outside the high-hazard area. It is vital not only to recovery but also for protection from a future disaster. We are now in the midst of another hurricane season, and every day this Congress does not act is 1 more day that Mississippians are at risk.

Unfortunately, all of these items were dropped from the bill by the other body, and because of the long delay in acting on the supplemental there is

now no time or opportunity to consider the matter further. I share the President's concerns about excessive spending. But 16 months have passed since the President's supplemental request was submitted, and 6 months have passed since the 2008 bills were enacted. In that time natural disasters have occurred and additional disaster-related needs have become apparent.

In March of this year, three barracks at Camp Shelby in Mississippi suffered significant damage and destruction after violent weather. Fourteen soldiers were hospitalized; four of the soldiers sustained serious injuries. Many other structures were damaged. The Senate-passed spending bill contained funding to rebuild these barracks, but the continued delays in funding prevent this important work from being started. Floodwaters continue to inflict damages to farms, homes, and businesses along the Mississippi River. There is little question that additional resources will be required to respond to this continuing disaster.

I am speaking today in part to draw attention to what I feel has been a poor performance by Congress on this bill. But I also come to the floor because there is no other venue to express my views on the supplemental. There was no conference committee appointed to resolve differences between the House and Senate. There were no meetings of the chairmen and ranking members of the Appropriations Committees or of the subcommittees involved. And there has been virtually no opportunity for Members of this body to offer amendments to the bill. I regret that. It is not the way we should discharge our responsibilities. I think there is little question that had we followed regular order we could have enacted a supplemental a month ago, and spared our men and women in the field a great deal of uncertainty.

I support this supplemental and urge my colleagues to do the same, but hope that we can do better next time.

Mr. REID. Mr. President, momentarily, the Senate will move to pass the domestic portion of the emergency supplemental appropriations bill.

After months of negotiation, I am confident that we will pass this legislation by an overwhelming bipartisan margin.

For our troops, for the unemployed, and for those who have suffered from natural disasters and economic hardship, this legislation is a long-overdue victory.

I am glad we have reached this point, but it has not come easily.

My colleagues will recall that when President Bush requested yet another supplemental war funding bill, he said to Congress—give me my war money and not a penny more.

He said that even after appropriating \$660 billion for war, any effort by Congress to address our needs here at home would be met with a veto.

Some of our Republican colleagues said—why bother trying—why take the

time to legislate—when the President has made his veto plans clear?

Our answer then was it is our job to legislate.

The Constitution calls for three separate but equal branches of government.

A President's veto threat must not stop us from doing what we think is right.

So we did not blink or back down. We said that after \$600 billion spent on Iraq, it is long past time to take care of some problems right here in America.

We did exactly what the Congress is meant to do: we legislated. We negotiated. We compromised.

And because we did, we now stand ready to deliver a major victory for the American people.

After months of inching ever closer—despite some Republicans who said it wasn't worth the cost—we are delivering a new GI bill to our courageous troops.

Some on the other side of the aisle started out opposing this effort. My Republican colleagues from Arizona, South Carolina, and North Carolina opposed it, apparently because they and others felt it was too generous to the troops who serve.

They pursued their own bill, which in my view was but a pale shadow of the GI bill we vote on tonight.

It would have fallen far short of providing our troops what they deserve. In the face of their opposition, we persisted.

President Franklin Delano Roosevelt signed the original GI bill into law 64 years ago.

He said at the time that the bill “Gives emphatic notice to the men and women in our Armed Forces that the American people do not intend to let them down.”

Since President Roosevelt affixed his name to that historic legislation, nearly 8 million veterans have advanced their education, gotten better jobs, and blazed a path to a brighter future for themselves and their families.

Those 8 million men and women have gone on to become teachers, doctors, entrepreneurs and public servants.

Several of our colleagues are among them—DAN AKAKA, CHUCK HAGEL, DAN INOUE, FRANK LAUTENBERG, TED STEVENS, JOHN WARNER and JIM WEBB.

I don't think it is presumptuous to say that each one of them would credit the GI bill as one reason for what they have achieved.

In his time, President Roosevelt promised to never let our troops down, and today we stand poised to renew and reinvigorate his pledge.

The new GI bill will increase educational benefits for all members of the military who have served on active duty since September 11, including reservists and National Guard.

The years since September 11 have seen our troops strained to a level not seen since Vietnam, so these benefits are hard-earned and well-deserved.

This new GI bill so covers college expenses to match the full cost of an in-

state public school, plus books and a stipend for housing.

For those who have said it costs too much, I say our troops have more than earned it.

And every dollar we invest in educating our veterans today comes back to our economy seven times over.

But, new GI bill is not the only important investment this supplemental legislation makes.

It also extends unemployment insurance for all states by 13 weeks and an additional 13 weeks for States with the highest unemployment.

The Congressional Budget Office and many economists say that extending unemployment insurance is among the most effective steps we can take to stimulate the economy.

We have talked for months about the need to help struggling Americans keep their heads above water as our economy continues to flounder. We could have passed this extension months ago, but passing it today is an important step.

This supplemental appropriations bill also: Provides long overdue assistance to victims of Hurricane Katrina with matching funds for levee construction, law enforcement, hospitals, homelessness and reconstruction projects in Mississippi; comes to the aid of victims of other natural disasters like floods and droughts that have devastated certain crops; rolls back the Bush administration's attempts to regulate Medicaid into oblivion by blocking six of seven administration regulations aimed at depriving children, the elderly and people with disabilities of critical services; and, this legislation invests in a variety of other critical priorities, including infrastructure repair, food and drug safety, and firefighters' assistance.

It is no secret that many Democrats—myself included—wish that there was no such thing as an emergency supplemental appropriations bill.

We wish that the urgent domestic needs of the American people had been addressed by President Bush and funded in the ordinary budget process.

And we wish that the \$660 billion we have already spent on the war in Iraq could have gone toward eliminating our record deficit, and investing in schools, hospitals, roads, job training and public safety.

But despite the crushing weight of a war that will cost us well more than \$2 trillion when all is said and done—it is our responsibility to always put the needs of the American people first.

This supplemental appropriations bill fulfills that responsibly. I urge all of my colleagues to support it.

Mr. LEVIN. Mr. President, I strongly support the extension of unemployment insurance benefits. Extending unemployment insurance benefits would fairly and rightly extend much needed assistance to Americans who are struggling to find jobs. While I was disappointed that the provision in this

bill does not include extra benefits for states with high unemployment rates, I believe this unemployment insurance extension, or benefits of an additional 13 weeks for all States, is an important step forward. If the trend of rising unemployment rates continues, it is my hope that Congress will consider another emergency unemployment insurance package that will do more to help states struggling with the highest rates of unemployment.

The Nation's unemployment rate jumped to 5.5 percent in May from 5 percent in April—the biggest jump in 1 month in 22 years. Since the beginning of the Bush administration, Michigan has suffered significant jobs losses and the State's unemployment rate has increased from 4.5 percent in January 2001 to 8.5 percent in May of this year, the highest unemployment rate in the Nation. Michigan has not seen an unemployment rate this high since October of 1992. For too long, the administration has stood idle as 3.3 million manufacturing jobs have been lost, and as working families have felt the squeeze of the rising costs of energy, health care and food. An estimated 428,000 Michigan residents were unemployed in May. Between May 2007 and May of this year, over 170,000 residents exhausted their unemployment benefits and could not find jobs. This year, on average each month about 15,000 more Michigan residents face this same predicament.

President Bush's opposition to an extension of unemployment benefits is apparently based on his belief that, somehow, the availability of unemployment benefits would discourage people from looking for a job. I am disappointed that President Bush would repeat this tired and inaccurate excuse for failing to provide Americans the help they need in these tough times. The devastating reality is that about 7.6 million Americans are unemployed and cannot find jobs, not because they are refusing to look, but because the labor market simply does not have the jobs. Millions of workers have been searching for a job for over 6 months, to no avail. The number of long-term unemployed workers is now higher than when it was when we provided an unemployment insurance extension in 2002. The high rate of unemployment has disproportionately affected veterans, minorities, and young people. While Americans continue to search high and low for a job, their unemployment benefits are running out.

Our people face tremendous economic pressures, from a rate of home foreclosures that is up 130 percent from 2006, soaring costs of health care, to skyrocketing prices for food and gas. Unfortunately, this situation is unlikely to improve soon. Since President Bush took office, the price of health insurance is up 44 percent, the price of college tuition is up 47 percent, the price of gas is up 95 percent, the Federal debt has almost doubled and the dollar has lost a third of its value.

Meanwhile, American families are facing a cost crunch. According to a study by a prominent Harvard Law School professor, the median household income fell by \$1,175, in 2007 dollars, between 2000 and 2006. During that same period, consumer expenditures for basic family needs such as mortgage payments, gas, food, phone bills, household appliances, and health insurance increased by \$3,552, also in 2007 dollars. Available data in 2008 suggest that the cost of basic needs has continued to increase since 2006, and, between a lower real income and higher basic costs, families are facing as much as a \$5,700 shortfall, as compared with 2000 figures.

Extending unemployment insurance during times of recession is nothing new. In the past 30 years, Congress has acted three times to establish temporary extended unemployment benefits, each time during a recession. On average, the length of time that Americans have struggled to get by without a job is longer than it has been in the 30 years since Congress first extended unemployment insurance benefits.

Extending unemployment insurance during tough times is one of the most effective ways to stimulate the economy, dollar for dollar, and this money can be distributed within weeks. Extending unemployment insurance is essential to provide much-needed support to those who have lost their jobs and are struggling to reenter the job market. Workers who receive these unemployment benefits are likely to spend them quickly, making this one of the fastest ways to infuse money into our economy in the short term.

I supported an economic stimulus package considered in the Senate, which included important provisions including an unemployment insurance extension. Unfortunately, this legislation was blocked due to a filibuster by Senate Republicans. It was deeply disappointing that the Senate was forced to pass a short-term stimulus package that did not include an unemployment insurance extension. On May 22, 2008, the Senate overwhelmingly supported an amendment to the Emergency Supplemental bill that included a 13-week extension for unemployment benefits, with an additional 13 weeks for states like Michigan with high levels of unemployment. While the latter important provision is not included in the bill before us, I believe Congress must act with urgency to provide an emergency unemployment extension and therefore I support this legislation.

Mr. FEINGOLD. Mr. President, I support the amendment to the emergency supplemental funding bill that provides needed assistance for Wisconsin and other flood-stricken Midwestern States, unemployed workers, and veterans.

As a result of the horrifying floods that have ravaged the Midwest over the last 3 weeks, a number of people have lost their lives, including two residents of Wisconsin, and many more

have lost homes or suffered other harm.

I joined a number of my colleagues from affected States in asking that flood relief money be included in the supplemental, and I am very pleased to support the \$2.65 billion in disaster relief in the amendment for States suffering from record flooding. I cannot emphasize enough how crucial this disaster relief is to the people of Wisconsin. Beginning on June 5, Wisconsin was struck by 7 to 9 inches of rain that fell over a 24-hour period, followed by destructive winds and tornadoes. So far, 28 counties in Wisconsin have been declared disaster areas and we expect that at least 2 more will be declared disasters shortly. This water is draining into the Mississippi as we speak and has inundated communities throughout Iowa, Indiana, Illinois, Missouri and surrounding States.

With damage assessments underway, over \$400 million of damage has been identified in the State of Wisconsin alone. Over 15,000 residents have registered for individual assistance in the 22 declared Wisconsin counties. An estimated 4,000 wells have been contaminated. The damage to crops will be considerable. We have not seen devastation like this in my State since 1993.

The assistance provided in this amendment will go a long way to help families and businesses get back on their feet, but additional funds may be needed down the road. I will continue to work with my colleagues in the Senate to ensure that the Federal Government's response is prompt and complete.

I am also pleased that this amendment provides thirteen weeks of extended unemployment insurance benefits to workers who have exhausted their regular unemployment insurance benefits. At this critical time in our Nation's economy, it is important that Congress do what it can for workers and families who are struggling. Earlier this month, the Department of Labor released its unemployment figures for the month of May showing a 1-month increase of half a percentage point in the unemployment rate to 5.5 percent, which was one of the biggest 1-month increases in over two decades. I joined a number of my Senate colleagues in requesting an extension of unemployment benefits as part of the stimulus package Congress passed earlier this year due to the fact that increasing unemployment benefits has a high stimulative effect on the economy. It is clear that an extension of unemployment benefits is needed in our States and local communities now.

I strongly support the provisions of this amendment that update the GI bill to provide comprehensive educational benefits for this generation of veterans. This legislation will help thousands of servicemembers transition back to civilian life as they return from demanding tours in Iraq and Afghanistan. It will also benefit the entire Nation as veterans' contributions to the work-

force are enhanced through higher education. While these provisions should have been paid for, passing them is the least we can do for a brave generation of Americans who have served their country honorably.

There are other provisions in the amendment that I support, including a moratorium on six rules proposed by the administration that would undermine the Medicaid Program. I am disappointed, however, that the bill no longer includes vital funding for Byrne grants, LIHEAP and other domestic priorities. And I continue to be extremely disappointed at the willingness of too many of my colleagues to provide the President with funds to continue the misguided war in Iraq. While that funding is not included in the amendment we will vote on today, I will continue to oppose efforts to fund a war that is damaging our national security.

Mr. CARDIN. Mr. President, the spending bill we consider today contains many provisions that address urgent needs facing our Nation's economy, our Nation's families, and our Nation's troops.

Among the most important, this legislation extends unemployment insurance benefits at a time where too many Americans are struggling to find jobs, it postpones six Medicaid regulations that would have impeded access to health care for those who need it most, and it provides veterans returning from Iraq and Afghanistan with a new level of educational benefits that will cover the full costs of an education at a State institution.

We have an obligation to respond to the growing economic crisis and the needs it has created for American families. People are losing their homes and their jobs, and along with those jobs, their health care. Since March 2007, the number of unemployed has increased by 1.1 million workers. We learned a few weeks ago that the unemployment rate in our country shot up by a half a point, from approximately 5 to 5.5 percent. The Baltimore Sun reported last week that the Goodwill Industries of the Chesapeake's Baltimore center has seen an estimated 50 percent increase in clients seeking job placement assistance.

This bill includes provisions that respond to these growing needs. It extends unemployment benefits by 13 weeks for all the Nation's workers. Extending unemployment insurance this way helps families. That is critically important. But it will also help our economy. Economists estimate that every dollar spent on benefits leads to \$1.64 in economic growth. With this extension, we will provide critical stimulus to our slowing economy.

The bill also extends a freeze on six Medicaid rules issued by the administration that would have put a tremendous burden on State and local budgets already under pressure and affected access to services for many Marylanders and Americans all around the country.

I want to talk about the impact of just two of those rules: one that would eliminate Medicaid coverage of transportation services required by students with special needs and the second that would change benefits for case management services that help some of our most vulnerable individuals access needed medical, social, and educational services. In addition to impeding access to care, these two rules alone would have cost Maryland \$67 million in their first year. I was a proud cosponsor of S. 2819 that would have prohibited the Secretary of Health and Human Services from implementing these rules and am glad to see that a moratorium on these rules will become law.

I am especially pleased to support provisions that provide veterans returning from Iraq and Afghanistan with a new level of educational benefits that will cover the full costs of an education at a State institution. Some of my colleagues have argued that the benefit is too generous. But this country provided our troops a similar opportunity after World War II. That investment created a generation of great leaders and an economic boom that transformed our country.

A new GI bill allows a new generation of brave men and women to fulfill their dreams and adjust to civilian life. Just today a young man came into my office, a Maryland National Guardsman, who had served two tours of duty in Iraq. While overseas on his second tour, he missed the birth of his first child. Now that he is home, he wants to pursue an education. Although interested in a program at my State's flagship institution, the University of Maryland at College Park, the tuition was beyond his means and he enrolled in a community college instead where he will shortly complete his associate's degree program. He came into my office to explain his situation and ask whether there was any way we could help him continue his education at a 4-year institution.

That is an opportunity we owe the service men and women, including activated reservists and National Guard, who this administration has asked to serve extended and repeated combat tours. I am so proud that we will live up to that obligation today. But a new GI bill is also a wise investment; it allows our economy to fully benefit from these veterans' talent, leadership, and experience.

There are other critical provisions in this bill. It provides funding to address the devastating Midwest flooding and other natural disasters. It addresses critical quality of life and medical care issues for our troops including funding to improve barracks, build VA hospitals and polytrauma centers, and create new military child care centers. It provides the funding we need to implement the 2005 BRAC recommendations.

The bill makes critical investments to improve our competitiveness by funding research and other programs at

the National Institutes of Health, the National Science Foundation, the National Aeronautics and Space Administration, and the Department of Energy. At a time we are all avoiding tomatoes, this bill makes a major investment in food safety by providing additional resources to the Food and Drug Administration.

I want to commend my colleagues who refused to give up on these priorities even in the face of initial opposition and a veto threat from our President. I am encouraged that we may have a chance in the near future to act on other domestic priorities including increased energy assistance to low-income Americans facing skyrocketing fuel prices and commercial fishery disaster assistance that could help Maryland's watermen.

Former President John F. Kennedy said, "To govern is to choose." In this bill, this Congress is choosing to prioritize those issues that affect Americans' lives every day, our access to jobs, to health care, to education, to safe food. I am proud to offer this bill my support.

NATIONAL SYNCHROTRON LIGHT SOURCE II

Mr. SCHUMER. Mr. President, I rise today to ask my colleague, the chairman of the Energy and Water Appropriations Subcommittee, about a matter that may become an issue if we do not pass the fiscal year 2009 appropriations bills in a timely manner. As you know, there are several critically important projects in the Department of Energy's Office of Science budget in various stages of development. One of the projects is the National Synchrotron Light Source II at Brookhaven National Laboratory. This project is in the design phase and is expected to begin construction in the early part of 2009.

The fiscal year 2008 Omnibus appropriations bill provided approximately \$20 million less than the budget request, and the fiscal year 2009 budget request has a substantial increase, which is consistent with the funding profile. I am concerned about the impact a continuing resolution for several months may have on the schedule and overall cost for the National Synchrotron Light Source II project. One issue is that under a continuing resolution less money would be available than if the budget request were enacted. A more pressing issue is that under some previous continuing resolution rules construction would not be allowed to begin as that would be a new activity.

Could my colleague please comment on these matters?

Mr. DORGAN. I thank the gentleman from New York for the question. There are several projects in the Office of Science and in the Department of Energy that are in various stages of planning, design, and construction. Like the National Synchrotron Light Source II project, these other projects may also be impacted if a long-term continuing resolution is enacted.

I very much appreciate my colleague's concern about the project at

Brookhaven National Laboratory and will work with him to attempt to address these issues if a long-term continuing resolution becomes a reality.

Mr. ENZI. Mr. President, I rise today to discuss the emergency supplemental bill that we are considering in the Senate.

This new version of the emergency supplemental bill represents a change from the previous version. It is less expensive—\$3 billion less in domestic, nonmilitary spending that didn't belong in this bill in the first place.

The bill is also better for overall defense than the last version. I am speaking of the GI bill provisions in this legislation. Changes have been made to try and address the transferability of benefits. These changes also attempt to deal with the concern the Department of Defense raised about the retention of our servicemembers by requiring extended service for extended transferable benefits. It does not fully address the concerns, but it is a step forward.

Congressional leaders have sat down with the administration and developed a bill that President Bush can sign.

I recently had the opportunity to address Wyoming's American Legion convention in Riverton, WY. They support improvements in the GI bill but never want to see any veterans, from World War II to our current operation, be used for gotcha politics. I think they will be pleased that changes and improvements were made.

This isn't a perfect bill. There is still some overspending on non-military matters. The bill was force fed through the process. Amendments that could improve the bill further were shunned by the majority leadership.

The fact remains, however, that we need to fund our troops. We need to provide our men and women in uniform with the best possible equipment and the funding they need to do their job fighting the wars in Iraq and Afghanistan. We have a responsibility to make this happen in an expeditious manner. Sending this legislation to President Bush is the only way that will happen and so I will support the supplemental bill.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the motion to concur.

Mr. COCHRAN. Mr. President, I ask for the yeas and nays on the motion to concur.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Massachusetts (Mr. KENNEDY) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Arizona (Mr. MCCAIN).

The result was announced—yeas 92, nays 6, as follows:

[Rollcall Vote No. 162 Leg.]

YEAS—92

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

NAYS—6

Allard	Craig	Kyl
Coburn	DeMint	Voinovich

NOT VOTING—2

Kennedy	McCain
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The motion was agreed to.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is made and laid upon the table.

The Senator from Florida is recognized.

UNANIMOUS CONSENT REQUEST— S. 2766

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 832, S. 2766, the Clean Boating Act, the bill be read a third time and passed, and the motion to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Ms. MURKOWSKI. Mr. President, reserving the right to object, I ask that the unanimous consent request be modified, that my amendment which is at the desk be agreed to, and that the bill be read a third time and passed.

Mrs. BOXER. Mr. President, reserving the right to object, I think the Senator from Alaska knows full well the amendment she is seeking to attach to our bill, or the substitute she is putting forward, never was approved in the committee of jurisdiction, the EPW Committee.

The committee worked long and hard at getting a compromise. Because of Senator NELSON and Senator MARTINEZ and others, we have a bill at the desk that Senator NELSON tried to get done now that passed our committee by an overwhelming vote.

As a matter of fact, 13 million boaters, 13 million boaters are going to

wake up very unhappy in the morning if Senator MURKOWSKI objects to this bill. Her substitute was never voted on by the committee.

As a matter of fact, the individual she asked to offer an amendment never offered it. There was a reason; this was a delicate compromise.

I object to Senator MURKOWSKI's amendment to the request. I support strongly Senator NELSON's request to move this Clean Boating Act. It means that 13 million recreational boaters will not have to get a permit to discharge their water pollution, and 13 million recreational boaters are counting on us.

I hope Senator NELSON's unanimous consent will be granted.

The PRESIDING OFFICER. Is there objection to the original unanimous consent from the senior Senator from Florida?

Ms. MURKOWSKI. Mr. President, I do object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, the evening is getting late, and we have taken some significant action tonight. But I wish to speak for a moment and ask unanimous consent to speak up to 10 minutes on the supplemental bill.

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

SUPPLEMENTAL APPROPRIATIONS

Ms. LANDRIEU. Mr. President, we passed, by an overwhelming margin, a supplemental emergency spending bill that will fund our ongoing operations in Iraq and in other parts of the world and will send some money stateside.

In the view of this Senator, we have shortchanged, even with our good effort that was just made, shortchanged some real ongoing serious emergencies here at home.

As far as the gulf coast is concerned, I voted for the bill because I have always believed that half a loaf is better than none.

In the bill, in large measure because of the work of Members on both sides of the aisle, we have a significant amount of money toward the construction of levees that failed and put a great city and region and regions throughout the gulf coast at risk, particularly the New Orleans metropolitan area. I know people get tired of reviewing the details, but less than 3 years ago, several significant levees along the great port system in the city of New Orleans, levees that should have held collapsed, and 80 percent of the city went under water. The water is long gone, but the pain is still there. The rebuilding is still going on. The anxiety of homeowners, renters, small business owners and large business owners, and industrial investors is still there, questioning whether the Federal Government's commitment to not only fix the levees, restore the levees and

bring them up to the standards that were promised decades ago, if that promise is going to be kept.

This bill gets us part of the way there, but we still have an awfully long way to go. In the underlying bill we passed, in large measure crafted by House leadership—and I am disappointed in this view of the House leadership—they put in only a portion of the very critical levee funding that is needed for us to go forward, to restore these levees to 100-year flood protection. I don't know how to explain this, but 100-year flood protection is the bare minimum for the United States. There are a few areas that are enjoying 200- and 300-year flood protection in this country, but very few. Most do not have, as you can tell by the flooding going on now in States such as Missouri and Iowa and parts of Illinois, most places don't have the 100-year protection.

For a reference point, I wish to impress upon my colleagues that this is a minimum standard. The country of the Netherlands, which is so small it could fit inside of Louisiana, a powerful economy but a small nation, has flood protection for its people against storms that happen once every 10,000 years. We, the United States of America, cannot claim that we have flood protection for 99 percent of our people against floods once every 100 years. I am going to say again, as I have said 100 times on this floor, incremental funding, nickles and dimes, a few hundred million here or there, is not going to get the job done. In the long run, it is going to cost the American taxpayer billions and billions of dollars more.

So here we go again, after the flood, after the storm, after the promises, after the speeches, after the lights, after the photographs, the bill is passed, but we do not have the whole amount of money necessary to reconstruct the levees as promised by the President and as spoken to on numerous occasions by many Members of the House and Senate. We do have \$5.8 billion in this bill, \$1.16 billion for the Lake Pontchartrain vicinity which is a long, ongoing project, I think started back in the 1960s. We do have \$920 million in for west bank levee which was started back in the 1960s. We have \$967 million in the southeast Louisiana flood control project that was started in the 1990s. We have \$2.9 billion of flood control and emergency projects, modifying drainage canals, installing pumps, armoring levees, improving protection at the inner harbor canal, federalizing certain non-Federal levees in Plaquemine Parish, the long parish that sits at the toe of the boot in Louisiana, reinforces and replaces floodwalls, repairs and restores floodwalls. The problem is the match that is required because of the House action. The Senate reduced the match required by the State of Louisiana and extended our payment terms. Instead of requiring the State of Louisiana to pay a higher level of 35 percent, the