

The Runaway and Homeless Youth Act is the way in which the Federal Government helps communities across the country protect some of our most vulnerable children. It was first passed the year I was elected to the Senate. We have reauthorized it several times since then, and working with Senator SPECTER and Senators on both sides of the aisle, I am glad the Senate has done so again this year. The programs authorized during the past 30 years by the RHYA have consistently proven critical to protecting and giving hope to our Nation's runaway and homeless youth.

Under the Runaway and Homeless Youth Act, every State receives a basic center grant to provide housing and crisis services for runaway and homeless youth and their families. Community-based groups around the country can also apply for funding through the Transitional Living Program and the sexual abuse prevention/street outreach grant program. The transitional living program grants are used to provide longer term housing to homeless youth between the ages of 16 and 21, and to help them become self-sufficient. The outreach grants are used to target youth susceptible to engaging in high-risk behaviors while living on the street.

Despite the changes to the bill made in response to Republican objections, our bill makes improvements to the Runaway and Homeless Youth Act reauthorizations of past years. It doubles funding for states by instituting a minimum of \$200,000, which will allow states to better meet the diverse needs of their communities. This bill also requires the Department of Health and Human Services to develop performance standards for grantees. Providing program guidelines would level the playing field for bidders, ensure consistency among providers, and increase the effectiveness of the services under the Runaway and Homeless Youth Act. In addition, our legislation develops an incidence study to better estimate the number of runaway and homeless youth and to identify trends. The incidence study would provide more accurate estimates of the runaway and homeless youth population and would help lawmakers make better policy decisions and allow communities to provide better outreach.

On April 29, the Senate Judiciary Committee held a hearing to focus the Senate's attention on these problems and to identify and develop solutions to protect runaway and homeless youth. It was the first Senate hearing on these matters in more than a decade. We heard from a distinguished panel of witnesses, some of whom spoke firsthand about the significant challenges that young people face when they have nowhere to go.

Our witnesses demonstrated that young people can overcome harrowing obstacles and create new opportunities when given the chance. One witness went from living as a homeless youth

in his teens to earning two Oscar nominations as a distinguished actor. Another witness is working with homeless youth at the same Vermont organization that enabled him to stop living on the streets and is on his way to great things. Our witness panel gave useful and insightful suggestions on how to improve the Runaway and Homeless Youth Act to make it more effective. We have included many of these recommendations in our bill.

The prevalence of homelessness among young people in America is shockingly high. The problem is not limited to large cities. Its impact is felt strongly in smaller communities and rural areas as well. It affects our young people directly and reverberates throughout our families and communities. That this problem continues in the richest country in the world means that we need to redouble our commitment and our efforts to safeguard our Nation's youth. We need to support the dedicated people in communities across the country who work to address these problems every day.

In my home State of Vermont, the Vermont Coalition for Runaway and Homeless Youth, the New England Network for Child, Youth, and Family Services, and Spectrum Youth and Family Services in Burlington all receive grants under these programs and have provided excellent services that provide assistance to thousands of youth.

The overwhelming need for services is not limited to any one state or community. Many transitional living programs are forced to turn away young people seeking shelter. We heard testimony of an exemplary program within blocks of our Nation's Capitol that has a waiting list as long as a year. This is unacceptable. The needs in our communities are real, and reauthorizing the law will allow these programs to expand their enormously important work.

These topics are difficult but deserve our attention. I am glad the Senate has taken an important step toward addressing these issues by passing the Runaway and Homeless Youth Protection Act today.

Mr. DURBIN. Mr. President, I ask unanimous consent that the Leahy amendment at the desk be agreed to; the committee substitute amendment, as amended, be agreed to; the bill be read a third time and passed; the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

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

The amendment (No. 5652) was agreed to.

(The amendment is printed in today's RECORD under "Text of amendments.")

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (S. 2982), as amended, was ordered to be engrossed for a third read-

ing, was read the third time, and passed.

EXTENDING WAIVER AUTHORITY FOR THE SECRETARY OF EDUCATION

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6890, which was received from the House.

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

The assistant legislative clerk read as follows:

A bill (H.R. 6890) to extend the waiver authority for the Secretary of Education under section 105 of subtitle A of Title IV of division B of Public Law 109-148, relating to elementary and secondary education hurricane recovery relief, and for other purposes.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The bill (H.R. 6890) was ordered to a third reading, was read the third time, and passed.

DEFENSE PRODUCTION ACT EXTENSION AND REAUTHORIZATION OF 2008

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 6894, which was received from the House.

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

The assistant legislative clerk read as follows:

A bill (H.R. 6894) to extend and reauthorize the Defense Production Act of 1950, and for other purposes.

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

Mr. DODD. Mr. President, today we are acting on House-passed legislation which contains a 1-year extension of the Defense Production Act, DPA, which I hope will be swiftly approved by the Senate. While I am delighted that this extension legislation was passed by the House Tuesday night, it is crucial to remember that many of this law's authorities, last renewed in 2003, expire on September 30. We have just a few legislative days to get this done. As the United States continues to fight two wars and respond to various natural disasters, it is important that we not allow key provisions to expire—provisions allowing our Government

agencies to ensure that American industry meets varying demands of national emergencies. Such measures involve mandates to keep industry producing critical resources for our military and first responders in times of crisis, and initiatives for maintaining crucial investments in strategic technologies.

During the Korean war, what was then the Senate Banking & Currency Committee—the precursor to today's Committee on Banking, Housing and Urban Affairs—authored the Defense Production Act to ensure the availability of key industrial resources for the Department of Defense, DOD. Over time, the Defense Production Act has been amended to include energy supply, emergency preparedness, and critical infrastructure protections, thereby allowing civilian agencies to respond rapidly to crises such as natural disasters and terrorist attacks.

In the last several months, the Committee on Banking, Housing, and Urban Affairs received two reports mandated by law from the Government Accountability Office and Department of Homeland Security. These reports highlighted major shortfalls in the administration's application of DPA authorities. Furthermore, I have been informed that in 2004, FEMA and other Federal agencies conducted their own internal review of DPA authorities and made several recommendations to the White House's Homeland Security Council. The White House chose not to act on those recommendations, and Congress has still not been fully briefed on these findings.

In a perfect world, we would fully analyze and incorporate appropriate findings of pertinent reviews. Unfortunately, due to time constraints of the current legislative session, including our work on measures to address the crisis in our financial system, it is clear that a complete assessment now of their conclusions would be impossible. But we should not simply reauthorize this act for another 5 years. The recommendations gathered in these valuable reports should be reviewed, considered for legislation in a workable bill, and enacted into law in the near future; not 5 years from now.

Simply put, granting a 1-year extension would provide our agencies with the authorities they need in the short term, but will also maintain the expectation that in 2009 the Banking Committee and the U.S. Senate will conduct a thoughtful review of these recommendations in hearings, mark-up, and floor consideration. I look forward to working with my colleagues in the Senate, as well as in a new administration, to see to it that the DPA is modernized to address the challenges of the 21st century. In the meantime, I thank my colleagues for working with me to approve this 2009 reauthorization.

Mr. DURBIN. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the

table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 6894) was ordered to a third reading, was read the third time, and passed.

NEED-BASED EDUCATIONAL AID ACT OF 2008

Mr. DURBIN. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of H.R. 1777, and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The assistant legislative clerk read as follows:

A bill (H.R. 1777) to amend the Improving America's Schools Act of 1994 to make permanent the favorable treatment of need-based educational aid under the antitrust laws.

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

Mr. DURBIN. Mr. President, I ask unanimous consent that a Leahy-Hatch amendment, which is at the desk, be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

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

The amendment (No. 5653) was agreed to, as follows:

(Purpose: To amend the Improving America's Schools Act of 1994 to extend the favorable treatment of need-based educational aid under the antitrust laws)

On page 2, strike lines 5 and 6 and insert the following: "Section 568(d) of the Improving America's Schools Act of 1994 (15 U.S.C. 1 note) is amended by striking '2008' and inserting '2015'."

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 1777), as amended, was read the third time, and passed.

WHITE MOUNTAIN APACHE TRIBE RURAL WATER SYSTEM LOAN AUTHORIZATION ACT

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 1080, S. 3128.

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

The assistant legislative clerk read as follows:

A bill (S. 3128) to direct the Secretary of the Interior to provide a loan to the White Mountain Apache Tribe for use in planning, engineering, and designing a certain water system project.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee

on Indian Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "White Mountain Apache Tribe Rural Water System Loan Authorization Act".

SEC. 2. DEFINITIONS.

(a) MINER FLAT PROJECT.—The term "Miner Flat Project" means the White Mountain Apache Rural Water System, comprised of the Miner Flat Dam and associated domestic water supply components, as described in the project extension report dated February 2007.

(b) SECRETARY.—The term "Secretary" means the Secretary of the Interior, acting through the Commissioner of Reclamation (or any other designee of the Secretary).

(c) TRIBE.—The term "Tribe" means the White Mountain Apache Tribe, a federally recognized Indian tribe organized pursuant to section 16 of the Indian Reorganization Act of 1934 (25 U.S.C. 476 et seq.).

SEC. 3. MINER FLAT PROJECT LOAN.

(a) LOAN.—Subject to the availability of appropriations and the condition that the Tribe and the Secretary have executed a cooperative agreement under section 4(a), not later than 90 days after the date on which amounts are made available to carry out this section and the cooperative agreement has been executed, the Secretary shall provide to the Tribe a loan in an amount equal to \$9,800,000, adjusted, as appropriate, based on ordinary fluctuations in engineering cost indices applicable to the Miner Flat Project during the period beginning on October 1, 2007, and ending on the date on which the loan is provided, as determined by the Secretary, to carry out planning, engineering, and design of the Miner Flat Project in accordance with section 4.

(b) TERMS AND CONDITIONS OF LOAN.—The loan provided under subsection (a) shall—

(1) be at a rate of interest of 0 percent; and

(2) be repaid over a term of 25 years, beginning on January 1, 2013.

(c) ADMINISTRATION.—Subject to section 4, the Secretary shall administer the planning, engineering, and design of the Miner Flat Project.

SEC. 4. PLANNING, ENGINEERING, AND DESIGN.

(a) COOPERATIVE AGREEMENT.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall offer to enter into a cooperative agreement with the Tribe for the planning, engineering, and design of the Miner Flat Project in accordance with this Act.

(2) MANDATORY PROVISIONS.—A cooperative agreement under paragraph (1) shall—

(A) specify, in a manner that is acceptable to the Secretary and the Tribe, the rights, responsibilities, and liabilities of each party to the agreement; and

(B) require that the planning, engineering, design, and construction of the Miner Flat Project be in accordance with all applicable Federal environmental laws.

(b) APPLICABILITY OF INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT.—Each activity for the planning, engineering, or design of the Miner Flat Project shall be subject to the requirements of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

Mr. DURBIN. Mr. President, I ask unanimous consent that the committee-reported amendment be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.