

204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

SA 4011. Mr. KERRY (for himself and Mr. SMITH) submitted an amendment intended to be proposed by him to the bill H.R. 5140, to provide economic stimulus through recovery rebates to individuals, incentives for business investment, and an increase in conforming and FHA loan limits; as follows:

At the end of title I, insert the following:

SEC. 104. MODIFICATIONS ON USE OF QUALIFIED MORTGAGE BONDS; TEMPORARY INCREASED VOLUME CAP FOR CERTAIN HOUSING BONDS.

(a) **USE OF QUALIFIED MORTGAGE BONDS PROCEEDS FOR SUBPRIME REFINANCING LOANS.**—Section 143(k) of the Internal Revenue Code of 1986 (relating to other definitions and special rules) is amended by adding at the end the following new paragraph:

“(12) **SPECIAL RULES FOR SUBPRIME REFINANCINGS.**—

“(A) **IN GENERAL.**—Notwithstanding the requirements of subsection (i)(1), the proceeds of a qualified mortgage issue may be used to refinance a mortgage on a residence which was originally financed by the mortgagor through a qualified subprime loan.

“(B) **SPECIAL RULES.**—In applying this paragraph to any case in which the proceeds of a qualified mortgage issue are used for any refinancing described in subparagraph (A)—

“(i) subsection (a)(2)(D)(i) shall be applied by substituting ‘12-month period’ for ‘42-month period’ each place it appears,

“(ii) subsection (d) (relating to 3-year requirement) shall not apply, and

“(iii) subsection (e) (relating to purchase price requirement) shall be applied by using the market value of the residence at the time of refinancing in lieu of the acquisition cost.

“(C) **QUALIFIED SUBPRIME LOAN.**—The term ‘qualified subprime loan’ means an adjustable rate single-family residential mortgage loan originated after December 31, 2001, and before January 1, 2008, that the bond issuer determines would be reasonably likely to cause financial hardship to the borrower if not refinanced.

“(D) **TERMINATION.**—This paragraph shall not apply to any bonds issued after December 31, 2010.”.

(b) **INCREASED VOLUME CAP FOR CERTAIN BONDS.**—

(1) **IN GENERAL.**—Subsection (d) of section 146 of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(5) **INCREASE AND SET ASIDE FOR HOUSING BONDS FOR 2008.**—

“(A) **INCREASE FOR 2008.**—In the case of calendar year 2008, the State ceiling for each State shall be increased by an amount equal to \$10,000,000,000 multiplied by a fraction—

“(i) the numerator of which is the population of such State (as reported in the most recent decennial census), and

“(ii) the denominator of which is the total population of all States (as reported in the most recent decennial census).

“(B) **SET ASIDE.**—

“(i) **IN GENERAL.**—Any amount of the State ceiling for any State which is attributable to an increase under this paragraph shall be allocated solely for one or more qualified purposes.

“(ii) **QUALIFIED PURPOSE.**—For purposes of this paragraph, the term ‘qualified purpose’ means—

“(I) the issuance of exempt facility bonds used solely to provide qualified residential rental projects, or

“(II) a qualified mortgage issue (determined by substituting ‘12-month period’ for ‘42-month period’ each place it appears in section 143(a)(2)(D)(i)).”.

(2) **CARRYFORWARD OF UNUSED LIMITATIONS.**—Subsection (f) of section 146 of such Code is amended by adding at the end the following new paragraph:

“(6) **SPECIAL RULES FOR INCREASED VOLUME CAP UNDER SUBSECTION (d)(5).**—

“(A) **IN GENERAL.**—No amount which is attributable to the increase under subsection (d)(5) may be used—

“(i) for a carryforward purpose other than a qualified purpose (as defined in subsection (d)(5)), and

“(ii) to issue any bond after calendar year 2010.

“(B) **ORDERING RULES.**—For purposes of subparagraph (A), any carryforward of an issuing authority’s volume cap for calendar year 2008 shall be treated as attributable to such increase to the extent of such increase.”.

(c) **ALTERNATIVE MINIMUM TAX.**—

(1) **IN GENERAL.**—Clause (ii) of section 57(a)(5)(C) of the Internal Revenue Code of 1986 is amended by striking “shall not include” and all that follows and inserting “shall not include—

“(I) any qualified 501(c)(3) bond (as defined in section 145), or

“(II) any qualified mortgage bond (as defined in section 143(a)) or qualified veterans’ mortgage bond (as defined in section 143(b)) issued after the date of the enactment of this subclause and before January 1, 2011.”.

(2) **CONFORMING AMENDMENT.**—The heading for section 57(a)(5)(C)(ii) is amended by striking “QUALIFIED 501(c)(3) BONDS” and inserting “CERTAIN BONDS”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act.

SA 4012. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

On page 298, after line 25, add the following:

“(e) **SPEEDY NOTICE TO RAPE AND SEXUAL ASSAULT VICTIMS.**—The Secretary shall withhold from a Service Area carrying out a program under this section an amount equal to 10 percent of the amount allocated for the program until the date on which the Secretary, in consultation with the Attorney General, determines that, with respect to the Service Area—

“(1)(A) there exists and is enforced a law or regulation that requires—

“(i) at the request of a victim, the administration to a defendant, against whom an information or indictment is presented for a crime in which, by force or threat of force, the defendant compels the victim to engage in sexual activity, of a test for the human immunodeficiency virus (HIV) and such other sexually transmitted diseases as are requested by the victim not later than 48 hours after the date on which the information or indictment is presented;

“(ii) a notification of the test results to be provided to the victim or the parent or guardian of the victim and the defendant as soon as practicable after the results are generated; and

“(iii) such follow-up tests for HIV and other sexually transmitted diseases as are medically appropriate, with the test results

made available in accordance with clause (ii); or

“(B) a law or regulation described in subparagraph (A) will be established and enforced in the Service Area by not later than 1 year after the date of enactment of the Indian Health Care Improvement Act Amendments of 2008; and

“(2) pursuant to subsection (a), HIV and other sexually transmitted disease testing, treatment, and counseling is provided for victims of sexual abuse.

SA 4013. Mr. COBURN submitted an amendment intended to be proposed by him to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; which was ordered to lie on the table; as follows:

At the appropriate place in title VIII of the Indian

Health Care Improvement Act (as amended by section 101), insert the following:

“SEC. 8 . REQUIREMENT FOR MEDICAL EVIDENCE.

“Notwithstanding any other provision of this Act, no funding shall be provided pursuant to this Act for any treatment activity for a health care condition unless the treatment is supported by medical evidence.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, February 28, 2008, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the impact of increased minimum wages on the economies of American Samoa and the Commonwealth of the Northern Mariana Islands.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, February 7, 2008, at 9:30 a.m., in open session to receive testimony on the final report of the Commission on the National Guard and Reserves.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet

during the session of the Senate on February 7, 2008, at 10 a.m., in order to conduct a hearing entitled "Reforming the Regulation of the Government Sponsored Enterprises."

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

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Thursday, February 7, at 10 a.m., in room 253 of the Russell Senate Office Building, in order to conduct an executive hearing.

Agenda

Robert A. Sturgell, to be Administrator of the Federal Aviation Administration (PN 1005); Simon Charles Gros, to be Assistant Secretary of Transportation for Governmental Affairs, Department of Transportation (PN 977).

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

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, February 7, 2008, at 9:30 a.m. in room SD366 of the Dirksen Senate Office Building, for the purpose of conducting a hearing. At this hearing, the Committee will hear testimony regarding energy market effects of the recently-passed renewable fuel standard.

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

COMMITTEE ON FINANCE

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Thursday, February 7, 2008, at 10 a.m., in room 215 of the Dirksen Senate Office Building, to hear testimony on "Selling to Seniors: The Need for Accountability and Oversight of Marketing and Sales by Medicare Private Plans."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, February 7, 2008, at 9:30 a.m. in order to hold a hearing on the Kenyan elections.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, February 7, 2008,

at 2:30 p.m. in order to hold a nomination hearing.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. WEBB. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Thursday, February 7, at 9:30 a.m. in room 628 of the Dirksen Senate Office Building in order to conduct a hearing on the nomination of Robert G. McSwain to be Director of the Indian Health Service.

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

COMMITTEE ON THE JUDICIARY

Mr. WEBB. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, in order to conduct a hearing entitled "The Founding Fathers' Papers: Ensuring Public Access to our National Treasures" on Thursday, February 7, 2008 at 10 a.m. in room SD-226 of the Dirksen Senate Office Building.

Witness List

David G. McCullough, Presidential Historian and Author, Camden, ME.

Dr. Stanley N. Katz, Chairman, Papers of the Founding Fathers, Professor, Woodrow Wilson School of Princeton University Princeton, NJ.

Dr. Deanna B. Marcum, Associate Librarian of Library Services, Library of Congress, Washington, DC.

Rebecca W. Rimel, President and Chief Executive Officer, The Pew Charitable Trusts, Philadelphia, PA.

Dr. Allen Weinstein, Archivist of the United States, U.S. National Archives & Records Administration, Washington, DC.

Dr. Ralph Ketcham, Professor of History Emeritus, Maxwell School of Syracuse University, Syracuse, NY.

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

READINESS AND MANAGEMENT SUPPORT
SUBCOMMITTEE

Mr. WEBB. Mr. President, I ask unanimous consent that the Readiness and Management Support Subcommittee of the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, February 7, 2008, at 2:30 p.m., in open session to receive testimony on business transformation and financial management at the Department of Defense.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. WEBB. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 7, 2008, at 2:30 p.m. in order to hold a closed hearing.

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

PRIVILEGES OF THE FLOOR

Mr. WEBB. Madam President, I ask unanimous consent that my legislative fellow, Jaithai Upakurnitikaset, be granted floor privileges for the remainder of the day.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Executive Calendar Nos. 442 through 451, except 450; and all nominations on the Secretary's desk in the Air Force, Army, Marine Corps, and Navy; that the nominations be confirmed en bloc, and the motions to reconsider be laid upon the table en bloc; that upon confirmation, the President be immediately notified of the Senate's action and the Senate resume legislative session.

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

The nominations considered and confirmed en bloc are as follows:

IN THE AIR FORCE

The following named officers for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be brigadier general

Colonel Mark A. Ediger, 0000
Colonel Richard A. Hersack, 0000
Colonel Daniel O. Wyman, 0000

The following named officer for appointment in the United States Air Force to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Cecil R. Richardson, 0000

The following named officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Robert G. Kenny

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be brigadier general

Col. Daniel P. Gillen, 0000
Col. Michael J. Yaszemski, 0000

The following named officers for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., section 12203:

To be major general

Brigadier General Robert Benjamin Bartlett
Brigadier General Thomas R. Coon, 0000
Brigadier General James F. Jackson, 0000
Brigadier General Brian P. Meenan, 0000
Brigadier General Charles E. Reed, Jr., 0000
Brigadier General James T. Rubeor, 0000

The following named officers for appointment in the Reserve of the Air Force to the