

to the point where the Federal obligation to local rural communities is not met through these receipts alone.

To compensate for the shortfall and to prevent the loss of essential county schools and roads infrastructure, Congress enacted the Secure Rural Schools and Community Self-Determination Act. This law has provided assistance to communities whose regular Forest Service and Bureau of Land Management receipt-sharing payments have declined significantly. Unfortunately, it expired at the end of 2006. While funding to continue the program for 2007 was thankfully included in last year's emergency supplemental, this funding has run out.

I stood on the floor of this Senate almost 5 months ago asking my colleagues to make this overdue extension and funding a top priority or Congress. However, this extension has still not been achieved, and counties and school districts that were facing job losses 5 months ago are in an increasingly more difficult situation. People are losing their jobs and families across the Nation are being impacted. The education of children across this Nation is being affected. This is unacceptable.

In April, I joined a bipartisan group of Senators who sent a letter to the Senate Appropriations Committee seeking the inclusion of an extension and funding for the Secure Rural Schools and Self-Determination Act of 2000 in the Fiscal Year 2008 Emergency Supplemental Appropriations Act. The Emergency Supplemental that was passed by the Senate last month contained \$400 million to continue county payments for another year. This funding would ensure the continued assistance for rural communities struggling to provide necessary services in areas with large amounts Federal land. This bridge funding is essential to ensure the continuation of needed school services in rural communities throughout the country while work continues on a longer term extension. I understand that unfortunately this funding was stripped out of the supplemental in negotiations between the House and the administration.

I remind this body that a multiple year extension and funding for county payments and PILT has the overwhelming support of a bipartisan majority of the Senate. In fact, 74 Senators voted in favor of an amendment to provide a multi-year extension and funding in last year's emergency supplemental appropriations bill. However, as previously mentioned, this extension was pared back to one-year funding in the version that came out of conference and was enacted into law. Now, there is no funding and far less time.

What does a failure to extend the Secure Rural Schools and Community Self-Determination Act mean? It means the loss of more than 20,000 county and school employee jobs across the Nation. It means nearly 7,000 teachers and educational staff are esti-

mated to lose their jobs. More than 100 teaching positions in Idaho alone will likely be affected. It means that 600 counties and more than 4,000 school districts in 42 States will not have the funds to fully provide needed services. It means incredible uncertainty to rural communities, counties, and families across the Nation during these difficult economic times. It means more than 8,000 road miles will not be maintained in Idaho alone. It means children in rural communities will have decreased access to quality education.

To help visualize the impact on rural communities of a failure to extend the program, I want to share some Idaho examples that were shared with me from my constituents: Shoshone County, ID, with a population of 15,000, expects 15 school instructional staff and as much as 55 percent of the county's road department employees to be affected. In Boise County, with a population of close to 7,000, the Road and Bridge Department will have to lay off the majority of its employees—one half to three-fourths of the employees—within 1 year and only perform those activities that are necessary to public safety. Clearwater County, with a population of approximately 8,000, faces the loss of more than \$500,000, which will greatly impact public safety because of lost services for road maintenance and law enforcement. I am told that Boundary County, with a population of 11,000, will not be able to blacktop roads and will have to let them deteriorate to gravel-based roads. We simply cannot allow this to occur in any State in this Nation.

Congress needs to demonstrate it is serious about getting this done. Families in rural communities across this Nation deserve no less. It is shameful that Congress may be recessing once again and Members will be heading home to their home States without passing an extension. The word disappointing is an understatement. This puts services in rural communities across this Nation in jeopardy, and it is simply wrong. We all need to work together to make this more of a priority. Over the years, this has been a bipartisan effort, and that simply must continue. This takes the commitment of all of us, including administration, House and Senate leadership to get this done.

I understand that other domestic spending has been included in the supplemental. I won't for a second diminish the need for those funds, but I must point out that county payments are vitally important and deserve to be included in the supplemental as well. I will continue to work with my colleagues to press for the inclusion of county payment funds. In December, Senators CRAIG, SMITH, MURKOWSKI, MCCASKILL, DOLE, STEVENS and BENNETT joined me in urging the Senate leadership to attach a reauthorization of county payments and PILT funding to any legislative vehicles expected to be enacted before Congress concluded work for the year.

I continue to believe, as I did then, that we must pursue every opportunity to achieve enactment and attach an extension to every moving legislative vehicle. The counties of the United States which host our Federal properties are not allowed by Federal law to impose property tax on them for the services that those properties require.

This legislation honorably and fairly has met these responsibilities over the years until the last few years when Congress has struggled so hard to find its way through to extension and funding of these important needs.

I encourage my colleagues to act quickly, to act now, and to assure that we give the necessary priority to this county funding to get us past this crisis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, we have received a request that the distinguished senior Senator from Missouri, Mr. BOND, wishes to be recognized upon the conclusion of my remarks.

I ask unanimous consent that Senator BOND be recognized upon the conclusion of my remarks.

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

FISA

Mr. LEAHY. Mr. President, we have an ongoing debate on the whole question of FISA, the Foreign Intelligence Surveillance Act. Since the beginning of this debate, I have opposed legislation that does not provide some kind of accountability for the 6 years of illegal warrantless wiretapping that was started and, in fact, approved by this administration.

The bill that has been presented to the Senate, as it stands now, absent any amendments, seems intended to result in the dismissal of ongoing cases against the telecommunication carriers that participated in the warrantless wiretapping program. It would lead to the dismissal of the cases without allowing a court ever to review whether the program itself was legal.

So the bill would have the effect of ensuring that this administration, the administration that decided to carry out the illegal wiretapping, is never called to answer for its actions, and never held accountable in a court of law. I cannot support that result.

It is now almost 7 years since the President began an effort to circumvent the law in violation of the provisions of the governing statute, the Foreign Intelligence Surveillance Act.

I have said I believe that the conduct was illegal. In running its program of warrantless surveillance, the administration relied on result-oriented legal opinions. These opinions were prepared in secret. They were shown only to a tiny group of like-minded officials. This ensured, of course, that the administration received not independent legal advice, but the legal advice that it had predetermined it wanted.

A former head of the Justice Department's Office of Legal Counsel described this program as a "legal mess."