

DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 2008

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3222, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 3222) making appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes.

Pending:

Graham amendment No. 3117, to improve the security of United States borders.

Gregg amendment No. 3119 (to amendment No. 3117), to change the effective date.

Sanders amendment No. 3130, to increase, with an offset, the amount appropriated for Operation and Maintenance, Army National Guard, by \$10,000,000.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, I ask unanimous consent that Senator ALLARD be recognized to call up his amendment and to speak briefly on it, and then to set aside that amendment, to consider the Graham amendment, debate that, and to have that disposed of by a vote.

Following that, an amendment by Senator FEINGOLD will be in order.

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

AMENDMENT NO. 3146

Mr. ALLARD. Mr. President, I call up amendment No. 3146 and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from Colorado [Mr. ALLARD], for himself and Mr. SALAZAR, proposes an amendment numbered 3146.

Mr. ALLARD. 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 make available from Research, Development, Test, and Evaluation, Defense-Wide, up to \$5,000,000 for the Missile Defense Space Experimentation Center)

At the end of title VIII, add the following:
SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE, up to \$5,000,000 may be available for the Missile Defense Space Experimentation Center (MDSEC) (PE #0603895C).

Mr. ALLARD. Mr. President, my amendment designates \$5 million, the amount requested by the Pentagon, for the Missile Defense Space Experimentation Center, a facility within the Missile Defense Integration Operations Center, on Schriever Air Force Base in Colorado Springs, CO.

This amendment is sponsored by myself and Senator SALAZAR. This concludes my comments to this particular point. I thank the chair and the ranking member for allowing me to make this amendment pending before the Senate.

Yesterday I explained in full the details of this amendment.

Mr. INOUE. Mr. President, parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Mr. President, what is the pending business?

The PRESIDING OFFICER. There will be 30 minutes equally divided with respect to the Graham amendment at this time.

Mr. INOUE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. KYL. I understand that we can now begin the 30 minutes of debate running up to the vote on the Graham-Kyl amendment?

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 3117

Mr. KYL. Let me start by offering a few comments about why this amendment is important. But, first, to put it into context, we have made a lot of progress. We have come a long way toward securing the border and stopping the problem of illegal entry into our country. But we have a long way to go.

This amendment is designed to continue the progress that we have been making with funding that is necessary for that. Just to put a little context here, for example, in 1994 we had 4,000 Border Patrol agents for the entire border. We now have over 15,000. But we still know there are way too many incursions into the United States and more Border Patrol will help to end that.

We gave the Department of Homeland Security an extra \$1.2 billion to pay for those Border Patrol agents, as well as fencing and vehicle barriers, detention space, and the like.

Secretary Chertoff just visited my State of Arizona last week. And he reports in addition to the Border Patrol hiring that I mentioned and the addition of some detention space they are on track to complete 70 miles of fencing by the end of this year. With the additional money this amendment will provide for next year, they will be able to complete at least 371 miles of fencing along the entire Mexican border.

This is not just a fence. Some people say: Well, if you build a 10-foot-high fence, they will come in with an 11-foot ladder. That is a cute refrain, but the reality is, this fencing I have seen built down on the Barry Goldwater Gunnery Range just east of Yuma is double fencing. They have to have a very heavy pile driver to drive these steel beams into the ground and attach steel flanges to the side. You cannot get through there. Now lizards and critters can get through, so from an environmental standpoint, it is actually a good thing, but people cannot get

through. And, importantly, that, combined with vehicle barriers, which are also large railroad tie-type structures put into the ground to prevent vehicles from coming across, is particularly important because it is the vehicles that bring the drugs. Of course, they can bring larger numbers of immigrants. But the reality is, where you have vehicles, most likely you have weapons and you have drugs. And, of course, where that is involved, you are putting in danger the lives of our Border Patrol and other Federal officers and making it more likely that the value of the contraband coming across is going to be significant, thus driving these smugglers into more desperate measures to protect it.

Violence across the entire southern border has increased significantly. With the double fencing, there is a road in between. And the point of fencing is to slow down those who might find a way to get over the fence. The reality is, with additional vehicles, with additional Border Patrol, and this kind of fencing, what you can create is a situation where, by the time someone may have gotten over the first fence, the sensors and the cameras will have alerted Border Patrol, and they are stationed at close enough intervals that on the road in between, Border Patrol can get to the site and pick up the illegal entrants. So that is why this kind of fencing is so important.

As I said, with the money that is provided in this amendment that is before us right now, we will be able to complete at least 370 miles of fencing along the southern border by the end of next year.

We need additional detention space. In Del Rio, TX, in Yuma, AZ, there are programs already that apprehend illegal immigrants. When they have been apprehended more than once, they are put into detention immediately. Now, about 85 percent of the illegal immigrants just want to come here to work. The other 15 percent are criminals, and some are very serious criminals. You need to detain them.

But it is also helpful to detain those who have come across repeatedly to find work. Why? They cannot afford 60 days in jail where they are not providing for their families. And it is a great incentive for them to decide not to cross the border anymore because if they are going to get put in jail, then they are not going to be able to provide the money to their families that they came across here in the first instance to provide.

So those programs have reduced the immigration in those areas dramatically. But we need more detention spaces for this particular kind of detention. Again, this \$3 billion will help to provide that. It can help to provide more prosecutors and public defenders and judges because once you have detention, of course, you also may have criminal trials and you may need to have the entire chain of the criminal justice system funded.

In addition, this funding that we will be providing in this amendment will help to improve the verification system that employers are required to use, the so-called E-Verify system, to make sure it is operating accurately at full capacity.

This is particularly important in my State because, frustrated by the lack of action by the Federal Government to have a good system, our State passed a law that will provide serious sanctions on employers who hire illegal immigrants. But they have to rely on the Federal system to make that determination. It is not, right now, in the best of shape. It needs to be improved. The capacity is there, but the ability to determine valid identity is not. So money in this bill will help to get the Federal system into a position that States could rely on in order to enforce their own State laws against hiring illegal immigrants.

So there is much more that this \$3 billion provides. But I wanted to thank my colleague, Senator GRAHAM, for his work in making sure, whether it is on the Department of Homeland Security bill or this bill, we make sure, one way or the other, that we will have the funding to continue to work to secure the border and to make sure that we can stop the illegal immigration into this country that has created so many problems for us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I rise in support of the Graham amendment. I am proud to be a cosponsor of the amendment. I want to echo what the distinguished Senator from Arizona just said about the border in his State.

I want to talk about the importance of this from two perspectives. One is the reality of what is now beginning to work along our border because of the construction of walls. In the Yuma sector, at San Luis in Arizona, where I went earlier this year, watching the construction of the wall and watching the change of practice that is now taking place, you know, people rise and fall to expectations. If there is no expectation of consequence, then people are going to come across the border easily. Quite frankly, in Yuma and San Luis that is exactly what was going on a year ago.

But the interventions by the Border Patrol since the wall, the construction of the fence that has taken place, have dropped dramatically. Those interventions mean there are less people coming across illegally and more of those people coming across legally.

The wall is a deterrent but, most importantly, it funnels those who do want to cross our border in a legal and manageable way. I always point out San Diego, CA as the perfect example. We have an example right now of a wall and access to the United States that works and has worked for decades. There is a 16-lane highway in San Diego that comes into the United

States and goes out. Through that passage, people and commerce pass every day. There is a bridge above the passage on the American border, and there are agents in each row of the cars as they come through. There are detectors for radiation, for illegal drugs, there are dogs, and arrests are made every day. The reason those cars flow and the reason it is respected is because on both sides of San Diego, there are two parallel walls with cameras, border security agents, and the only way to come into the United States is the lawful way. So if you picture for a second the high-density population areas of the southwestern United States with borders with Mexico, such as Yuma and San Luis, you can have the same type of thing there that happens in San Diego—a free passage that is legal, defensible, safe, and secure. Border Patrol agents can actually concentrate on the area of passage rather than trying to be every place at once on a border that is wide open and has no deterrent.

We have serious problems in enforcement. Our States are reacting to problems of illegal immigration. Our businesses are reacting to the problems of illegal immigration. Yet we have given them no relief. We can't validate our documents for businesses that hire people or tell them whether they are legal. We are within 18 months of finally digitizing all vital records of all States which will give us a way to end Social Security fraud. But we need to step on the accelerator. We need to see to it that respect for the laws of the United States is replete. We need to see to it that we have done the things as the Federal Government to allow our State governments to function and manage this country and manage employment and manage our aliens who come here legally.

I commend Senator GRAHAM on his continuing hard work on the issue of border enforcement and enforcement of immigration laws. I urge each Member of the Senate to adopt the Graham amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. CASEY). The Senator from South Carolina.

Mr. GRAHAM. Mr. President, I thank both of my colleagues for speaking on the amendment. Senator KYL knows as much about this issue as anyone I have ever met. Senator ISAKSON has made it a point to educate himself. He has been to the border several times and was instrumental in trying to find a comprehensive approach, which fell last time, to ensure that the border would be secure before anything else happened. We are building off his work, basically. The \$3 billion we have available in this amendment is designated as an emergency, an oft-used term around here when it comes to spending money. But I can assure everyone that securing our border is a national emergency, because it is a national security problem not to be able to control who

comes into your country. The \$3 billion appropriations in this amendment will allow us to complete projects already designated and to build out border security in a way never known before.

I hope it is a confidence builder. The goal of the amendment is prove to the public that Congress is very serious about securing the border, and we are putting money on the table that has never been there before. We are sort of prepaying the cost of border security as a statement by the Congress to the American people that we are very serious about securing our border. This is one piece of the puzzle. Fencing is part of it, additional border security, Border Patrol agents, more bed space to keep people who have been caught coming across the border illegally. It will create a deterrent. It all works together. The verifying of employment, the magnet that draws people to our country is employment, jobs. We are trying to find a way to verify who is here legally so our employers will be able to tell, if someone is applying for a job, their legal status. Right now that is difficult to do. This \$3 billion is an emergency appropriations, properly designated, that will fundamentally change border security for the better. It will put money on the table that is needed, help build a fence that is needed, hire more Border Patrol guards who are needed, create more bed spaces to house people who have broken the laws—all is needed as part of the puzzle. This by itself will not solve the immigration problem, but it is a start. For people who want border security first, this is a recognition that we have listened to you. We understand what you are saying. We are putting money aside to make sure we secure the border.

Mr. TESTER. Will the Senator from South Carolina yield for a question?

Mr. GRAHAM. I certainly will. I want to get to the point on both borders, but I will yield to my friend Senator TESTER.

Mr. TESTER. Could the Senator clarify how these dollars will be used? Can they be used on the northern border as far as personnel and technological equipment?

Mr. GRAHAM. I thank the Senator for his question. That is correct. They can be. It is our intent that the money in this amendment is not specifically for the southern border but should be used to improve staffing and technology deployment on the entire border, including the Canadian border. It can be used for those purposes. I know the Senator has been very insistent that these funds be allocated to all of our border security needs, including our northern border, and they will be. I appreciate his efforts to make that a reality.

Mr. TESTER. I thank the Senator.

I ask unanimous consent to be added as a cosponsor of the amendment.

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

Mr. GRAHAM. In conclusion, this has drawn bipartisan support in the past, 89

to 1. I expect it will do the same now. There is a lot of division in the Nation over the war and many other issues, but we have come together along the lines that for America to be secure, we have to control who comes into our country. This amendment will provide funds that are missing today to allow us to secure both borders and deal with our employment problems. It is a good first step, but it is only a first step. I appreciate all my colleagues rallying around the idea.

One last comment to the chairman. I don't know if people have been watching a PBS show called "The War." It is a documentary by Ken Burns. I have been riveted every night watching the story of World War II told through the eyes of those who lived it from four communities across the country—I believe Sacramento, CA, a small town in Minnesota, Mobile, AL, and Waterbury, CT. The documentary has been trying to explain to my generation and others what it was like to live and fight during World War II. One of the people showcased in that documentary was Senator INOUE. I wanted to say for the record that I have never been more proud to call him my friend, and I would hope every American, particularly young Americans, will get a chance to see this documentary about World War II and what that generation went through to secure our freedom. There is much to be learned from his sacrifice. I end this debate about the challenges of my time, of our time regarding border security, to let America know that there was a time in the past where this country rallied together, pushed the ball up the hill, and secured victory against some very vicious enemies. I hope we can recapture that spirit. This amendment is offered in the spirit of trying to bring the country together to secure our Nation from a broken immigration system.

But to Senator INOUE, he has my undying respect and gratitude for his service to our Nation. And for all those who fought in that war and served here at home and made the outcome possible, well done.

Mr. VOINOVICH. Mr. President, as a senior member of the Homeland Security and Governmental Affairs Committee, I rise today to speak in opposition to the Graham amendment to provide an additional \$3 billion in emergency spending for the Department of Homeland Security.

I want to make clear that I agree with my colleagues that we must secure our borders and provide the resources to do it. Let me remind my colleagues that the Department's overall budget has grown more than 150 percent since its creation. Of that total, border security and immigration enforcement represents approximately one-third of the Department's annual spending.

In 2007, Congress provided \$12.1 billion in funding for border security. For 2008, the President budget requested \$13.5 billion for border security, a 12-

percent increase over the amount appropriated for fiscal year 2007. The \$13.5 billion that Secretary Chertoff requested from Congress was what he felt was needed to continue the Department's efforts to secure our borders. The Senate Homeland Security Appropriations Committee provided a total of \$14.9 billion for border security in its mark of the fiscal year 2008 Homeland Security appropriations bill, a 23-percent increase over the amount appropriated for fiscal year 2007 and a 10-percent increase over the President's budget request for fiscal year 2008.

Earlier this year, the Senate voted in favor of a similar amendment to the fiscal year 2008 Homeland Security appropriations bill. The Senate provided a total of \$17.9 billion in funding for border security and immigration enforcement, a 48-percent increase over the amount appropriated for fiscal year 2007. Because Congress failed to complete action on any of the appropriations bills, this funding remains in limbo.

The Federal Government continues to spend more than it brings in and this amendment continues that practice. If we decide we absolutely need to spend \$3 billion on something—and I support adequately funding border security—then we need to either raise more revenue or cut other spending to pay for it.

Thus, I urge my colleagues to oppose the Graham amendment.

• Mr. MCCAIN. Mr. President, I am pleased to join Senator GRAHAM, along with Senators GREGG, MCCONNELL, VITTER, CORKER, KYL, DOMENICI, CHAMBLISS, CORNYN, SUNUNU, SPECTER, ISAKSON and TESTER, in sponsoring this important amendment. This amendment would set aside \$3 billion in emergency funding to help better secure our nation's borders.

We are facing a crisis on our southern border. Every day, hundreds of people sneak across our borders, many through the State of Arizona. While the majority of these individuals are coming here to look for work, some of these illegal border crossers are criminals and people intending to do our Nation harm. The current situation is a national security crisis and we must take action to address it.

The amendment Senator GRAHAM has offered would designate \$3 billion in emergency funding to establish operational control of our international land borders. These funds would be used to hire more full-time border patrol agents as well as install double layer permanent fencing and vehicle barriers. The amendment also calls for the instillation of unmanned aerial vehicles, ground-based sensors, and cameras. In order to deter further illegal immigration, the amendment directs funds to be used to continue the Department of Homeland Security's, DHS, efforts to end "catch-and-release" programs. If an immigrant knows he will face mandatory incarceration if caught crossing the border,

that immigrant may not choose to take that risk. Also, through this amendment, funds would be made available to reimburse state and localities for costs related to cooperative agreements they have entered into with DHS that allows them to assist in the efforts to identify and deport illegal immigrants. The funds made available by this amendment would provide on-the-ground, real time assets that will help DHS to secure our Nation's borders in a 21st century way.

The final piece of the Graham amendment would address the need to improve the employment eligibility verification system by directing \$60 million to be set aside to enhance the ability of employers to verify employment eligibility. Without an effective, accurate, and accessible employment verification system undocumented immigrants will continue to be hired because they will never truly have to prove that they are legally allowed to work. We need to do away with the archaic paper-based system and utilize technology in a way that allows employers to instantaneously know if the person standing before them is who they say they are and whether or not that person can be hired legally. We must improve this system to help the government to prosecute unscrupulous employers and ensure that they are hiring and employing legal workers.

The measures outlined and funded in the Graham amendment are critical to our border security efforts and I urge my colleagues to support its adoption. •

I yield the floor.

The PRESIDING OFFICER. Time has expired.

The Senator from Hawaii.

Mr. INOUE. Mr. President, I thank Mr. GRAHAM for his generous remarks.

In the spirit of expediting the process before us, I yield back the remainder of my time.

AMENDMENT NO. 3119, WITHDRAWN

The PRESIDING OFFICER. All time is yielded back.

Under the previous order, amendment No. 3119 is withdrawn.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MCCONNELL. Mr. President, I am extremely pleased the Senate is about to adopt Senator GRAHAM's border security amendment to this bill, and I am proud to be a cosponsor.

We got the message earlier this year: Americans want a strong and secure border. Now we will be sending them a \$3 billion down payment on it.

The border is our first line of defense. The Graham amendment is intended to make sure we don't lose sight of that, and our adoption of it proves we haven't.

Thanks to this amendment, we'll soon have thousands more agents patrolling the border; Three hundred miles of vehicle barriers; and 105 ground-based radar cameras.

We will finish hundreds of miles of fencing we already promised to build, and we will have the funds to remove and detain potentially dangerous illegal immigrants for overstaying their visas and illegally reentering the country.

To Republicans, it is simple: There is no defense without a strong border first. I think most Americans agree.

I yield the floor.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. INOUE. Mr. President, what is the pending business?

The PRESIDING OFFICER. The question is on agreeing to Graham amendment No. 3117.

Mr. GRAHAM. 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 Illinois (Mr. OBAMA) is necessarily absent.

Mr. LOTT. The following Senators are necessarily absent: the Senator from Arizona (Mr. MCCAIN), the Senator from Pennsylvania (Mr. SPECTER), and the Senator from Virginia (Mr. WARNER).

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

The result was announced—yeas 95, nays 1, as follows:

[Rollcall Vote No. 361 Leg.]

YEAS—95

Akaka	Corker	Klobuchar
Alexander	Cornyn	Kohl
Allard	Craig	Kyl
Barrasso	Crapo	Landrieu
Baucus	DeMint	Lautenberg
Bayh	Dodd	Leahy
Bennett	Dole	Levin
Biden	Domenici	Lieberman
Bingaman	Dorgan	Lincoln
Bond	Durbin	Lott
Boxer	Ensign	Lugar
Brown	Enzi	Martinez
Brownback	Feingold	McCaskill
Bunning	Feinstein	McConnell
Burr	Graham	Menendez
Byrd	Grassley	Mikulski
Cantwell	Gregg	Murkowski
Cardin	Hagel	Murray
Carper	Harkin	Nelson (FL)
Casey	Hatch	Nelson (NE)
Chambliss	Hutchison	Pryor
Clinton	Inhofe	Reed
Coburn	Inouye	Reid
Cochran	Isakson	Roberts
Coleman	Johnson	Rockefeller
Collins	Kennedy	Salazar
Conrad	Kerry	Sanders

Schumer	Stabenow	Vitter
Sessions	Stevens	Webb
Shelby	Sununu	Whitehouse
Smith	Tester	Wyden
Snowe	Thune	

NAYS—1

Voinovich

NOT VOTING—4

McCain	Specter
Obama	Warner

The amendment (No. 3117) was agreed to.

Mr. LOTT. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the Senator from Wisconsin is recognized to offer an amendment.

Mr. FEINGOLD. Mr. President, without objection, I yield briefly to the Senator from Delaware.

Mr. BIDEN. Mr. President, I say to the managers, I am going to ask to introduce an amendment. I am not going to ask for it to be considered now. I only want to lay it down.

I ask unanimous consent that the pending amendment be set aside to call up amendments Nos. 3167 and 3142 and ask for their immediate consideration.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Mr. President, reserving the right to object, if I could say to the distinguished chairman of the Foreign Relations Committee, we are trying to work toward the end of this bill. I am wondering, do you want votes on these two amendments?

Mr. BIDEN. One I think will be worked out and the other one I wish to talk with the Chair about whether I would ask for a vote. I may ask for a vote.

Mr. REID. I thank the Senator.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. Mr. President, reserving the right to object, can we do it in the regular order?

Mr. BIDEN. My friend is accommodating my schedule. I am going to allow us to move on rather than come back after he speaks. That is all. It is an accommodation of my schedule; nothing beyond that.

Mr. STEVENS. The amendment will be pending, right?

Mr. BIDEN. I assume unanimous consent will be asked to move off that amendment and back on to the business of the Senate.

The PRESIDING OFFICER. Is there objection?

Mr. BAUCUS. Mr. President, reserving the right to object, I might ask what the Feingold amendment is and how long he expects to take, and whether he expects to vote on that amendment.

Mr. FEINGOLD. Mr. President, the amendment is very similar to the previous Feingold amendment relating to the Iraq war and using the power of the purse to terminate our involvement

there. I believe there will be a unanimous consent request made to have an hour on each side for the debate.

Mr. BAUCUS. Mr. President, further reserving, I wonder—and this is a bit of an imposition—if I could ask unanimous consent to speak on the SCHIP override vote 5 minutes preceding the Senator offering his amendment.

Mr. FEINGOLD. Mr. President, I have no objection to deferring our consideration of the amendment so the Senator from Montana can speak for 5 minutes.

Mr. BAUCUS. I deeply appreciate it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

Mr. STEVENS. I did not hear the request.

The PRESIDING OFFICER. The Senator from Montana wishes 5 minutes to speak.

Mr. BAUCUS. Five minutes on the Children's Health Insurance Program override—5 minutes—and then go back to the regular order.

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

Mr. BAUCUS. I thank my colleagues.

The PRESIDING OFFICER. Under the previous order, the Senator from Delaware is recognized.

AMENDMENTS NOS. 3167 AND 3142

Mr. BIDEN. Mr. President, I ask unanimous consent that the pending amendment be set aside, and I call up amendments Nos. 3167 and 3142 and ask for their immediate consideration.

The PRESIDING OFFICER. The clerk will report the amendments en bloc.

The bill clerk read as follows:

The Senator from Delaware [Mr. BIDEN] proposes an amendment numbered 3167, for himself and Mr. NELSON of Florida, and an amendment numbered 3142.

Mr. BIDEN. Mr. President, I ask unanimous consent that the reading of the amendments be dispensed with.

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

The amendments are as follows:

AMENDMENT NO. 3167

(Purpose: To make available from Research, Development, Test, and Evaluation, Defense-Wide, \$4,000,000 for MARK V replacement research)

At the end of title VIII, add the following:

SEC. 8107. Of the amount appropriated or otherwise made available by title IV under the heading "RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE", up to \$4,000,000 may be available for Program Element 1160402BB for MARK V replacement research for the pursuit by the Special Operations Command of manufacturing research needed to develop all-composite hulls for ships larger than 100 feet.

AMENDMENT NO. 3142

(Purpose: To provide an additional \$23,600,000,000 for Other Procurement, Army, for the procurement of Mine Resistant Ambush Protected vehicles and to designate the amount an emergency requirement)

At the end of title VIII, add the following: SEC. 8107. The amount appropriated by title III under the heading "OTHER PROCUREMENT, ARMY" is hereby increased by