

can provide an early warning of performance problems.

GAO has observed that contractor reporting on EVM often lacks consistency, leading to inaccurate data and faulty application of the EVM metric. In other words, garbage in, garbage out.

The conference report would require that the Department of Defense issue an implementation plan for applying EVM consistently and reliably to all projects that use this project management tool.

The implementation plan would also provide enforcement mechanisms to ensure that contractors establish and use approved EVM systems and require DOD to consider the quality of the contractor's EVM systems and reporting in the past performance evaluation for a contract. With improved EVM data quality, both the government and the contractor will be able to improve program oversight, leading to better acquisition outcomes.

The conference report would strengthen the Department's acquisition planning, increase and improve program oversight, and help prevent contracting waste, fraud, and mismanagement. Ultimately, it will help ensure that our military personnel have the equipment they need, when they need it, and that tax dollars are not wasted on programs that were doomed to fail.

Mr. DURBIN. Mr. President, the Weapons Systems Acquisition Reform Act of 2009 takes steps in the right direction to reform the way the Department of Defense buys major weapons systems.

When it comes to these multi-billion-dollar systems, the challenges of managing acquisitions are tremendous.

Officials at the Department of Defense manage 96 major defense acquisition programs—the Department's most expensive programs.

Each program costs hundreds of millions of dollars to research and develop and billions of dollars more to purchase. Together, these programs account for \$1.6 trillion in defense spending.

These major defense acquisition programs have seen a shocking growth in cost. Over the last 20 years, the costs of these programs have ballooned by \$296 billion.

Costs especially exploded during the previous administration. Since 2003, the cost of major defense acquisition programs rose by \$113 billion.

The Weapons Systems Acquisition Reform Act of 2009 takes important steps to bring this spending under control, without compromising on the quality of the systems purchased.

This is not the first time Congress has tried to reform the defense acquisition process. Nor will it likely be the last. But it is an important step at a critical time.

The legislation would create an independent director of cost assessment who would verify the estimated cost of

a program before allowing it to go forward.

It builds in additional checkpoints to help make sure that programs are ready on time.

It enhances the R&D capabilities at the Department of Defense. Numerous studies have found that the R&D capabilities of the Army, Navy, and Air Force are in desperate need of strengthening.

It requires defense contractors to build a strong wall between their R&D and construction offices when both offices work on the same defense project.

Finally, it gives combatant commanders more authority to procure products that meet the immediate needs of troops in theater.

Secretary Gates has been rightly frustrated with the inability of the regular procurement process to field equipment, like MRAPs, that are needed immediately by troops on the ground. This legislation will help change that.

I commend Senators LEVIN and MCCAIN for their leadership in developing this thoughtful and needed legislation. I look forward to its being signed into law by President Obama.

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided prior to a vote on the adoption of the conference report.

Mr. LEVIN. Mr. President, both Senator MCCAIN and I spoke on this matter. I ask unanimous consent to yield back all remaining time. I think I can do this with the consent of Senator MCCAIN.

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

The question is on agreeing to the conference report.

Mr. LEVIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

I further announce that if present and voting, the Senator from West Virginia (Mr. ROCKEFELLER), would vote "yea."

Mr. KYL. The following Senator is necessarily absent: the Senator from Utah (Mr. HATCH).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 197 Leg.]

YEAS—95

Akaka	Begich	Boxer
Alexander	Bennet	Brown
Barrasso	Bennett	Brownback
Baucus	Bingaman	Bunning
Bayh	Bond	Burr

Burr	Hutchison	Nelson (NE)
Cantwell	Inhofe	Nelson (FL)
Cardin	Inouye	Pryor
Carper	Isakson	Reed
Casey	Johanns	Reid
Chambliss	Johnson	Risch
Coburn	Kaufman	Roberts
Cochran	Kerry	Sanders
Collins	Klobuchar	Schumer
Conrad	Kohl	Sessions
Corker	Kyl	Shaheen
Cornyn	Landrieu	Shelby
Crapo	Lautenberg	Snowe
DeMint	Leahy	Specter
Dodd	Levin	Stabenow
Dorgan	Lieberman	Tester
Durbin	Lincoln	Thune
Ensign	Lugar	Udall (CO)
Enzi	Martinez	Udall (NM)
Feingold	McCain	Vitter
Feinstein	McCaskill	Voivovich
Gillibrand	McConnell	Warner
Graham	Menendez	Webb
Grassley	Merkley	Whitehouse
Gregg	Mikulski	Wicker
Hagan	Murkowski	Wyden
Harkin	Murray	

NOT VOTING—4

Byrd	Kennedy
Hatch	Rockefeller

The conference report was agreed to. Mr. DURBIN. I move to reconsider the vote by which the conference report was adopted.

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

The motion to lay on the table was agreed to.

SUPPLEMENTAL APPROPRIATIONS ACT, 2009—Continued

AMENDMENT NO. 1136

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 2346, and there will be 10 minutes of debate prior to a vote in relation to amendment No. 1136 offered by the Senator from Kentucky, Mr. MCCONNELL.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I urge my colleagues to take a close look at Senator MITCH MCCONNELL's amendment, which is next up to be considered. Particularly, I ask you to turn to page 3 of this amendment. You will find in the first paragraph on page 3 a troubling requirement which Senator MCCONNELL will make of this administration.

What Senator MCCONNELL is asking is that 60 days from the passage of this bill and every 90 days thereafter, the President of the United States provide to Members of the Senate and the House:

a current summary of the evidence, intelligence, and information used to justify the detention of each detainee listed under paragraph (1) at Naval Station Guantanamo Bay.

It is not enough for Senator MCCONNELL to ask for the identity of these people, the countries they are from, the likelihood they will be transferred to some other place, the likelihood they might be engaged in terrorism, he is asking for the President to disclose the work product of the prosecutors who are holding these detainees and determining whether a criminal case can be brought against them. For what

earthly purpose? Why would we possibly want to jeopardize the prosecution of someone who may be guilty of terrorism or a crime threatening the United States? To satisfy our curiosity? I think it is a mistake.

I will tell my colleagues, if it is sent to us even in classified form, it might be leaked. In addition, if a trial should follow, one of the first discovery motions from any defendant is this information: Judge, if the President can share this information with 535 Members of Congress, the defendant should be able to see the information as well. Why would we possibly want to jeopardize a prosecution to satisfy the curiosity of the Senator from Kentucky, or any Senator for that matter?

This paragraph should have been stricken. The rest of it you may find good or bad, but this is a dangerous paragraph.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Republican leader is recognized.

Mr. McCONNELL. Mr. President, it is my understanding that earlier in the day my good friend from Illinois was suggesting that I had been a Johnny-come-lately on the issue of Guantanamo. So I would like to remind my colleagues that I offered an amendment 2 years ago right here on the floor of the Senate that passed 94 to 3 opposing bringing people at Guantanamo to the United States, and I believe my good friend from Illinois was not among the 3.

I would also remind him that I differed with the opinion of the previous President that Guantanamo ought to be closed. I don't think it ought to be closed; I think it ought to be left open. I also have differed with other Republicans on our side who have believed that Guantanamo ought to be closed, but none of them have said: Until you have a game plan for what to do with them.

We had the vote earlier today, with only six Senators dissenting on this Guantanamo issue and about whether there would be money not only in this bill but in any other bill spent for the purpose of bringing these detainees to the United States.

Now let's talk about what this amendment does—the one the Senator from Illinois was just describing incorrectly, in my view. My amendment calls on the administration to share its findings with Congress in a classified report—a classified report—that would indicate the likelihood of detainees returning to terrorism—we know many of them have been doing that—the likelihood of their returning to terrorism. It would also report on any effort al-Qaida might be making to recruit detainees once they are released from U.S. custody. The last requirement is particularly important, given that many of the remaining 240 detainees at Guantanamo are from Yemen, which has no rehabilitation program to speak of, and from Saudi Arabia which has a rehab program but which hasn't been

entirely successful at keeping detainees from rejoining the fight after rehabilitation.

This is a simple amendment that reflects the concerns that Americans have about the danger of releasing terrorists, either here or in their home countries, where they could then, of course, return to the fight. Until now, the administration has offered vague assurances—quite vague assurances—that it will not do anything to make Americans less safe. This amendment says Americans expect more than a vague assurance, and it would require it.

Some have argued such a reporting requirement would reveal classified information. We just heard the Senator from Illinois say that. Nothing could be further from the truth. It would simply require the administration to share this information with a very limited, specific group in Congress with relevant oversight responsibilities which already has access to the most classified information imaginable—the very same people who already have access to this information.

Some have said a reporting requirement isn't necessary. This is also false. First, because we know the recidivism rate of detainees who weren't even considered a serious threat—this is the people they let go because they didn't think they were a serious threat—12 percent of them have gone back to the fight. It is perfectly clear we need to know whether any of the current detainees who may be released in the future pose a similar or even greater threat of returning to the battle. Moreover, a reporting requirement has proven to be necessary by the simple fact that the administration has been so reluctant to share any details whatsoever about its plans for the inmates at Guantanamo.

Senator SESSIONS, the ranking member of the Judiciary Committee, has made at least two formal requests for information from the Attorney General: First, in a letter of April 2 and, second, in a letter of April 4. To this day, Senator SESSIONS has not received a reply to either one. If the administration isn't willing to share information on these terrorists voluntarily, except, of course, with those folks in Europe, then Congress will have to require it through the kind of legislation my amendment represents.

Some have argued this reporting requirement would also hinder prosecutions by making evidence public. We just heard that from my good friend from Illinois. This is also false for reasons I have already enumerated. It would only require a summary of the administration's findings, and the summary would only have to be shared with a small group—a very small group—of Members in a classified setting. This has never disrupted prosecutions in the past. It will not disrupt prosecutions in the future.

Some have further suggested that a reporting requirement would be oner-

ous. This is false. The administration says it already has begun its review of detainees. My amendment simply asks that it share with us the details of that review. Subsequent reports would be made on a quarterly basis, which is hardly onerous, particularly given the gravity of the issue.

Americans would like to have assurance that the President's arbitrary deadline to close Guantanamo by next January will pose no threat to themselves or their families. In fact, just today—this very day—FBI Director Mueller testified before a House Judiciary Committee about his concerns that detainees who are currently held at Guantanamo could present a serious risk not only upon transfer to their home countries but even upon transfer to maximum security prisons in the United States. He cited concerns for their ability to radicalize others and to conduct terrorist operations.

As to the latter, he cited gang leaders who have been able to run their gangs from prison as proof that terrorists could—I will continue on leader time, Mr. President.

The FBI Director just today cited the following: The possibility that gang leaders who have been able to run their gangs from prison as proof that terrorists could do the same. Imagine that. Terrorists in a prison in your home State organizing other prisoners.

The Director of the FBI has access to classified information. We recognize him as one of our Nation's top law enforcement officials. He is someone who should be taken seriously. That is what he said today.

Americans don't want terrorists plotting attacks against us anywhere. They certainly don't want them doing so in our backyards or down the road in the local prison. And Americans don't want terrorists whom we release attacking our service men and women overseas. That is why the administration should be required to let us know whether any terrorists released or transferred from Guantanamo pose a risk to our military servicemembers overseas. That is what my amendment would do.

With all due respect to my friend from Illinois, any other characterization of it, I must suggest, would be inaccurate.

I urge the approval of the amendment.

Mr. DURBIN. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 2½ minutes.

Mr. DURBIN. Mr. President, I won't dwell on the double standard. I won't dwell on the fact that when President Bush suggested Guantanamo be closed, I don't recall a single Republican Senator—certainly not Senator McCONNELL or those who have spoken recently—objecting. I won't dwell on the fact that when there were releases of hundreds of detainees from Guantanamo, there was no requirement of an accounting by the Republican side of

the aisle about these people and where they were headed. I certainly won't argue the double standard that this President has stepped forward and said he will come forward with a plan in detail of how to do this in a responsible way.

Does anyone in this Chamber seriously believe President Obama would release a terrorist into their community, into their neighborhood? Can you really say that with a straight face? I don't think you can. The American people know better. This President is responsible. Like every President, he wants to protect us, and to suggest otherwise is not responsible.

The Senator from Kentucky has discussed many things today. He has failed to note that we currently have in U.S. prisons 347 inmates being held for terrorism. Currently, in your Federal prison in your State in your backyard, in your neighborhood, according to the Senator from Kentucky, 347 convicted terrorists are in our prisons today—not at Guantanamo, in our prisons.

I will get back to the bottom line. Why in the world would we jeopardize the prosecution of any detainee at Guantanamo with the requirement of the McConnell amendment that the President disclose evidence, intelligence, and information to justify the detention of the detainee? It is far better for us not to request that information and successfully prosecute that person than to satisfy the curiosity of the Senator from Kentucky.

I yield the floor.

Mr. MCCONNELL. Mr. President, I wish to retain some of my leader time for rebuttal.

Let me just use a moment of my leader time to reiterate the fundamental point. The Director of the FBI thinks this is a problem; he just said so today. I know the Senator from Illinois is a great lawyer and understands all of these matters fully. We think it is important for the relevant Members of Congress to be assured that these terrorists do not have the kind of profile that would warrant their release.

This is not an attack on the current administration. The previous administration mistakenly released a number of detainees who went back to the battlefield. Why should we not learn from the experience of the past and apply it to the future? I hope my amendment will be adopted.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Utah (Mr. HATCH).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 92, nays 3, as follows:

[Rollcall Vote No. 198 Leg.]
YEAS—92

Akaka	Enzi	Merkley
Alexander	Feingold	Mikulski
Barrasso	Feinstein	Murkowski
Baucus	Gillibrand	Murray
Bayh	Graham	Nelson (NE)
Begich	Grassley	Nelson (FL)
Bennet	Gregg	Pryor
Bennett	Hagan	Reed
Bingaman	Harkin	Reid
Bond	Hutchison	Risch
Boxer	Inhofe	Roberts
Brown	Inouye	Sanders
Brownback	Isakson	Schumer
Bunning	Johanns	Sessions
Burr	Johnson	Shaheen
Cantwell	Kaufman	Shelby
Cardin	Kerry	Snowe
Carper	Klobuchar	Specter
Casey	Kohl	Stabenow
Chambliss	Kyl	Tester
Coburn	Landrieu	Thune
Cochran	Lautenberg	Udall (CO)
Collins	Levin	Udall (NM)
Conrad	Lieberman	Vitter
Corker	Lincoln	Voinovich
Cornyn	Lugar	Warner
Crapo	Martinez	Webb
DeMint	McCain	Whitehouse
Dodd	McCaskill	Wicker
Dorgan	McConnell	Wyden
Ensign	Menendez	

NAYS—3

Burr	Durbin	Leahy
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NOT VOTING—4

Byrd	Kennedy
Hatch	Rockefeller

The amendment (No. 1136), as modified, was agreed to.

AMENDMENT NO. 1140, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate prior to the vote in relation to amendment No. 1140, as modified, offered by the Senator from Kansas, Mr. BROWNBACK.

The Senator from Kansas is recognized.

Mr. BROWNBACK. Mr. President, this is a very simple amendment. I hope we can get everybody's support. I wish to read it because it is so short, simple, and straightforward:

It is the sense of the Senate that the Secretary of Defense should consult with State and local government officials before making any decision about where detainees at Naval Station Guantanamo Bay, Cuba, might be transferred, housed, or otherwise incarcerated as a result of the implementation of the Executive Order of the President to close the detention facilities at Naval Station Guantanamo Bay.

We should all be for that. We put this as "should" instead of a requirement. In Leavenworth, KS, they are very concerned about this. They need to be consulted. In Alexandria, VA, the 20th hijacker, Moussaoui, was tried, and here is what the mayor of Alexandria said:

We would be absolutely opposed to relocating Guantanamo prisoners to Alexandria. We would do everything in our power to lobby the President, the Governor, Congress, and everybody else to stop it. We have had

this experience and it was unpleasant. Let someone else have it.

I think we need to consult with the local communities and let them speak. That is why I urge a unanimous vote in favor of this sense-of-the-Senate amendment.

The PRESIDING OFFICER. Who yields time?

The Senator from Hawaii is recognized.

Mr. INOUE. Mr. President, I am for it.

I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded back.

Mr. BROWNBACK. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from West Virginia (Mr. ROCKEFELLER) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Utah (Mr. HATCH) and the Senator from Oklahoma (Mr. COBURN).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "yea."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 199 Leg.]
YEAS—94

Akaka	Enzi	Merkley
Alexander	Feingold	Mikulski
Barrasso	Feinstein	Murkowski
Baucus	Gillibrand	Murray
Bayh	Graham	Nelson (NE)
Begich	Grassley	Nelson (FL)
Bennet	Gregg	Pryor
Bennett	Hagan	Reed
Bingaman	Harkin	Reid
Bond	Hutchison	Risch
Boxer	Inhofe	Roberts
Brown	Inouye	Sanders
Brownback	Isakson	Schumer
Bunning	Johanns	Sessions
Burr	Johnson	Shaheen
Burr	Kaufman	Shelby
Cantwell	Kerry	Snowe
Cardin	Klobuchar	Specter
Carper	Kohl	Stabenow
Casey	Kyl	Tester
Chambliss	Landrieu	Thune
Cochran	Lautenberg	Udall (CO)
Collins	Leahy	Udall (NM)
Conrad	Levin	Vitter
Corker	Lieberman	Voinovich
Cornyn	Lincoln	Warner
Crapo	Lugar	Webb
DeMint	Martinez	Whitehouse
Dodd	McCain	Wicker
Dorgan	McCaskill	Wyden
Durbin	McConnell	
Ensign	Menendez	

NOT VOTING—5

Byrd	Hatch	Rockefeller
Coburn	Kennedy	

The amendment (No. 1140), as modified, was agreed to.

The PRESIDING OFFICER. The majority leader.

Mr. REID. Mr. President, I have conferred with the bill managers, and I am told this will be the last rollcall vote tonight. There is still opportunity for people to talk to the managers about amendments they wish to offer or try to work things out so they can accept them. Senator INOUE is willing to accept a number of amendments, but we need unanimous consent to do that.

We are going to have a cloture vote probably about 10 or 10:30 in the morning. We will decide what time we are going to come in tomorrow morning—9 or 9:30—and have a cloture vote 1 hour after that. The Parliamentarians will be working tonight to find out what amendments are germane postcloture.

AMENDMENT NO. 1191

Mr. LEAHY. Will the distinguished majority leader yield?

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I want to call up an amendment and have it pending to H.R. 2346, an amendment numbered 1191.

The PRESIDING OFFICER. Is there objection?

Mrs. HUTCHISON. Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. LEAHY. Mr. President, I understand objection has been heard. Among the people on this amendment are Senator GREGG, Senator SHELBY, myself, and Senators KERRY and DODD, as well as Senator LUGAR.

Mrs. HUTCHISON. Mr. President, I withdraw my objection.

Mr. LEAHY. I thank the Senator for withdrawing her objection. Again, I ask unanimous consent to call up amendment No. 1191 to the bill.

The PRESIDING OFFICER. Is there any objection to setting aside the pending amendments?

Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Vermont [Mr. LEAHY], for himself and Mr. KERRY, proposes an amendment numbered 1191.

Mr. LEAHY. I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide for consultation and reports to Congress regarding the International Monetary Fund)

On page 102, line 9, strike "In" and everything thereafter through the end of line 14 on page 106, and insert in lieu thereof the following:

In order to carry out the purposes of a one-time decision of the Executive Directors of the International Monetary Fund (the Fund) to expand the resources of the New Arrangements to Borrow, established pursuant to the decision of January 27, 1997 referred to in paragraph (1) above, and to make other amendments to the New Arrangements to Borrow to achieve an expanded and more flexible New Arrangements to Borrow as con-

templated by paragraph 17 of the G-20 Leaders' Statement of April 2, 2009 in London, the Secretary of the Treasury is authorized to instruct the United States Executive Director to consent to such amendments notwithstanding subsection (d) of this section, and to make loans, in an amount not to exceed the dollar equivalent of 75,000,000,000 Special Drawing Rights, in addition to any amounts previously authorized under this section and limited to such amounts as are provided in advance in appropriations Acts, except that prior to activation, the Secretary of the Treasury shall report to Congress on whether supplementary resources are needed to forestall or cope with an impairment of the international monetary system and whether the Fund has fully explored other means of funding, to the Fund under article VII, section 1(i), of the Articles of Agreement of the Fund: Provided, That prior to instructing the United States Executive Director to provide consent to such amendments, the Secretary of the Treasury shall consult with the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives on the amendments to be made to the New Arrangements to Borrow, including guidelines and criteria governing the use of its resources; the countries that have made commitments to contribute to the New Arrangements to Borrow and the amount of such commitments; and the steps taken by the United States to expand the number of countries so the United States share of the expanded New Arrangements to Borrow is representative of its share as of the date of enactment of this act: Provided further, That any loan under the authority granted in this subsection shall be made with due regard to the present and prospective balance of payments and reserve position of the United States."

and

(2) in subsection (b)

(A) by inserting "(1)" before "For the purpose of;

(B) by inserting "subsection (a)(1) of after "pursuant to"; and

(C) by adding at the end the following:

"(2) For the purpose of making loans to the International Monetary Fund pursuant to subsection (a)(2) of this section, there is hereby authorized to be appropriated not to exceed the dollar equivalent of 75,000,000,000 Special Drawing Rights, in addition to any amounts previously authorized under this section, except that prior to activation the Secretary of the Treasury shall report to Congress on whether supplementary resources are needed to forestall or cope with an impairment of the international monetary system and whether the Fund has fully explored other means of funding, to remain available until expended to meet calls by the Fund. Any payments made to the United States by the Fund as a repayment on account of the principal of a loan made under this section shall continue to be available for loans to the Fund."

SEC. 1302. The Bretton Woods Agreements Act (22 U.S.C. 286 et seq.) is amended by adding at the end the following:

"SEC. 64. ACCEPTANCE OF AMENDMENTS TO THE ARTICLES OF AGREEMENT OF THE FUND.

"The United States Governor of the Fund may agree to and accept the amendments to the Articles of Agreement of the Fund as proposed in the resolutions numbered 63-2 and 63-3 of the Board of Governors of the Fund which were approved by such Board on April 28, 2008 and May 5, 2008, respectively."

"SEC. 65. QUOTA INCREASE.

"(a) IN GENERAL.—The United States Governor of the Fund may consent to an in-

crease in the quota of the United States in the Fund equivalent to 4,973,100,000 Special Drawing Rights.

(b) SUBJECT TO APPROPRIATIONS.—The authority provided by subsection (a) shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts."

"SEC. 66. APPROVAL TO SELL A LIMITED AMOUNT OF THE FUND'S GOLD.

"(a) The Secretary of the Treasury is authorized to instruct the United States Executive Director of the Fund to vote to approve the sale of up to 12,965,649 ounces of the Fund's gold acquired since the second Amendment to the Fund's Articles of Agreement, only if such sales are consistent with the guidelines agreed to by the Executive Board of the Fund described in the Report of the Managing Director to the International Monetary and Financial Committee on a New Income and Expenditure Framework for the International Monetary Fund (April 9, 2008) to prevent disruption to the world gold market: Provided, That at least 30 days prior to any such vote, the Secretary shall consult with the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives regarding the use of proceeds from the sale of such gold: Provided further, That the Secretary of the Treasury shall seek to ensure that:

(1) the Fund will provide support to low-income countries that are eligible for the Poverty Reduction and Growth Facility or other low-income lending from the Fund by making available Fund resources of not less than \$4 billion;

(2) such Fund resources referenced above will be used to leverage additional support by a significant multiple to provide loans with substantial concessionality and debt service payment relief and/or grants, as appropriate to a country's circumstances;

(3) support provided through forgiveness of interest on concessional loans will be provided for not less than two years; and

(4) the support provided to low-income countries occurs within six years, a substantial amount of which shall occur within the initial two years.

(b) In addition to agreeing to and accepting the amendments referred to in section 64 of this act relating to the use of proceeds from the sale of such gold, the United States Governor is authorized, consistent with subsection (a), to take such actions as may be necessary, including those referred to in section 5(e) of this act, to also use such proceeds for the purpose of assisting low-income countries."

"SEC. 67. ACCEPTANCE OF AMENDMENT TO THE ARTICLES OF AGREEMENT OF THE FUND.

"The United States Governor of the Fund may agree to and accept the amendment to the Articles of Agreement of the Fund as proposed in the resolution numbered 54-4 of the Board of Governors of the Fund which was approved by such Board on October 22, 1997: Provided, That not more than one year after the acceptance of such amendments to the Fund's Articles of Agreement, the Secretary of the Treasury shall submit a report to the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives analyzing Special Drawing Rights, to include a discussion of how those countries that significantly use or acquire Special Drawing Rights in accordance with Article XIX, Section 2(c), use or acquire them; the extent to which countries experiencing balance of payment difficulties exchange or use their Special Drawing Rights

to acquire reserve currencies; and the manner in which those reserve currencies are acquired when utilizing Special Drawing Rights.”

Mr. LEAHY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

AMENDMENT NO. 1189

Mrs. HUTCHISON. Mr. President, I would like to call up amendment No. 1189, also for the purposes of having it pending, and then I would like to speak about what I am trying to do with the majority.

The PRESIDING OFFICER. Is there objection?

Without objection, the clerk will report.

The legislative clerk read as follows:

The Senator from Texas [Mrs. HUTCHISON] proposes an amendment numbered 1189.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: to protect auto dealers)

At the appropriate place, insert the following new section:

No funds shall be expended from the Treasury to an auto manufacturer which has notified a dealership that it will be terminated without providing at least 60 days for that dealership to wind down its operations and sell its inventory.

Mrs. HUTCHISON. Mr. President, this amendment I have put on the table, and which is now pending, I think is so important because we must try to help the Chrysler dealers that have only gotten 3 weeks' notice to shut down. I am working with the Senators from Michigan who have concerns about whether this amendment would in any way delay the bankruptcy proceedings so that Chrysler can come out of that, and I do not want to disrupt that whole effort that is being made to help Chrysler. So we are working with the White House and with the Senators from Michigan and the people who are representing Chrysler to try to come up with language that will assure that nothing that we do would affect the timeliness of Chrysler being able to come out of bankruptcy and the courts.

What we are trying to do, however, should not cost Chrysler anything. We want to try to move forward, if we can, to get this agreement and the correct language so as not to affect the bankruptcy in any way but to give these dealers more than 3 weeks' notice for shutting down a dealership that has been in their family or one that they own and in which they have made their investments. They are looking at bankruptcy too.

Many times these dealerships are the largest employer in a whole community, in a whole county, and we know hundreds of them—over 700 across this country, 789 on May 14—3 weeks' notice to shut down.

I know we can do better in this country, Mr. President, and I want to work

with everyone who is affected. I have talked to the chairman of the Banking Committee who has agreed to clear this if it meets all the tests so it will not hurt the bankruptcy. But these dealers are forced into bankruptcy too, and I hope we can give them just 60 days instead of 3 weeks. It is only adding 3 weeks. They will then have much more capability to have an orderly process to shut down their businesses. We are not trying to affect the decision. We are not trying to reach into Chrysler's decisions that they have made that will shut down these dealerships. We are just asking for 3 more weeks to let them shut down in, hopefully, a little bit better situation. Let them get some help to know what they have to do and to sell all the parts, all the equipment, and try to get their financial arrangements in order.

This will also be good for the surviving dealerships because, hopefully, they are going to buy some of this equipment, and they will need financing to do that as well. Our taxpayers are funding a lot of auto manufacturers' operations. I think the least we can do for many of those people who are paying these taxes—and that is the dealers—is to give them a chance.

I have a list of the number of dealers in these States that are getting shut down, and I am just asking for some kind of equity for them. It is not equity when they are going to be shut down anyway, but 3 weeks is just not rational.

So I don't want to hurt the Chrysler situation. I don't want to delay their bankruptcy. I don't want to in any way obstruct what they are trying to do because I want Chrysler to succeed. I do. So I am going to work with the Senators from Michigan, and I am going to work with the White House to try to come up with language that would say this doesn't delay the bankruptcy, and try to go forward and give these dealers that 3 extra weeks—the 3 weeks that will help them have an orderly shutdown and, hopefully, keep their employees a little longer because this is a big hit to many people in this country—789 dealerships, 3 weeks' notice, Mr. President. I don't think that is the way our country should be operating in this crisis.

Ms. MIKULSKI. Mr. President, will the Senator yield for a question?

Mrs. HUTCHISON. I will be happy to yield.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. I will only take a moment because I know the Senator from Oregon is on a tight schedule and wants to call up his amendment. But is the Senator proposing legislation?

Mrs. HUTCHISON. I am proposing an amendment that would give just 3 more weeks to the Chrysler dealers that are going to be shut down—3 more weeks for that process.

Ms. MIKULSKI. I thank the Senator for answering the question. I, too, am deeply troubled by the plight of these

dealers, and I ask unanimous consent to be listed as a cosponsor of the amendment.

Mrs. HUTCHISON. I thank the Senator, and I would be glad to list the Senator as a cosponsor.

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

Mrs. HUTCHISON. Mr. President, I also ask unanimous consent that Senators COCHRAN, BROWN, MCCASKILL, and BOND be listed as cosponsors.

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

The Senator from Oregon.

AMENDMENT NO. 1185

Mr. MERKLEY. Mr. President, I ask unanimous consent to set aside the pending amendment and call up amendment No. 1185, which is at the desk.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oregon [Mr. MERKLEY] proposes an amendment numbered 1185.

Mr. MERKLEY. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To express the sense of the Senate on the use by the Department of Defense of funds in the Act for operations in Iraq in a manner consistent with the United States-Iraq Status of Forces Agreement)

At the appropriate place in title III, insert the following:

SENSE OF SENATE ON USE OF FUNDS FOR OPERATIONS IN IRAQ

SEC. 315. It is the sense of the Senate that funds appropriated or otherwise made available to the Department of Defense by this title for operations in Iraq should be utilized for those operations in a manner consistent with the United States-Iraq Status of Forces Agreement, including specifically that—

(1) the United States combat mission in Iraq will end by August 31, 2010;

(2) any transitional force of the United States remaining in Iraq after August 31, 2010, will have a mission consisting of—

(A) training, equipping, and advising Iraqi Security Forces as long as they remain non-sectarian;

(B) conducting targeted counter-terrorism missions; and

(C) protecting the ongoing civilian and military efforts of the United States within Iraq; and

(3) through continuing redeployments of the transitional force of the United States remaining in Iraq after August 31, 2010, all United States troops present in Iraq under the United States-Iraq Status of Forces Agreement will be redeployed from Iraq by December 31, 2011.

Mr. MERKLEY. Mr. President, I ask unanimous consent that Senator WHITEHOUSE be added as a cosponsor of the amendment.

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

Mr. MERKLEY. Mr. President, the amendment I offer this evening is very straightforward. Put simply, I offer

this amendment to support and affirm President Obama's plan to end the war in Iraq. This amendment expresses the sense of the Senate that the funding provided in this bill will be used in accordance with the United States-Iraq Status of Forces Agreement signed this past fall. This agreement—SOFA as it is often referred to—makes it clear that our combat mission in Iraq will end next summer.

President Obama has been unwavering in his commitment to get our troops out of Iraq. He has repeatedly stated—and in very straightforward terms—that by August 31, 2010, our combat mission in Iraq will end. President Obama has gone further and declared that any troops remaining in Iraq after that date will be either training Iraqi forces, conducting targeted counterterrorism missions, or protecting U.S. personnel still in Iraq.

After 6 years of intense military operations in Iraq, the time has come to empower the Iraqis to provide their own national security. We must continue to provide training to protect U.S. personnel in the country and to conduct narrowly focused counterinsurgency missions when necessary. The United States should also provide funding for projects that rebuild Iraq's infrastructure, strengthen its economy, and improve the living conditions of its citizens.

Colleagues, next month, the 41st Brigade Combat Team of the Oregon National Guard will send 3,000 soldiers to Iraq. This is the largest deployment of the Oregon National Guard since World War II. I honor these men and women for their valiant and critical service, but I hope in the near future we will know that this is the last such deployment of our men and women we will send to Iraq.

I urge adoption of this amendment.

AMENDMENT NO. 1138

Mr. President, on behalf of Senator DEMINT, I would like to call up amendment No. 1138 and ask that it be reported by number.

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Oregon [Mr. MERKLEY], for Mr. DEMINT, proposes an amendment numbered 1138.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To strike the provisions relating to increased funding for the International Monetary Fund)

Beginning on page 100, strike line 12 and all that follows through page 107, line 21.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, if I could interrupt the Senator from Or-

egon just to add two more cosponsors to amendment No. 1189. I ask unanimous consent to add Senator LAUTENBERG and Senator MENENDEZ.

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

The Senator from Oregon.

AMENDMENT NO. 1179, AS MODIFIED

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Kaufman amendment, No. 1179, be modified with the changes at the desk.

The PRESIDING OFFICER. Is there objection? Without objection, the amendment is so modified.

The amendment, as modified, is as follows:

On page 71, between lines 13 and 14, insert the following:

(g) TRAINING IN CIVILIAN-MILITARY COORDINATION.—The Secretary of State, in consultation with the Secretary of Defense and the Administrator of the United States Agency for International Development, shall seek to ensure that civilian personnel assigned to serve in Afghanistan receive civilian-military coordination training that focuses on counterinsurgency and stability operations, and shall submit a report to the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives not later than 90 days after the date of the enactment of this Act detailing how such training addresses current and future civilian-military coordination requirements.

Mr. MERKLEY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. BURRIS. Mr. President, I ask unanimous consent to speak as in morning business.

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

AMENDING THE AMERICAN RECOVERY AND REINVESTMENT ACT

Mr. BURRIS. Mr. President, as I address the Chamber this evening, our great country is in the grips of an unprecedented economic crisis. In our lifetime, it has never been harder for American men and women to find a job, to get a loan, or to make ends meet. This Congress has boldly taken action in the form of a landmark stimulus package, but millions of Americans are still waiting and wondering. It is a question I hear each and every time I travel home to Illinois: Where is our stimulus relief? They are waiting for help, waiting for results, waiting to fulfill the promise of the American dream, which suddenly seems just out of reach. It is our duty to provide relief in a timely manner, Mr. President. But in the rush to allocate stimulus funds, we must not be too hasty. As we work to get this economy back on track, we need to make sure that every dollar—every dollar—is spent wisely.

I have vast experience in this area. During my three terms as Comptroller of the State of Illinois, I worked hard to maintain accountability as money was distributed, so I know how difficult it is.

I will also understand the importance of transparency and robust oversight.

That is why I, along with my colleagues, Chairman LIEBERMAN, Ranking Member COLLINS, and Senator MCCASKILL, have introduced S. 104, the Enhanced Oversight of State and Local Economic Recovery Act to amend the American Recovery and Reinvestment Act. This measure would set aside up to one-half of 1 percent of all the stimulus funds and allow State and local governments to use this administrative expense reserve to distribute and track the stimulus money as it is received and spent.

These costs are currently unfunded, leaving taxpayers with no concrete assurance that their money is being efficiently delivered to where it is most needed. Our legislation would change that, mandating careful oversight and strict regulation as every dollar is spent. This measure represents common sense and simple good governance. I urge my colleagues to join me as we work to ensure transparency and accountability.

This bill would be an excellent start, but I think we should even go further. The American people demand not just basic reform but a sweeping expansion of oversight and accountability for their stimulus dollars. When this Congress passed the American Recovery and Reinvestment Act, and President Obama signed it into law, we took a bold step toward starting to rebuild our economy. But we must ensure that our efforts are not penny wise and pound foolish. Without transparency, without accountability, without oversight, we will not be effective. We cannot allow billions of dollars to disappear blindly into State treasuries. Perhaps these dollars would be spent wisely, perhaps not. Perhaps is not good enough for the American people and it is also not good enough for me. As a former comptroller, I know better than to simply trust that these funds will be put to good use. That is why I have introduced this bill, to make available the funds to track and regulate every dollar of taxpayers' money, to keep government officials honest and accountable to the people they serve.

We owe it to the hard-working men and women of this country to send targeted relief on swift wings, and this legislation is an essential part of that.

I thank Chairman LIEBERMAN, Ranking Member COLLINS, and my friend from the great State of Missouri, Senator MCCASKILL, for joining me in this effort. I ask all my colleagues to support this essential legislation. We must act without delay.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BENNET. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

AMENDMENT NO. 1167

Mr. BENNET. Mr. President, I ask unanimous consent to set aside the pending amendments so that I may call up my amendment No. 1167.

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

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BENNET], for himself, and Mr. CASEY, proposes an amendment numbered 1167.

The amendment is as follows:

(Purpose: To require the exclusion of combat pay from income for purposes of determining eligibility for child nutrition programs and the special supplemental nutrition program for women, infants, and children)

On page 4, between lines 2 and 3, insert the following:

SEC. 103. MILITARY FAMILY NUTRITION PROTECTION.

(a) CHILD NUTRITION PROGRAMS.—Section 9(b) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758(b)) is amended by adding at the end the following:

“(14) COMBAT PAY.—

“(A) DEFINITION OF COMBAT PAY.—In this paragraph, the term ‘combat pay’ means any additional payment under chapter 5 of title 37, United States Code, or otherwise designated by the Secretary to be appropriate for exclusion under this paragraph, that is received by or from a member of the United States Armed Forces deployed to a designated combat zone, if the additional pay—

“(i) is the result of deployment to or service in a combat zone; and

“(ii) was not received immediately prior to serving in a combat zone.

“(B) EXCLUSION.—Combat pay shall not be considered to be income for the purpose of determining the eligibility for free or reduced price meals of a child who is a member of the household of a member of the United States Armed Forces.”.

(b) SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN.—Section 17(d)(2) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(d)(2)) is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by inserting after subparagraph (B) the following:

“(C) COMBAT PAY.—For the purpose of determining income eligibility under this section, a State agency shall exclude from income any additional payment under chapter 5 of title 37, United States Code, or otherwise designated by the Secretary to be appropriate for exclusion under this subparagraph, that is received by or from a member of the United States Armed Forces deployed to a designated combat zone, if the additional pay—

“(i) is the result of deployment to or service in a combat zone; and

“(ii) was not received immediately prior to serving in a combat zone.”.

Mr. BENNET. Mr. President, my amendment ensures that active-duty soldiers do not lose family benefits, nutrition benefits that they have come to count on. It is wrong that a combat family would actually lose WIC benefits and child nutrition benefits just because the military loved one gets called up.

I thank my colleagues Senators JOHANNIS and CASEY for their support of this amendment. I appreciate the great

work of the chairman on this important piece of legislation.

I urge, at the appropriate time, adoption of the amendment.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

AMENDMENT NO. 1201 TO AMENDMENT NO. 1167

Mr. REID. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 1201 to amendment No. 1167.

Mr. REID. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

At the end of the amendment, add the following:

This section shall become effective 3 days after enactment.

Mr. INOUE. Mr. President, I certify that the information required by Senate rule XLIV, related to congressionally directed spending has been available on a publicly accessible congressional Web site in a searchable format at least 48 hours before a vote on the pending bill.

MORNING BUSINESS

Mr. REID. Mr. President, I now ask unanimous consent to proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

SCHOOL SAFETY PATROL LIFESAVING AWARD RECIPIENTS

Mr. REID. Mr. President, I rise today to recognize the actions of the five young Americans who are this year's School Safety Patrol Lifesaving Award recipients as chosen by the American Automobile Association.

The American Automobile Association, AAA, began the School Safety Patrol Program in 1920 as a way to promote traffic safety amongst school children. Since 1949, the AAA School Safety Patrol Program has awarded its highest honor, the Lifesaving Award, to those patrollers who have acted to save the life of another. This year five heroic School Safety Patrollers are receiving this award, and it is my great honor to recognize their courageous actions.

In nearby Alexandria, VA, Norman Wallace was at his bus patrol post help-

ing to safely direct fellow Hybla Valley Elementary School students exit the bus when he spotted a vehicle coming towards a 5-year-old girl who was crossing in front of the bus. Acting quickly, Norman pulled the young girl from harm's way. His courageous actions ensured that the girl went unharmed.

Lulu Beltran showed great foresight while performing her duty as an AAA school safety patroller at Dixie Downs Elementary School in St. George, UT. While a fellow student was crossing the street, Lulu noticed that an approaching vehicle was not slowing down. After assessing the situation, Lulu moved swiftly and pulled her fellow student out of harm's way.

Working with her patrol advisor at Minnehaha Elementary School in Vancouver, WA, Sierra Clark acted bravely to prevent a fifth-grade girl from being hit when a vehicle suddenly sped around a corner. As the vehicle approached the crossing, Sierra snapped into action and pushed the girl out of danger.

Hunter Turner was patrolling a busy intersection near his Strassburg School in Sauk Village, IL, when a student began to cross the street without checking for cars first. As a car turned the corner, Hunter pulled the student back onto the sidewalk. If not for Hunter's valiant action, the student would have been struck.

After only 2 weeks at his school safety patrol post at Waterville Primary School in Waterville, OH, Matthew Krause prevented a kindergartener from stepping off a sidewalk just as a truck passed. Matthew's awareness of his surroundings and attentiveness to his duties ensured that this 5-year-old remained unscathed.

The five patrollers whom I have spoken of exemplify values such as courage, alertness, and a commitment to safety, all of which the AAA School Safety Patrol Program has promoted over the years. Patrollers throughout our Nation serve an important role in ensuring that our young people safely navigate traffic hazards to and from school, and I thank them for their work.

CUBAN INDEPENDENCE DAY

Mr. NELSON of Florida. Mr. President, today I rise on behalf of the people of Florida and all Americans, to recognize Cuban Independence Day. We stand in solidarity with the people of Cuba as they fight for democratic change and independence in their homeland, and struggle for a day when basic dignity and freedom of expression is possible without fear of persecution. Tyranny, dictatorships, and political repression have no place in this hemisphere. Now more than ever, the United States must continue to press the Cuban regime, beginning with freeing all political prisoners. We must never waiver in our support for the Cuban people, as they continue their