STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REID (for himself, Mr. HATCH, Mrs. CLINTON, Ms. MURKOWSKI, Mr. SANDERS, Ms. SNOWE, Mr. WARNER, Mr. FEINGOLD, Mr. BIDEN, Mr. MENENDEZ, Mr. REED, Mr. LEAHY, and Mr. LAUTENBERG):

S. 579. A bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer; to the Committee on Health, Education, Labor, and Pensions.

Mr. REID. Mr. President, I am pleased to be joined by Senators HATCH, CLINTON, MURKOWSKI, SANDERS, and SNOWE in introducing the Breast Cancer and Environmental Research Act of 2007. On behalf of the millions of Americans who are affected by breast cancer, I urge all my Senate colleagues to support this important bill.

Many of us are familiar with breast cancer's serious toll on the Nation. Approximately 3 million women are living with the disease today, including an estimated 1 million who have not yet been diagnosed. Moreover, anyone's mother, daughter, wife, sister, or friend is at risk. It is thought that breast cancer will strike one in eight American women in her lifetime, with a new case diagnosed every 2 minutes. That means almost 275,000 new cases are expected to be diagnosed annually, including over 1,600 in Nevada. More than 40,000 lives are lost to the disease every year.

Deanna Jensen, a lifelong Nevadan and tireless activist for breast cancer research, was one of those lives. Sadly, Deanna passed away this year after her own heroic battle against breast cancer. Although the loss is most painfully felt by her loved ones, her legacy can be a reminder to us all that there are real people and real stories behind the impersonal statistics.

There are many more women across the country whose stories go unrecognized. But they deserve more than recognition and appreciation. They deserve answers to the same questions that many patients must surely ask themselves: Why me? Why do I have breast cancer?

The search for those answers is the driving force behind the Breast Cancer and Environmental Research Act. Unfortunately, we still do not know what causes breast cancer, despite the remarkable progress achieved so far. Scientists have identified some risk factors, but those factors can explain fewer than 30 percent of cases. Because many women, and men, have no family history or known genetic links to breast cancer, it is generally believed that the environment plays a role in the development of breast cancer. However, we still do not understand the extent of that role.

We do know that environmental toxins could be partly responsible for America's high breast cancer rate. Studies have explored the effect of isolated environmental factors, such as diet, pesticides, and even electromagnetic fields. In most cases, the results have been inconclusive. Furthermore, there are many other factors that are suspected to play a role that have yet to be studied.

What is needed is not just a boost in the research investment on the role of the environment in the development of breast cancer, which has been very limited so far. We also need a comprehensive, national strategy to fully and effectively explore these issues. The Breast Cancer and Environmental Research Act would address both needs, thereby spurring on promising research. The resulting discoveries could be crucial to improving our knowledge of this complex illness, which could lead to new treatments and perhaps a cure one day.

Specifically, the Breast Cancer and Environmental Research Act will authorize $40 million each year for five years to establish multi-institutional, multi-disciplinary Breast Cancer and Environmental Research Centers of Excellence. Each Center would include institutions with different areas of expertise working together to tackle the same problems from different angles, as well as collaborating with community organizations in the area. Modeled after the tremendously successful Breast Cancer Research Program at the Department of Defense, grants would be awarded under a competitive, peer-reviewed process that involves patient advocates.

Small studies sponsored by the National Institute of Environmental Health Sciences are already underway to study the prenatal-to-adult environmental exposures that may predispose a woman to breast cancer. This is a promising step in the right direction, but it is only a down payment on the task at hand. Moreover, the research strategy for these grants does not follow the nationally-focused, collaborative, and comprehensive model as outlined by the Breast Cancer and Environmental Research Act. Now, more than ever, we need to see the Breast Cancer and Environmental Research Act signed into law.

If we miss promising research opportunities because Congress has failed to act, millions more and their families will face difficult questions about breast cancer. Every day, many of these Americans, like Deanna Jensen, rise to the challenge of fighting back against breast cancer. I encourage Congress to heed the national call to action as well.

In the 109th Congress, 66 of my Senate colleagues and 262 members of the House of Representatives joined me in doing so. I hope that my colleagues in the 110th Congress will support the Breast Cancer and Environmental Research Act.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 579

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Breast Cancer and Environmental Research Act of 2007''.

SEC. 2. NATIONAL INSTITUTES OF HEALTH; AWARDS FOR DEVELOPMENT AND OPERATION OF RESEARCH CENTERS REGARDING ENVIRONMENTAL FACTORS RELATED TO BREAST CANCER.

Part A of title IV of the Public Health Service Act (42 U.S.C. 281 et seq.) is amended by adding at the end the following:

''SEC. 404H. RESEARCH CENTERS REGARDING ENVIRONMENTAL FACTORS RELATED TO BREAST CANCER.

''(a) IN GENERAL.—The Secretary, acting through the Director of NIH, based on recommendations from the Breast Cancer and Environmental Research Panel established under subsection (b) (referred to in this section as the 'Panel'), shall make grants to public or nonprofit private entities for the development and operation of collaborative, multi-institutional centers for the purpose of conducting multidisciplinary and multi-institutional research on environmental factors that may be related to the etiology of breast cancer. Each such center shall be known as a Breast Cancer and Environmental Research Center of Excellence.

''(b) BREAST CANCER AND ENVIRONMENTAL RESEARCH PANEL.—

''(1) ESTABLISHMENT.—The Secretary shall establish within the National Institutes of Health a Breast Cancer and Environmental Research Panel.

''(2) COMPOSITION.—The Panel shall be composed of—

''(A) 9 members to be appointed by the Secretary, of which—

''(i) six members shall be appointed from among physicians and other health professionals, who—

''(I) are not officers or employees of the United States;

''(II) represent multiple disciplines, including clinical, basic, and public health sciences;

''(III) represent different geographical regions of the United States;

''(IV) are from practice settings, academia, or other research settings; and

''(V) are experienced in peer review; and

''(ii) three members shall be appointed from the general public who are representatives of individuals who have had breast cancer and who represent a constituency; and

''(B) such nonvoting, ex officio members as the Secretary determines to be appropriate.

''(3) CHAIRPERSON.—The members of the Panel appointed under paragraph (2)(A) shall select a chairperson from among such members.

''(4) MEETINGS.—The Panel shall meet at the call of the chairperson or upon the request of the Director of NIH, but in no case less often than once each year.

''(5) DUTIES.—The Panel shall—

''(A) develop a comprehensive strategy concerning collaborative centers that would—

''(i) result in innovative approaches to study unexplored or underexplored areas of the environment and breast cancer;

''(ii) outline key research questions, methodologies, and knowledge gaps concerning environmental factors that may be related to the etiology of breast cancer;

''(iii) outline key issues concerning environmental factors that may be related to the etiology of breast cancer; and

''(iv) result in an overall strategy to address environmental factors related to breast cancer;

''(B) make recommendations to the Secretary with respect to the mechanisms, peer review criteria, and allocations under this section;

''(C) assist in the overall program evaluation; and

''(D) make recommendations for the dissemination of information on program process.

''(c) COLLABORATION WITH COMMUNITY.—Each center under subsection (a) shall include community organizations in the geographic area served by the center, including those that represent women with breast cancer, as integral collaborators involved at all levels of the decision-making and research in such center.

''(d) COORDINATION OF CENTERS; REPORTS.—The Director of NIH shall, as appropriate, provide for the coordination of information among centers under subsection (a) and ensure regular communication between such centers, and may require the periodic preparation of reports on the activities of the centers and the submission of the reports to the Director.

''(e) REQUIRED CONSORTIUM.—Each center under subsection (a) shall be formed from a consortium of cooperating institutions and community groups, meeting such requirements as may be prescribed by the Director of NIH. Each center shall require collaboration among highly accomplished scientists, other health professionals and advocates of diverse backgrounds from various areas of expertise.

''(f) DURATION OF SUPPORT.—Support of a center under subsection (a) may be for a period not exceeding 5 years. Such period may be extended for one or more additional periods not exceeding 5 years if the operations of such center have been reviewed by an appropriate technical and scientific peer review group established by the Director of NIH and if such group has recommended to the Director that such period be extended.

''(g) GEOGRAPHIC DISTRIBUTION OF CENTERS.—The Director of NIH shall, to the extent practicable, provide for an equitable geographical distribution of centers under this section.

''(h) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this section, there is authorized to be appropriated $40,000,000 for each of the fiscal years 2008 through 2012. Such authorization is in addition to any other authorization of appropriations that is available for such purpose.''.

Mr. HATCH. Mr. President, I am pleased to introduce today along with my colleagues, Senators HARRY REID, JOHN WARNER, HILLARY CLINTON, OLYMPIA SNOWE, LISA MURKOWSKI, and BERNIE SANDERS, the Breast Cancer and Environmental Research Act of 2007.

The American Cancer Society estimates that a woman in the United States has a one in eight chance of developing invasive breast cancer during her lifetime. This risk was about 1 in 11 in 1975. All women are at risk for breast cancer. About 90 percent of women who develop breast cancer do not have a family history of the disease. The most recent available statistics show that 40 percent of all women diagnosed with invasive breast cancer died from the disease within 20 years. These are frightening statistics.

Furthermore, the disease is not limited by gender—in 2007, approximately 1,750 new cases of invasive breast cancer will be diagnosed among men in the United States. In my home State of Utah, as indicated by the Utah Cancer Registry, breast cancer has the highest incidence rate of the ten leading cancer types. This disease has an impact on nearly every American's life.

Breast cancer death rates have been dropping steadily since 1991; however, challenges still remain. The bottom line is that we still do not know what causes this disease, or how to prevent it. Although scientists have discovered some risk factors for breast cancer, the known risk factors account for only a small percentage about 30 percent—of breast cancer cases. There are no proven interventions to prevent breast cancer and there is no cure.

There is general belief within the scientific community that the environment plays a role in the development of breast cancer, but the extent of that role has been less-examined. Research has investigated the effect of isolated environmental factors such as diet, pesticides, and electromagnetic fields; but, in most cases, there has been no conclusive evidence. Some scientists hypothesize that certain subgroups of women have genetic variants that may make them more susceptible to adverse environmental exposures.

In addition, a large study of twins demonstrated that the majority of breast cancers cannot be explained by inherited factors. The incidence of breast cancer in Western industrialized countries, such as the United States, is much higher than the incidence in Africa and Asia. When women migrate from a country with low incidence to a country with high incidence, their daughters experience the breast cancer risk of the new country's population. The discrepancy in incidence among various countries suggests that some of the differences in incidence may be explained by environmental exposures.

In-depth study of these potential risks could provide invaluable information in understanding the causes of breast cancer, and could lead to new prevention strategies. Clearly, more research needs to be done to determine the impact of environmental factors on breast cancer.

My colleagues and I are introducing the Breast Cancer and Environmental Research Act of 2007 to address this palpable need for research. It creates a national strategy to conduct research into the possible links between breast cancer and the environment. The time to address these frightening statistics is now.

Specifically, the bill authorizes the National Institute of Environmental Health Sciences (NIEHS) at the National Institutes of Health (NIH) to award grants for the development and operation of up to eight centers for the purpose of conducting research on environmental factors that may be related to breast cancer. These centers will work across institutions, across disciplines, and with community organizations to study environmental factors that may cause breast cancer.

This legislation is modeled after the highly successful and promising Department of Defense Breast Cancer Research Program (DOD BCRP), which operates under a competitive, peer-reviewed grant-making process that involves consumers.

Isolated studies have been conducted to look at suspected environmental links to breast cancer; but these studies are only a small step toward the broad strategic research that is required. What is needed is a collaborative, comprehensive, nationally-focused strategy to address this oversight a strategy like the one outlined in this bill.

It is important to note that while we have made progress in the fight against breast cancer, we are still a long way from prevention or a cure—breast cancer remains the leading cause of cancer death among women worldwide. Studies have shown that environmental factors that cause breast cancer may exist, but conclusive evidence is scarce. This bill will go a long way in helping the scientific community explore environmental triggers of breast cancer.

The Breast Cancer and Environmental Research Act had strong bipartisan support in the 109th Congress, with 66 Senate cosponsors. In the House of Representatives, 262 Members supported the legislation.

I urge my colleagues to think of breast cancer patients and their loved ones, and support this important bill. This Federal commitment is critical for the overall, national strategy and the long-term investments required to discover the environmental causes of breast cancer so that we can better prevent it, treat it more effectively, and, ultimately, cure it.

Mrs. CLINTON. Mr. President, today I am proud to introduce the Breast Cancer and Environmental Research Act with Senator REID and colleagues from both sides of the aisle.

This legislation would allow us to investigate the links between environmental exposures and breast cancer. Improving our ability to investigate the connection between pollutants and cancer incidence is the first step in improving our overall response to environmental health concerns. Environmental hazards manifest themselves in unexpected cancers, tumors, and other diseases in ways that we are only now beginning to understand.

Breast cancer is the second leading cause of cancer death for women in the United States, and 3 million women in the United States are currently living with the disease 1 million of whom have not yet been diagnosed. Each year, over 13,000 women in New York State are diagnosed with this disease. Every one of us has been affected by breast cancer, whether it is through our own personal battle or our experiences offering love and support to our friends, our mothers, and our sisters.

Since 2001, I have sought to raise awareness of the need for increased research into the connections between

environmental factors and the incidence of chronic diseases like breast cancer. I have worked closely with advocates from New York on this issue, and hosted a field hearing of the Senate Environment and Public Works Committee in Long Island to discuss breast cancer and other environmental health concerns.

The bill that we are introducing today will expand the available resources for our scientists and expedite research in this area. The Breast Cancer and Environmental Research Act will create Centers of Excellence to engage in multidisciplinary research, carried out in collaboration with the community, and learn more about how environmental factors may be linked to the more than 200,000 breast cancer cases diagnosed each year.

I am hopeful that in the not-too-distant future, the incidence of breast cancer will be dramatically reduced, and in the handful of new cases that appear, we will be able to provide high-quality, highly effective treatment and save women's lives. But in order to achieve those goals, we need to learn more about all the causes of breast cancer, including the environmental factors that contribute to this disease.

Last year, the Breast Cancer and Environmental Research Act was reported unanimously out of the Health, Education, Labor and Pensions Committee. I will work with my colleagues there to once again move it through the committee process quickly, so that we can pass this essential legislation in this session of Congress.

By Mr. HATCH:

S. 580. A bill to amend the National Trails System Act to require the Secretary of the Interior to update the feasibility and suitability studies of four national historic trails, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. HATCH. Mr. President, I rise today to introduce the Pioneer National Historic Trails Studies Act which would update the feasibility and suitability studies of four national historic trails and allow possible additions to them. The trails in question are the Oregon, the Mormon, the Pony Express, and the California National Historic Trails.

In 1978, the Oregon and Mormon trails were established by the National Trails System Act which defined these trails as ''point A to point B,'' limiting them to one beginning point and one final destination. At that time, The Mormon Pioneer National Historic trail was defined as the route Brigham Young took in 1846 through Iowa and then to the Salt Lake Valley in 1847. The Oregon Trail was defined narrowly as the route taken by settlers from Independence, MO, to Oregon City from 1841 to 1848. It was limited to a single trail with only three variants as well. Unfortunately, we have come to realize that this rigid definition precludes designation of some very important historical sites.

Congress passed an amendment for the establishment of the California and Pony Express National Historic Trails in 1992. This amendment broadened the statute to include the possibility of trail variants for the California Trail and provided a more accurate depiction of the original trail. The legislation I am introducing today will provide additional authority for variation to these four trails to provide a more accurate depiction of history.

To those of us in the West, these trails are the highways of our history. With this legislation, I hope to capture the important stories made along the variations of these main trails. Since the enactment of the National Trails System Act in 1978, there has been a great deal of support to broaden the Act to include these side roads of the trails.

Not every pioneer embarked on their journey from Omaha, NE, or Independence, MO and not every great or tragic event took place along the main routes. Tens of thousands of settlers began from other starting points. These trail variations and alternate routes show the ingenuity and adaptability of the pioneers as they were forced to contend with inclement weather, lack of water, difficult terrain, and hostile Native American tribes.

The Act requires comprehensive management for the historic trails. In 1981, such plans were completed for the Mormon and Oregon trails. Since that time, however, endless hours of research by the Park Service and trails organizations have produced a more complete picture of the westward expansion. The National Park Service has determined, however, that legislation is required to update the trails with this newfound history.

That is why I am introducing this legislation today. This bill would authorize the study of further important additions to the California, Mormon Pioneer, Oregon, and Pony Express National Historic Trails and allow for a more complete story to be told of our history of the West.

I urge my colleagues to support this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 580

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REVISION OF FEASIBILITY AND SUITABILITY STUDIES OF EXISTING NATIONAL HISTORIC TRAILS.

Section 5 of the National Trails System Act (16 U.S.C. 1244) is amended by adding at the end the following:

''(g) REVISION OF FEASIBILITY AND SUITABILITY STUDIES OF EXISTING NATIONAL HISTORIC TRAILS.—

''(1) DEFINITIONS.—In this subsection:

''(A) ROUTE.—The term 'route' includes a trail segment commonly known as a cutoff.

''(B) SHARED ROUTE.—The term 'shared route' means a route that was a segment of more than one historic trail, including a route shared with an existing national historic trail.

''(2) REQUIREMENTS FOR REVISION.—

''(A) IN GENERAL.—The Secretary of the Interior shall revise the feasibility and suitability studies for certain national trails for consideration of possible additions to the trails.

''(B) STUDY REQUIREMENTS AND OBJECTIVES.—The study requirements and objectives specified in subsection (b) shall apply to a study required by this subsection.

''(C) COMPLETION AND SUBMISSION OF STUDY.—A study listed in this subsection shall be completed and submitted to Congress not later than 3 complete fiscal years from the date funds are made available for the study.

''(3) OREGON NATIONAL HISTORIC TRAIL.—

''(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the routes of the Oregon Trail listed in subparagraph (B) and generally depicted on the map entitled 'Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such other routes of the Oregon Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Oregon National Historic Trail.

''(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

''(i) Whitman Mission route.
''(ii) Upper Columbia River.
''(iii) Cowlitz River route.
''(iv) Meek cutoff.
''(v) Free Emigrant Road.
''(vi) North Alternate Oregon Trail.
''(vii) Goodale's cutoff.
''(viii) North Side alternate route.
''(ix) Cutoff to Barlow road.
''(x) Naches Pass Trail.

''(4) PONY EXPRESS NATIONAL HISTORIC TRAIL.—The Secretary of the Interior shall undertake a study of the approximately 20-mile southern alternative route of the Pony Express Trail from Wathena, Kansas, to Troy, Kansas, and such other routes of the Pony Express Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Pony Express National Historic Trail.

''(5) CALIFORNIA NATIONAL HISTORIC TRAIL.—

''(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the Missouri Valley, central, and western routes of the California Trail listed in subparagraph (B) and generally depicted on the map entitled 'Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such other and shared Missouri Valley, central, and western routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the California National Historic Trail.

''(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

''(i) MISSOURI VALLEY ROUTES.—
''(I) Blue Mills-Independence Road.
''(II) Westport Landing Road.
''(III) Westport-Lawrence Road.
''(IV) Fort Leavenworth-Blue River route.
''(V) Road to Amazonia.
''(VI) Union Ferry Route.
''(VII) Old Wyoming-Nebraska City cutoff.
''(VIII) Lower Plattsmouth Route.
''(IX) Lower Bellevue Route.
''(X) Woodbury cutoff.
''(XI) Blue Ridge cutoff.
''(XII) Westport Road.

''(XIII) Gum Springs-Fort Leavenworth route.
''(XIV) Atchison/Independence Creek routes.
''(XV) Fort Leavenworth-Kansas River route.
''(XVI) Nebraska City cutoff routes.
''(XVII) Minersville-Nebraska City Road.
''(XVIII) Upper Plattsmouth route.
''(XIX) Upper Bellevue route.
''(ii) CENTRAL ROUTES.—
''(I) Cherokee Trail, including splits.
''(II) Weber Canyon route of Hastings cutoff.
''(III) Bishop Creek cutoff.
''(IV) McAuley cutoff.
''(V) Diamond Springs cutoff.
''(VI) Secret Pass.
''(VII) Greenhorn cutoff.
''(VIII) Central Overland Trail.
''(iii) WESTERN ROUTES.—
''(I) Bidwell-Bartleson route.
''(II) Georgetown/Dagget Pass Trail.
''(III) Big Trees Road.
''(IV) Grizzly Flat cutoff.
''(V) Nevada City Road.
''(VI) Yreka Trail.
''(VII) Henness Pass route.
''(VIII) Johnson cutoff.
''(IX) Luther Pass Trail.
''(X) Volcano Road.
''(XI) Sacramento-Coloma Wagon Road.
''(XII) Burnett cutoff.
''(XIII) Placer County Road to Auburn.
''(6) MORMON PIONEER NATIONAL HISTORIC TRAIL.—
''(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the routes of the Mormon Pioneer Trail listed in subparagraph (B) and generally depicted in the map entitled 'Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such other routes of the Mormon Pioneer Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Mormon Pioneer National Historic Trail.
''(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:
''(i) 1846 Subsequent routes A and B (Lucas and Clarke Counties, Iowa).
''(ii) 1856–57 Handcart route (Iowa City to Council Bluffs).
''(iii) Keokuk route (Iowa).
''(iv) 1847 Alternative Elkhorn and Loup River Crossings in Nebraska.
''(v) Fort Leavenworth Road; Ox Bow route and alternates in Kansas and Missouri (Oregon and California Trail routes used by Mormon emigrants).
''(vi) 1850 Golden Pass Road in Utah.
''(7) SHARED CALIFORNIA AND OREGON TRAIL ROUTES.—
''(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the shared routes of the California Trail and Oregon Trail listed in subparagraph (B) and generally depicted on the map entitled 'Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such other shared routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as shared components of the California National Historic Trail and the Oregon National Historic Trail.
''(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:
''(i) St. Joe Road.
''(ii) Council Bluffs Road.
''(iii) Sublette cutoff.
''(iv) Applegate route.
''(v) Old Fort Kearny Road (Oxbow Trail).
''(vi) Childs cutoff.
''(vii) Raft River to Applegate.''.

By Mr. FEINGOLD:

S. 581. A bill to amend the Buy American Act to increase the requirement for American-made content, to tighten the waiver provisions, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. FEINGOLD. Mr. President, today I am introducing legislation to help American workers and companies.

The bill that I am introducing, the Buy American Improvement Act, focuses on the Federal Government's responsibility to support domestic manufacturers and workers and on the role of Federal procurement policy in achieving this goal. The reintroduction of this bill, which I first introduced in 2003, is part of my ongoing efforts to stem the flow of manufacturing jobs abroad.

The Buy American Act of 1933 is the primary statute that governs Federal procurement. The name of this law accurately describes its purpose: to ensure that the Federal Government supports domestic companies and domestic workers by buying American-made goods. Regrettably, this law contains a number of loopholes that make it too easy for government agencies to buy foreign-made goods.

My bill, the Buy American Improvement Act, would strengthen the existing law by tightening its waiver provisions. Currently, the heads of Federal departments and agencies are given broad discretion to waive the Act and buy foreign goods with little or no accountability. We should ensure that the Federal Government makes every effort to give Federal contracts to companies that will perform the work domestically. We should also ensure that certain types of industries do not leave the United States completely, thus making the Federal Government dependent on foreign sources for goods, such as plane or ship parts, that our military may need to acquire on short notice.

I have often heard my colleagues say on this floor that American-made goods are the best in the world. I could not agree more. Regrettably, nearly 90,000 good-paying manufacturing jobs have left my State since 2000. And the country has lost around 3 million manufacturing jobs since January 2001. This hemorrhaging of jobs shows that Congress needs to do more to support domestic manufacturers and their employees. One way to do this is to ensure that the Federal Government makes every effort to buy American-made goods.

There are five primary waivers to the Buy American Act, and my bill addresses four of them. The first of these waivers allows an agency head to buy foreign goods if complying with the Act would be ''inconsistent with the public interest.'' I am concerned that this waiver, which includes no definition for what is ''inconsistent with the public interest,'' is actually a gaping loophole that gives too much discretion to department secretaries and agency heads. My bill would modify this waiver provision to prohibit it from being invoked by an agency or department head after a request for proposals, or RFP, has been published in the Federal Register. Once the bidding process has begun, the Federal Government should not be able to pull an RFP by saying that it is in the ''public interest'' to do so. This determination, sometimes referred to as the Buy American Act's national security waiver, should be made well in advance of placing a contract up for bid. To do otherwise pulls the rug out from under companies that are spending valuable time and resources to prepare a bid for a Federal contract.

The Buy American Act may also be waived if the head of the agency determines that the cost of the lowestpriced domestic product is ''unreasonable,'' and a system of price differentials is used to assist in making this determination. My bill would modify this waiver to require that preference be given to the American company if that company's bid is substantially similar to the lowest foreign bid or if the American company is the only domestic source for the item to be procured.

I have a long record of supporting efforts to help taxpayers get the most bang for their buck and opposing wasteful Federal spending. I don't think anyone can argue that supporting American jobs is ''wasteful.'' We owe it to American manufacturers and their employees to make sure they get a fair shake. I would not support awarding a contract to an American company that is price gouging, but we should make every effort to ensure that domestic sources for goods needed by the Federal Government do not dry up because American companies have been slightly underbid by foreign competitors.

The Buy American Act also includes a waiver for goods bought by the Federal Government that will be used outside of the United States. There is no question that there are occasions when the Federal Government needs to procure items quickly for use outside the United States. However, there may be items that are bought on a regular basis and used at foreign military bases or United States embassies, for example, that could reasonably be procured from domestic sources and shipped to the location where they will be used. My bill would require Federal agencies to compare the difference in cost for obtaining articles that are used on a regular basis outside the U.S., or that are not needed immediately, between an overseas versus a domestic source—including the cost of shipping—before awarding the contract to the company that will do the work overseas.

The Buy American Act's domestic source requirements may also be waived if the articles to be procured are not available from domestic sources ''in sufficient and reasonably available commercial quantities and of

a satisfactory quality.'' My bill would require that an agency or department head, prior to issuing such as waiver, determine whether domestic production can be initiated to meet the procurement needs and whether a comparable article, material, or supply is available domestically.

My bill would also strengthen the Buy American Act in four other ways. It would, for the first time, make the Buy American requirement applicable to the United States Congress. The current definition of a Federal agency in the Act specifically exempts the Senate, the House, and the Architect of the Capitol, and activities under the direction of the Architect. I believe that Congress should lead by example and comply with the Buy American Act, a requirement that we have imposed on executive agencies.

Secondly, my bill would increase the minimum American content standard for qualification under the Act from the current 50 percent to 75 percent. The definition of what qualifies as an American-made product has been a source of much debate. To me, it seems clear that ''American-made'' means manufactured in this country. This classification is a source of pride for manufacturing workers around our country. The current 50 percent standard should be raised to a minimum of 75 percent.

In addition, my bill would put in place for the next five years the expanded reporting requirement that I authored which was first enacted as part of the fiscal year 2004 omnibus spending bill and was included again by this body as an amendment to the recent minimum wage bill. Prior to the enactment of these provisions, only the Department of Defense was required to report to Congress on its use of Buy American waivers and purchases of foreign goods. It is virtually impossible to get hard numbers on the Federal Government's purchases of foreign—and domestic—made goods and to ensure that there is disclosure and accountability in the waiver process. This reporting requirement seeks to hold agencies accountable by requiring agencies to report on their foreign-made purchases and make that information available to Congress and the American public.

The annual report to be submitted by agency heads will be required to include the following information: the dollar value of any items purchased that were manufactured outside of the United States; an itemized list of all applicable waivers granted with respect to such items under the Buy American Act, including the type of waiver used; and a summary of the total procurement funds spent by the Federal agency on goods manufactured in the United States versus on goods manufactured overseas. In addition, my bill also requires that the heads of all Federal agencies make these annual reports publicly available on the Internet.

Finally, my bill would require the Government Accountability Office to report to Congress with recommendations for defining the terms ''inconsistent with the public interest'' and ''unreasonable cost'' for purposes of invoking the corresponding waivers in the Act. I am concerned that both of these terms lack definitions, and that they can be very broadly interpreted by agency or department heads. GAO would be required to make recommendations for statutory definitions of both of these terms, as well as for establishing a consistent waiver process that can be used by all Federal agencies.

The gaping loopholes in the Buy American Act and the trade agreements and defense procurement agreements that contain additional waivers of domestic source restrictions have combined to weaken our domestic manufacturing base by allowing—and sometimes actually encouraging—the Federal Government to buy foreign-made goods. Congress can and should do more to support American companies and American workers. We must strengthen the Buy American Act and we must stop entering into bad trade agreements that send our jobs overseas and undermine our own domestic preference laws.

By strengthening Federal procurement policy, we can help to bolster our domestic manufacturers during these difficult times. As I have repeatedly noted, Congress cannot simply stand on the sidelines while tens of thousands of American manufacturing jobs have been and continue to be shipped overseas. While there may be no single solution to this problem one way in which Congress should act is by strengthening the Buy American Act.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 581

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Buy American Improvement Act of 2007''.

SEC. 2. REQUIREMENTS FOR WAIVERS.

(a) IN GENERAL.—Section 2 of the Buy American Act (41 U.S.C. 10a) is amended—

(1) by striking ''Notwithstanding'' and inserting the following:

''(a) IN GENERAL.—Notwithstanding''; and

(2) by adding at the end the following:

''(b) SPECIAL RULES.—The following rules shall apply in carrying out the provisions of subsection (a):

''(1) PUBLIC INTEREST WAIVER.—A determination that it is not in the public interest to enter into a contract in accordance with this Act may not be made after a notice of solicitation of offers for the contract is published in accordance with section 18 of the Office of Federal Procurement Policy Act (41 U.S.C. 416) and section 8(e) of the Small Business Act (15 U.S.C. 637(e)).

''(2) DOMESTIC BIDDER.—A Federal agency entering into a contract shall give preference to a company submitting an offer on the contract that manufactures in the United States the article, material, or supply for which the offer is solicited, if—

''(A) that company's offer is substantially the same as an offer made by a company that does not manufacture the article, material, or supply in the United States; or

''(B) that company is the only company that manufactures in the United States the article, material, or supply for which the offer is solicited.

''(3) USE OUTSIDE THE UNITED STATES.—

''(A) IN GENERAL.—Subsection (a) shall apply without regard to whether the articles, materials, or supplies to be acquired are for use outside the United States if the articles, materials, or supplies are not needed on an urgent basis or if they are acquired on a regular basis.

''(B) COST ANALYSIS.—In any case in which the articles, materials, or supplies are to be acquired for use outside the United States and are not needed on an urgent basis, before entering into a contract an analysis shall be made of the difference in the cost of acquiring the articles, materials, or supplies from a company manufacturing the articles, materials, or supplies in the United States (including the cost of shipping) and the cost of acquiring the articles, materials, or supplies from a company manufacturing the articles, materials, or supplies outside the United States (including the cost of shipping).

''(4) DOMESTIC AVAILABILITY.—The head of a Federal agency may not make a determination under subsection (a) that an article, material, or supply is not mined, produced, or manufactured, as the case may be, in the United States in sufficient and reasonably available commercial quantities and of satisfactory quality, unless the head of the agency has conducted a study and, on the basis of such study, determined that—

''(A) domestic production cannot be initiated to meet the procurement needs; and

''(B) a comparable article, material, or supply is not available from a company in the United States.

''(c) REPORTS.—

''(1) IN GENERAL.—Not later than 180 days after the end of each of fiscal years 2007 through 2011, the head of each Federal agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report on the amount of the acquisitions made by the agency in that fiscal year of articles, materials, or supplies purchased from entities that manufacture the articles, materials, or supplies outside of the United States.

''(2) CONTENTS OF REPORT.—The report required by paragraph (1) shall separately include, for the fiscal year covered by such report—

''(A) the dollar value of any articles, materials, or supplies that were manufactured outside the United States;

''(B) an itemized list of all waivers granted with respect to such articles, materials, or supplies under this Act, and a citation to the treaty, international agreement, or other law under which each waiver was granted;

''(C) if any articles, materials, or supplies were acquired from entities that manufacture articles, materials, or supplies outside the United States, the specific exception under this section that was used to purchase such articles, materials, or supplies; and

''(D) a summary of—

''(i) the total procurement funds expended on articles, materials, and supplies manufactured inside the United States; and

''(ii) the total procurement funds expended on articles, materials, and supplies manufactured outside the United States.

''(3) PUBLIC AVAILABILITY.—The head of each Federal agency submitting a report under paragraph (1) shall make the report publicly available to the maximum extent practicable.

''(4) EXCEPTION FOR INTELLIGENCE COMMUNITY.—This subsection shall not apply to acquisitions made by an agency, or component thereof, that is an element of the intelligence community as specified in, or designated under, section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).''.

(b) DEFINITIONS.—Section 1 of the Buy American Act (41 U.S.C. 10c) is amended by adding at the end the following:

''(c) FEDERAL AGENCY.—The term 'Federal agency' means any executive agency (as defined in section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))) or any establishment in the legislative or judicial branch of the Federal Government.

''(d) SUBSTANTIALLY ALL.—Articles, materials, or supplies shall be treated as made substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States, if the cost of the domestic components of such articles, materials, or supplies exceeds 75 percent of the total cost of all components of such articles, materials, or supplies.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 2 of the Buy American Act (41 U.S.C. 10a) is amended by striking ''department or independent establishment'' and inserting ''Federal agency''.

(2) Section 3 of such Act (41 U.S.C. 10b) is amended—

(A) in subsection (a), by striking ''department or independent establishment'' and inserting ''Federal agency''; and

(B) in subsection (b), by striking ''department, bureau, agency, or independent establishment'' and inserting ''Federal agency''.

(3) Section 633 of the National Military Establishment Appropriation Act, 1950 (41 U.S.C. 10d) is amended by striking ''department or independent establishment'' and inserting ''Federal agency''.

SEC. 3. GAO REPORT AND RECOMMENDATIONS.

(a) REPORT ON SCOPE OF WAIVERS.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall report to Congress recommendations to be used in determining, for purposes of applying the waiver provision of section 2(a) of the Buy American Act, as redesignated by section 2(a) of this Act, whether acquiring articles, materials, and supplies mined, produced, or manufactured in the United States would—

(1) involve unreasonable cost; or

(2) be inconsistent with the public interest.

(b) RECOMMENDATIONS.—The report described in subsection (a) shall include recommendations—

(1) for a statutory definition of unreasonable cost and for standards for determining inconsistency with the public interest; and

(2) for establishing procedures for applying the waiver provisions of the Buy American Act that can be consistently applied.

By Mr. SMITH (for himself, Mr. ROCKEFELLER, Mr. REED, and Mr. ALEXANDER):

Mr. SMITH. Mr. President, today Senator ROCKEFELLER and I are introducing the Fire Sprinkler Incentive Act of 2007. This legislation would reduce the tremendous economic and human losses that fire inflicts on the National economy and the quality of life.

In 2005, fire departments responded to about 1.6 million fires. These fires resulted in about 3,500 deaths and almost 18,000 civilian injuries. Fire also caused over $10 billion in direct property damages in 2005.

Fire sprinklers can dramatically decrease loss of life and injury as a result of fires. The National Fire Protection Association has no record of a fire killing more than two people in a completely sprinklered public assembly, educational, institutional, or residential building where the system was properly installed and fully operational. Fire sprinklers also mitigate economic losses resulting from fires. Fire sprinklers are responsible for a 70-percent reduction in property damage from fires in public assembly, educational, residential, commercial, industrial, and manufacturing buildings.

The Fire Sprinkler Incentive Act will provide an incentive for businesses to protect their buildings with fire sprinklers. Under current law, the cost of retrofitting an existing building with automatic fire sprinklers generally would be depreciated over a 39-year period. Our legislation would reduce the depreciation period to 5 years, greatly reducing the economic burden of retrofitting a building.

I ask unanimous consent that the text of this legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 582

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Fire Sprinkler Incentive Act of 2007''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) the publication of the original study and comprehensive list of recommendations in America Burning, written in 1974, requesting advances in fire prevention through the installation of automatic sprinkler systems in existing buildings have yet to be fully implemented;

(2) fire departments responded to approximately 1,600,000 fires in 2005;

(3) there were 3,675 non-terrorist related deaths in the United States and almost 17,925 civilian injuries resulting from fire in 2005;

(4) 87 firefighters were killed in 2005;

(5) fire caused $10,672,000,000 in direct property damage in 2005, and sprinklers are responsible for a 70 percent reduction in property damage from fires in public assembly, educational, residential, commercial, industrial and manufacturing buildings;

(6) fire departments respond to a fire every 20 seconds, a fire breaks out in a structure every 61 seconds and in a residential structure every 79 seconds in the United States;

(7) the Station Nightclub in West Warwick, Rhode Island, did not contain an automated sprinkler system and burned down, killing 99 people on February 20, 2003;

(8) due to an automated sprinkler system, not a single person was injured from a fire beginning in the Fine Line Music Café in Minneapolis after the use of pyrotechnics on February 17, 2003;

(9) the National Fire Protection Association has no record of a fire killing more than 2 people in a completely sprinklered public assembly, educational, institutional or residential building where the system was properly installed and fully operational;

(10) sprinkler systems dramatically improve the chances of survival of those who cannot save themselves, specifically older adults, young children and people with disabilities;

(11) the financial cost of upgrading fire counter measures in buildings built prior to fire safety codes is prohibitive for most property owners;

(12) many State and local governments lack any requirements for older structures to contain automatic sprinkler systems;

(13) under the present straight-line method of depreciation, there is a disincentive for building safety improvements due to an extremely low rate of return on investment; and

(14) the Nation is in need of incentives for the voluntary installation and retrofitting of buildings with automated sprinkler systems to save the lives of countless individuals and responding firefighters as well as drastically reduce the costs from property damage.

SEC. 3. CLASSIFICATION OF AUTOMATIC FIRE SPRINKLER SYSTEMS.

(a) IN GENERAL.—Subparagraph (B) of section 168(e)(3) of the Internal Revenue Code of 1986 (relating to 5-year property) is amended by striking ''and'' at the end of clause (v), by striking the period at the end of clause (vi) and inserting '', and'', and by inserting after clause (vi) the following:

''(vii) any automatic fire sprinkler system placed in service after the date of the enactment of this clause in a building structure which was placed in service before such date of enactment.''.

(b) ALTERNATIVE SYSTEM.—The table contained in section 168(g)(3)(B) of the Internal Revenue Code of 1986 (relating to special rule for certain property assigned to classes) is amended by inserting after the item relating to subparagraph (B)(iii) the following:

''(B)(vii) ..... 7''.

(c) DEFINITION OF AUTOMATIC FIRE SPRINKLER SYSTEM.—Subsection (i) of section 168 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

''(18) AUTOMATED FIRE SPRINKLER SYSTEM.—The term 'automated fire sprinkler system' means those sprinkler systems classified under one or more of the following publications of the National Fire Protection Association—

''(A) NFPA 13, Installation of Sprinkler Systems,

''(B) NFPA 13 D, Installation of Sprinkler Systems in One and Two Family Dwellings and Manufactured Homes, and

''(C) NFPA 13 R, Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act.

Mr. ROCKEFELLER. Mr. President, today I rise to join my colleague Mr. SMITH in the introduction of the Fire Sprinkler Incentive Act. Two years ago, we first introduced this legislation to help provide businesses with an important tax incentive to install life-saving sprinkler systems, believing that the legislation would be one way to keep our Nation's citizens, and the firefighters who dedicate their lives to fire safety, free from unnecessary fire-related injury. At that time, I could not imagine that in 2007 West Virginia would suffer one of the worst fire-related tragedies in many years. In January of this year, a fire at the Emmons Junior Apartment Building in Huntington, WV, took the lives of nine individuals, including three teenagers

who were all siblings and another unrelated child who was only seven years old. My heart goes out to those families and to a devastated community. We later learned that the complex was built in 1924 and was not equipped with a sprinkler system. I cannot help thinking that if the tax incentives provided by this legislation were already in effect, many businesses including those operating apartment complexes might have had enough financial incentive to allow them to make the decision to install life-saving sprinkler systems.

Fire safety is a national problem. The National Fire Protection Association (NFPA) indicates that in 2005 there were over 1.6 million fires reported in the United States, which caused 3,675 civilian deaths, 17,925 civilian injuries, and $10.7 billion in property damage. As a result, 80,100 firefighters were injured and another 87 died responding to these fires in an effort to protect the lives of their fellow citizens. High-rise buildings and other living facilities that were built under older codes often lack adequate fire safety protection and leave vulnerable those citizens who cannot as easily save themselves from a fire, such as older adults, young children, and people with disabilities. There were 511,000 structure fires in 2005, and 381,000 of those occurred in family home structures including dwellings, duplexes, manufactured homes, apartments, townhouses, rowhouses, and condominiums. These home structure fires accounted for 82 percent of civilian fire-related fatalities and $6.7 billion in direct property damage.

Protecting our citizens and first-responders from these fire-related injuries and fatalities is of the utmost importance, and a real way to improve fire safety exists in the use of automatic sprinkler systems. These devices react quickly and save lives by dramatically reducing the heat, flames and smoke produced in a fire. The NFPA reports that when sprinklers are present, the chances of dying in a fire are reduced by between 50 and 75 percent and average property loss is cut by one-half to two-thirds. The NFPA also has no record of a fire killing more than two people in a building where a sprinkler system was properly installed and fully operational.

The benefits of fire sprinkler systems are overwhelming, even for business owners, but one thing that inhibits their implementation is cost. Under current law, installations in residential rental property and non-residential real property must be deducted over a 27.5- or 39-year period, respectively. The financial cost of upgrading existing structures with fire safety measures is prohibitive for most property owners, and under our present straight-line method of depreciation, there is disincentive for building safety improvements due to an extremely low rate of return on investment. This legislation, by amending the internal revenue code to classify automatic fire sprinkler systems as depreciable over a 5-year period, would mitigate the expense of retrofitting older buildings with costly automated sprinkler systems. It helps businesses make the choice to take advantage of fire safety systems that have been proven to have life-saving results.

I again express my support for the Fire Sprinkler Incentive Act as a way to promote the use of fire sprinkler systems that are now an invaluable asset in our efforts to protect citizens and firefighters from fire-related death and injury. This proposal has been endorsed by firefighters, the insurance industry, and general contractors, and I urge my colleagues to do the same.

By Mr. SALAZAR:

S. 583. A bill to create a competitive grant program for States to enable the States to award salary bonuses to highly qualified elementary school or secondary school teachers who teach, or commit to teach, for at least 3 academic years in a school served by a rural local educational agency; to the Committee on Health, Education, Labor, and Pensions.

Mr. SALAZAR. Mr. President, the second piece of legislation I am introducing has to do with education. We know rural school districts have a very hard time in terms of retaining teachers. The national teacher turnover rate across the country is about 15 percent, but in rural districts it is as high as 30 to 40 percent. Thirty to forty percent of teachers in rural school districts are turning over.

So what I hope to do with the Colorado Teacher Retention Act is to help with a competitive State program that would allow rural school districts to provide bonuses for highly qualified teachers who commit to teaching in rural schools for at least 3 years. It would simply provide an opportunity for rural schools to have the kind of excellence in teaching they so deserve.

By Mr. BINGAMAN:

S. 586. A bill to amend the Public Health Service Act to provide grants to promote positive health behaviors in women and children; to the Committee on Health, Education, Labor, and Pensions.

Mr. BINGAMAN. Mr. President, the legislation I am introducing today, entitled the ''Community Health Workers Act of 2007,'' would improve access to health education and outreach services to women and children in medically underserved areas, including the U.S. border region along New Mexico.

Lack of access to adequate health care and health education is a significant problem on the southern New Mexico border. While the access problem is in part due to a lack of insurance, it is also attributable to non-financial barriers to access. These barriers include a shortage of physicians and other health professionals, and hospitals; inadequate transportation; a shortage of bilingual health information and health providers; and culturally insensitive systems of care.

This legislation would help to address the issue of access by providing $15 million per year for a three year period in grants to State, local, and tribal organizations, including community health centers and public health departments, for the purpose of hiring community health workers to provide health education, outreach, and referrals to women and families who otherwise would have little or no contact with health care services.

Recognizing factors such as poverty and language and cultural differences that often serve as barriers to health care access in medically underserved populations, community health workers are in a unique position to improve health outcomes and quality of care for groups that have traditionally lacked access to adequate services. They often serve as ''community specialists'' and are members of the communities in which they work. As such they can effectively serve hard-to-reach populations.

A shining example of how community health workers serve their communities, a group of so-called ''Promotoras'' in Dona Ana County were quickly mobilized during a recent flood emergency in rural New Mexico. These community health workers assisted in the disaster recovery efforts by partnering with FEMA to find, inform and register flood victims for Federal disaster assistance. Their personal networks and knowledge of the local culture, language, needs, assets, and barriers greatly enhanced FEMA's community outreach efforts. The Promotoras of Dona Ana County demonstrate the important role community health workers could play in communities across the nation, including increasing the effectiveness of new initiatives in homeland security and emergency preparedness, and in implementing risk communication strategies.

The positive benefits of the community health worker model also have been documented in research studies. Research has shown that community health workers have been effective in increasing the utilization of health preventive services such as cancer screenings and medical follow up for elevated blood pressure and improving enrollment in publicly funded health insurance programs. In the case of uninsured children, a study by Dr. Glenn Flores, ''Community-Based Case Management in Insuring Uninsured Latino Children,'' published in the December 2005 issue of Pediatrics found that uninsured children who received community-based case management were eight times more likely to obtain health insurance coverage than other children involved in the study because case workers were employed to address typical barriers to access, including insufficient knowledge about application processes and eligibility criteria, language barriers and family mobility

issues, among others. This study confirms that community health workers could be highly effective in reducing the numbers of uninsured children, especially those who are at greatest risk for being uninsured. Preliminary investigation of a community health workers project in New Mexico similarly suggests that community health workers could be useful in improving enrollment in Medicaid and the State Children's Health Insurance Program, or ''SCHIP.''

According to a 2003 Institute of Medicine, IOM, report entitled, ''Unequal Treatment: Confronting Racial and Ethnic Disparities in Healthcare,'' community health workers offer promise as a community-based resource to increase racial and ethnic minorities' access to health care and to serve as a liaison between healthcare providers and the communities they serve.

Although the community health worker model is valued in the New Mexico border region as well as other parts of the country that encounter challenges of meeting the health care needs of medically underserved populations, these programs often have difficulty securing adequate financial resources to maintain and expand upon their services. As a result, many of these programs are significantly limited in their ability to meet the ongoing and emerging health demands of their communities.

The 10M report also noted that ''programs to support the use of community health workers . . . especially among medically underserved and racial and ethnic minority populations, should be expanded, evaluated, and replicated.''

I am introducing this legislation to increase resources for a model that has shown significant promise for increasing access to quality health care and health education for families in medically underserved communities.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 586

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Community Health Workers Act of 2007''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Chronic diseases, defined as any condition that requires regular medical attention or medication, are the leading cause of death and disability for women in the United States across racial and ethnic groups.

(2) According to the National Vital Statistics Report of 2001, the 5 leading causes of death among Hispanic, American Indian, and African-American women are heart disease, cancer, diabetes, cerebrovascular disease, and unintentional injuries.

(3) Unhealthy behaviors alone lead to more than 50 percent of premature deaths in the United States.

(4) Poor diet, physical inactivity, tobacco use, and alcohol and drug abuse are the health risk behaviors that most often lead to disease, premature death, and disability, and are particularly prevalent among many groups of minority women.

(5) Over 60 percent of Hispanic and African-American women are classified as overweight and over 30 percent are classified as obese. Over 60 percent of American Indian women are classified as obese.

(6) American Indian women have the highest mortality rates related to alcohol and drug use of all women in the United States.

(7) High poverty rates coupled with barriers to health preventive services and medical care contribute to racial and ethnic disparities in health factors, including premature death, life expectancy, risk factors associated with major diseases, and the extent and severity of illnesses.

(8) There is increasing evidence that early life experiences are associated with adult chronic disease and that prevention and intervention services provided within the community and the home may lessen the impact of chronic outcomes, while strengthening families and communities.

(9) Community health workers, who are primarily women, can be a critical component in conducting health promotion and disease prevention efforts in medically underserved populations.

(10) Recognizing the difficult barriers confronting medically underserved communities (poverty, geographic isolation, language and cultural differences, lack of transportation, low literacy, and lack of access to services), community health workers are in a unique position to reduce preventable morbidity and mortality, improve the quality of life, and increase the utilization of available preventive health services for community members.

(11) Research has shown that community health workers have been effective in significantly increasing health insurance coverage, screening and medical follow-up visits among residents with limited access or underutilization of health care services.

(12) States on the United States-Mexico border have high percentages of impoverished and ethnic minority populations: border States accommodate 60 percent of the total Hispanic population and 23 percent of the total population below 200 percent poverty in the United States.

SEC. 3. GRANTS TO PROMOTE POSITIVE HEALTH BEHAVIORS IN WOMEN.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

''SEC. 399S. GRANTS TO PROMOTE POSITIVE HEALTH BEHAVIORS IN WOMEN.

''(a) GRANTS AUTHORIZED.—The Secretary, in collaboration with the Director of the Centers for Disease Control and Prevention and other Federal officials determined appropriate by the Secretary, is authorized to award grants to States or local or tribal units, to promote positive health behaviors for women and children in target populations, especially racial and ethnic minority women and children in medically underserved communities.

''(b) USE OF FUNDS.—Grants awarded pursuant to subsection (a) may be used to support community health workers—

''(1) to educate, guide, and provide outreach in a community setting regarding health problems prevalent among women and children and especially among racial and ethnic minority women and children;

''(2) to educate, guide, and provide experiential learning opportunities that target behavioral risk factors including—

''(A) poor nutrition;

''(B) physical inactivity;

''(C) being overweight or obese;

''(D) tobacco use;

''(E) alcohol and substance use;

''(F) injury and violence;

''(G) risky sexual behavior; and

''(H) mental health problems;

''(3) to educate and guide regarding effective strategies to promote positive health behaviors within the family;

''(4) to educate and provide outreach regarding enrollment in health insurance including the State Children's Health Insurance Program under title XXI of the Social Security Act, Medicare under title XVIII of such Act and Medicaid under title XIX of such Act;

''(5) to promote community wellness and awareness; and

''(6) to educate and refer target populations to appropriate health care agencies and community-based programs and organizations in order to increase access to quality health care services, including preventive health services.

''(c) APPLICATION.—

''(1) IN GENERAL.—Each State or local or tribal unit (including federally recognized tribes and Alaska native villages) that desires to receive a grant under subsection (a) shall submit an application to the Secretary, at such time, in such manner, and accompanied by such additional information as the Secretary may require.

''(2) CONTENTS.—Each application submitted pursuant to paragraph (1) shall—

''(A) describe the activities for which assistance under this section is sought;

''(B) contain an assurance that with respect to each community health worker program receiving funds under the grant awarded, such program provides training and supervision to community health workers to enable such workers to provide authorized program services;

''(C) contain an assurance that the applicant will evaluate the effectiveness of community health worker programs receiving funds under the grant;

''(D) contain an assurance that each community health worker program receiving funds under the grant will provide services in the cultural context most appropriate for the individuals served by the program;

''(E) contain a plan to document and disseminate project description and results to other States and organizations as identified by the Secretary; and

''(F) describe plans to enhance the capacity of individuals to utilize health services and health-related social services under Federal, State, and local programs by—

''(i) assisting individuals in establishing eligibility under the programs and in receiving the services or other benefits of the programs; and

''(ii) providing other services as the Secretary determines to be appropriate, that may include transportation and translation services.

''(d) PRIORITY.—In awarding grants under subsection (a), the Secretary shall give priority to those applicants—

''(1) who propose to target geographic areas—

''(A) with a high percentage of residents who are eligible for health insurance but are uninsured or underinsured;

''(B) with a high percentage of families for whom English is not their primary language; and

''(C) that encompass the United States-Mexico border region;

''(2) with experience in providing health or health-related social services to individuals who are underserved with respect to such services; and

''(3) with documented community activity and experience with community health workers.

''(e) COLLABORATION WITH ACADEMIC INSTITUTIONS.—The Secretary shall encourage community health worker programs receiving funds under this section to collaborate with academic institutions. Nothing in this section shall be construed to require such collaboration.

''(f) QUALITY ASSURANCE AND COST-EFFECTIVENESS.—The Secretary shall establish guidelines for assuring the quality of the training and supervision of community health workers under the programs funded under this section and for assuring the cost-effectiveness of such programs.

''(g) MONITORING.—The Secretary shall monitor community health worker programs identified in approved applications and shall determine whether such programs are in compliance with the guidelines established under subsection (f).

''(h) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance to community health worker programs identified in approved applications with respect to planning, developing, and operating programs under the grant.

''(i) REPORT TO CONGRESS.—

''(1) IN GENERAL.—Not later than 4 years after the date on which the Secretary first awards grants under subsection (a), the Secretary shall submit to Congress a report regarding the grant project.

''(2) CONTENTS.—The report required under paragraph (1) shall include the following:

''(A) A description of the programs for which grant funds were used.

''(B) The number of individuals served.

''(C) An evaluation of—

''(i) the effectiveness of these programs;

''(ii) the cost of these programs; and

''(iii) the impact of the project on the health outcomes of the community residents.

''(D) Recommendations for sustaining the community health worker programs developed or assisted under this section.

''(E) Recommendations regarding training to enhance career opportunities for community health workers.

''(j) DEFINITIONS.—In this section:

''(1) COMMUNITY HEALTH WORKER.—The term 'community health worker' means an individual who promotes health or nutrition within the community in which the individual resides—

''(A) by serving as a liaison between communities and health care agencies;

''(B) by providing guidance and social assistance to community residents;

''(C) by enhancing community residents' ability to effectively communicate with health care providers;

''(D) by providing culturally and linguistically appropriate health or nutrition education;

''(E) by advocating for individual and community health or nutrition needs; and

''(F) by providing referral and followup services.

''(2) COMMUNITY SETTING.—The term 'community setting' means a home or a community organization located in the neighborhood in which a participant resides.

''(3) MEDICALLY UNDERSERVED COMMUNITY.—The term 'medically underserved community' means a community identified by a State—

''(A) that has a substantial number of individuals who are members of a medically underserved population, as defined by section 330(b)(3); and

''(B) a significant portion of which is a health professional shortage area as designated under section 332.

''(4) SUPPORT.—The term 'support' means the provision of training, supervision, and materials needed to effectively deliver the services described in subsection (b), reimbursement for services, and other benefits.

''(5) TARGET POPULATION.—The term 'target population' means women of reproductive age, regardless of their current childbearing status and children under 21 years of age.

''(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $15,000,000 for each of fiscal years 2008, 2009, and 2010.''.

By Mr. NELSON of Florida (for himself, Mr. REID, and Mr. BIDEN):

S. 588. A bill to amend title XVIII of the Social Security Act to increase the Medicare caps on graduate medical education positions for States with a shortage of residents; to the Committee on Finance.

Mr. NELSON of Florida. Mr. President, I am pleased to be joined by my colleague Senate Majority Leader HARRY REID as we introduce the Resident Physician Shortage Reduction Act of 2007. The bill would enhance America's health care infrastructure by expanding the number of Medicare-supported physician residency training positions in States with a shortage of residents.

Over the past several years, a number of studies have concluded that this country is facing, or soon will face, physician shortages. The Council on Graduate Medical Education (COGME) and the Association of American Medical Colleges (AAMC) recently issued reports, which concluded that our Nation will likely lack an adequate number of physicians to meet patient demand by the year 2020.

By expanding the number of Medicare-supported physician residency training positions in our Nation's teaching hospitals, we can help stabilize America's health care infrastructure and alleviate physician shortages. Unfortunately, in 1997, the Balanced Budget Act (BBA) ''capped'' the number of residents that each teaching hospital could claim for Medicare payment purposes. In general, Medicare does not reimburse hospitals for residents they train that are above the capped number of residency slots.

There are no exceptions that allow hospitals to permanently adjust their caps. For example, the cap on physician training positions does not adjust for population growth. In many States, including Florida, populations continue to grow both in size and age and physician shortages are occurring or soon will occur. Ten years ago, Florida's ratio of physicians to population was above the national average. Today, Florida is among the States seeing the slowest growth in physician supply. A major reason for the slow growth in Florida is the lack of physician residents.

A recent study by the AAMC ranks Florida 44th among States with federally funded medical residency positions, with 16 residents per 100,000 people. This problem will worsen over time because Florida's population continues to grow and Federal funding for graduate medical education slots has been capped and cannot grow to reflect the need.

Because physicians tend to remain in the region where they complete their medical training, increasing the number of residency cap positions in States with a shortage will help to ensure an adequate physician workforce. According to a study by the AAMC, 47 percent of physicians are practicing in the State in which they did their training. Florida's record of retention is even better than the national average. The same study shows that approximately 60 percent of physicians who trained in Florida stay in Florida to practice medicine after their residency.

Today we are introducing the Resident Physician Shortage Reduction Act of 2007 to enhance America's health care infrastructure by expanding the number of resident physician training positions in States with a shortage of resident physicians. Specifically, the bill authorizes the Secretary of Health and Human Services (HHS) to increase the cap on the number of Medicare-supported residency training positions at teaching hospitals in States where there are shortages of resident physicians. A State is considered to have a shortage of resident physicians if its ratio of resident physicians per 100,000 population is below the national median level. Under our bill, teaching hospitals in approximately 24 States would be eligible for increases in their resident caps.

We believe this legislation is a critical first step towards ensuring an adequate supply of physicians in our health care system. We urge all of our colleagues, from both sides of the aisle, to join us in this effort.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 588

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Resident Physician Shortage Reduction Act of 2007''.

SEC. 2. INCREASING THE MEDICARE CAPS ON GRADUATE MEDICAL EDUCATION POSITIONS FOR STATES WITH A SHORTAGE OF RESIDENTS.

(a) DIRECT GRADUATE MEDICAL EDUCATION.—Section 1886(h)(4)(F) of the Social Security Act (42 U.S.C. 1395ww(h)(4)(F)) is amended—

(1) in clause (i), by inserting ''clause (iii) and'' after ''subject to''; and

(2) by adding at the end the following new clause:

''(iii) INCREASE IN CAPS ON GRADUATE MEDICAL EDUCATION POSITIONS FOR STATES WITH A SHORTAGE OF RESIDENTS.—

''(I) IN GENERAL.—For cost reporting periods beginning on or after the date that is 16 months after the date of enactment of the Resident Physician Shortage Reduction Act of 2007, the Secretary shall increase the otherwise applicable limit on the total number of full-time equivalent residents in the field of allopathic or osteopathic medicine determined under clause (i) with respect to a qualifying hospital in an eligible State by an amount determined appropriate by the Secretary. Such increase shall be phased-in over

a period of 5 cost reporting periods beginning with the first cost reporting period in which the increase is applied under the previous sentence to the hospital. For each eligible State the aggregate number of such increases shall be—

''(aa) not less than 15; and

''(bb) not greater than the State resident cap increase.

''(II) QUALIFYING HOSPITAL.—In this clause, the term 'qualifying hospital' means a hospital located in an eligible State that the Secretary determines should receive an increase under this clause in the otherwise applicable limit on the total number of full-time equivalent residents in the field of allopathic or osteopathic medicine.

''(III) ELIGIBLE STATE.—In this clause, the term 'eligible State' means a State for which the National median medical resident ratio exceeds the State medical resident ratio.

''(IV) STATE RESIDENT CAP INCREASE.—In this clause, the term 'State resident cap increase' means, with respect to a State, ¼ of the product of—

''(aa) the difference between the National median medical resident ratio and the State medical resident ratio; and

''(bb) the State population (as determined for purposes of subclause (VI)).

''(V) NATIONAL MEDIAN MEDICAL RESIDENT RATIO.—In this clause, the term 'National median medical resident ratio' means the median of all State medical resident ratios.

''(VI) STATE MEDICAL RESIDENT RATIO.—In this clause, the term 'State medical resident ratio' means, with respect to any State, the ratio of full-time equivalent residents in the State in approved medical residency training programs as of the date of enactment of the Resident Physician Shortage Reduction Act of 2007 to the population of the State as of such date, as determined by the Secretary.

''(VII) STATE.—In this clause, the term 'State' means a State and the District of Columbia.

''(VIII) CONSIDERATIONS IN DETERMINING RESIDENT CAP INCREASES.—In determining whether a hospital is a qualifying hospital, and how much of an increase in the resident cap a qualifying hospital shall receive under subclause (I), the Secretary shall take into consideration the demonstrated likelihood of the hospital filling resident positions that would be made available as a result of such increase within the first 3 cost reporting periods beginning on or after the date that is 16 months after the date of enactment of the Resident Physician Shortage Reduction Act of 2007. The Secretary shall also take into consideration whether the new resident positions will be in primary care, preventive medicine, or geriatrics programs.''.

(b) INDIRECT MEDICAL EDUCATION.—Section 1886(d)(5)(B) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)) is amended by adding at the end the following new clause:

''(x) Clause (iii) of subsection (h)(4)(F) shall apply to clause (v) in the same manner and for the same period as such clause (iii) applies to clause (i) of such subsection.''.

Mr. REID. Mr. President, I am introducing a bill today dealing with resident physician shortages. This bill will expand the number of Medicare-supported physician residency training positions in States all over the country which face a shortage of doctors.

This legislation is important because we know that the cities where doctors are trained are often the cities where they stay. For example, Nevada currently has 199 physicians in training and will be eligible for an additional 93 positions under this bill.

As Nevada continues to grow, so do our health needs. The two bills I am introducing today will help ensure communities across Nevada that they have the doctors they need and the quality of care they deserve.

By Mr. ALLARD:

S. 589. A bill to provide for the transfer of certain Federal property to the United States Paralympics, Incorporated, a subsidiary of the United States Olympic Committee; to the Committee on Environment and Public Works.

Mr. ALLARD. Mr. President, I rise today to introduce important legislation in support of America's Paralympic programs.

The Paralympics are an important facet of our modern Olympic tradition and serve as an integral part of the rehabilitation of the mind, body, and soul. Training programs provided by Paralympic organizations enable disabled athletes to overcome obstacles on and off the field. Through training, performance, and competition, these athletes regain independence and renew their spirit.

The roots of the Paralympic movement originally stem from disabled veteran's returning from war. After World War II, British soldiers began participating in Paralympic games. These games provided a way for disabled soldiers to compete competitively in athletics. This practice quickly spread to the United States, and this country is now leading the way in advancing the movement. Today thousands of athletes with physical disabilities compete internationally, proudly representing their countries.

Tremendous advancements in modern medicine and the adaptation of athletic equipment have allowed Paralympic athletes to physically compete in a variety of sports and live the Olympic dream. By continuing to support the development of the Paralympic movement at all levels, as this bill does, we are able to take advantage of these numerous scientific and medical advancements to truly improve quality of life for our wounded veterans.

Today I am introducing legislation to facilitate the transfer of unused Federal property in Colorado Springs, CO, to the United States Olympic Committee and specifically Paralympics Incorporated. The transfer of this property allows the current United States Olympic Committee complex in Colorado Springs to expand and provides the U.S. Paralympic Team with further room to grow their programs.

To a large degree, this expansion will afford greater opportunities to Paralympics athletes, especially our Nation's military veterans.

Colorado Springs and the Pikes Peak region are unique. Home to a robust veteran's population, this region also serves as the national headquarters of the Unites States Olympic Committee. This makes the area a natural fit for championing and advancing the Paralympic movement.

Proponents for the disabled estimate that approximately 10 percent of the more than 500-person U.S. team to the Paralympics in 2012 will be comprised of veteran's of the global war on terrorism. This is a tremendous increase considering there were no war veterans participating in either the 2004 or 2006 games.

Providing for the transfer of this property will give the United States Olympic Commitee the necessary facilities to work with local and national veteran's service organizations, the Department of Defense, as well as the Department of Veterans Affairs in order to allow for greater opportunities for disabled veterans to participate in the Paralympics, particularly those returning home from war in Iraq and Afghanistan.

I am not alone. National and local organizations recognize the importance of these programs and vocally support my efforts, including: the Colorado American Legion, the Colorado Springs Chamber of Commerce, the National Sports Center for the Disabled, and the Pikes Peak Chapter of Military Officers Association of America.

I ask my colleagues to join me in cheering on the Olympic spirit that lives in all of us by supporting our Nation's disabled veterans and Paralympic athletes.

I ask unanimous consent to print the following letters in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE CHAMBER,
Colorado Springs, CO, February 14, 2007.

Hon. WAYNE ALLARD,
U.S. Senator, Dirksen Senate Office Building, Washington, DC.

DEAR SENATOR ALLARD: We are writing to express our strong support of your efforts to transfer the Federal Building at 1520 East Willamette in Colorado Springs to the United State Paralympic Committee.

As you know, The Greater Colorado Springs Chamber of Commerce has an active and steadfast relationship with the United States Olympic Committee. In addition, our membership provides a strong support system to our military in the region. We are most impressed with the USOC's Paralympics Organization that provides such a valuable initiative to our injured soldiers coming back from serving and protecting our country.

The stature and pride associated with The United States Olympic Committee's presence in the Colorado Springs area has always been an important part of our cultural and economic significance. Combining that with the mission of helping our soldiers recover and succeed in the Paralympics venue would be another critical investment in our people and our region.

We wholly and enthusiastically support your efforts to add to our nation's viability in the Paralympics movement and to increase our region's prominence in that movement. Thank you for your vigorous dedication in moving this effort forward.

Sincerely,

WILL TEMBY,
Chief Executive Officer.

NATIONAL SPORTS CENTER
FOR THE DISABLED,
January 24, 2007.

Hon. WAYNE ALLARD,
U.S. Senate,
Washington, DC.

DEAR SENATOR ALLARD: On behalf of the National Sports Center for the Disabled of Winter Park, Colorado, I would like to thank you for introducing legislation to transfer Federal property to the United States Paralympics, Inc. and the United States Olympic Committee. This property will significantly add to the U.S. Paralympics' ongoing efforts to provide sport programs for individuals with disabilities.

In recent years, the number of young men and women with newly acquired disabilities from military service has increased considerably. Learning to live with a disability is an experience that many find difficult. Recognizing that physical activity can play a tremendous role in encouraging healthy and independent lives, the U.S. Paralympics has made remarkable efforts to provide sport programs for such individuals. As chief executive officer for the National Sport Center for the Disabled, I have witnessed firsthand the benefits of physical activity on the lives of the disabled. It is clear that sport programs have tremendous therapeutic value and encourage healthy, independent lives.

As military operations in Iraq and Afghanistan continue, the need for such programs is greater than ever. This property in Colorado Springs, Colorado will greatly enhance the U.S. Paralympics' ability to continue sport training programs for our soldiers with newly acquired disabilities as they return home and begin the rehabilitation process.

I ardently support your legislation to transfer Federal property to the U.S. Olympic Committee and U.S. Paralympics for sport programs for the disabled, and I thank you for recognizing this need as so many active duty and retired military personnel begin to adjust to life with a disability.

Sincerely,
CRAIG POLLITT, PRESIDENT/CHIEF
EXECUTIVE OFFICER.

PIKES PEAK CHAPTER,
MILITARY OFFICERS ASSOC. OF AMERICA,
Colorado Springs, CO, January 24, 2007.

U.S. OLYMPIC COMMITTEE,
Olympic Plaza,
Colorado Springs, CO.

DEAR U.S. OLYMPIC COMMITTEE: The members of the Pikes Peak Chapter of the Military Officers Association of America would like to express our strongest support for your efforts to transfer the Federal Property near the U.S. Olympic Training Center to your Olympic Committee. Understanding that U.S. Olympic Committee will use this property in the training of United States Paralympics, we see this as a wonderful opportunity to help athletes with physical disabilities. As many veterans take part in this training and competition and it adds so much to their lives, we strongly urge the Olympic Committee to pursue the acquisition of this property for the Paralympics.

Feel free to contact me at 719–590–9522 for further details.

Sincerely,
THOMAS M. DASCHBACH,
Colonel USAF (Ret),
President, Pikes Peak Chapter.

By Mr. SMITH (for himself, Mr. SALAZAR, Ms. SNOWE, Mr. MENENDEZ, Mr. LUGAR, Mr. KERRY, Mr. KENNEDY, Mr. ALLARD, Mr. WYDEN, Mr. LIEBERMAN, Mr. LAUTENBERG, Ms. CANTWELL, and Ms. LANDRIEU):

S. 590. A bill to amend the Internal Revenue Code of 1986 to extend the investment tax credit with respect to solar energy property and qualified fuel cell property, and for other purposes; to the Committee on Finance.

Mr. SMITH. Mr. President, I rise today to introduce legislation to spur investment in and deployment of fuel cells and solar energy systems. I am joined today by my colleague, Senator SALAZAR, and eleven other Senators in introducing this important bill to encourage the development if these clean energy facilities.

The Energy Policy Act of 2005 created new commercial and residential investment tax credits that have helped stimulate market growth for these innovative technologies. Those tax credits, which were extended in 2006, are set to expire at the end of 2008. However, in order to drive down future production costs and encourage the development of these facilities, this bill provides for an eight-year extension of the investment tax credits for solar and fuel cell facilities. It also provides for the accelerated depreciation of commercial solar and fuel cell projects.

The long-term extension is needed within these industries because these emerging energy technologies have longer planning horizons than traditional power plants. A long-term extension will also help developers secure the financing for these facilities.

There are numerous benefits of extending these investment tax credits. It is estimated that an eight-year extension of the tax credits will displace over 4 trillion cubic feet of natural gas and save consumers over $32 billion. An estimated 70,000 new jobs will be created in the solar and fuel cell industries and over $50 billion in economic investment will be made in these industries. In addition, distributed generation facilities can serve remote sites and help address transmission congestion issues.

Home-grown energy technologies and sources help reduce our dependence on foreign sources of energy. Moreover, both solar equipment and fuel cells provide zero emissions energy. I would urge my colleagues to join us in providing America's entrepreneurs and households with these important tax incentives. Together, we can reduce our dependence on fossil fuels and restore our nation's leading role in these important industries.

By Mr. CHAMBLISS (for himself, Mr. HARKIN, Mr. ROBERTS, Mrs. LINCOLN, Mr. COCHRAN, and Mr. LEAHY):

S. 591. A bill to amend the Food Stamp Act of 1977 to adjust for inflation the allowable amounts of financial resources of eligible households and to exclude from countable financial resources certain retirement and education accounts; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. CHAMBLISS. Mr. President, I rise today to introduce the Food Stamp Savings and Investment Act of 2007, a bill that would improve the food stamp program which is administered by the U.S. Department of Agriculture. For fiscal year 2005, the food stamp program touched an average of over 25 million people in this country every month.

Our nutrition assistance programs, anchored by the food stamp program, play a key role in ensuring that needy Americans have access to the food they need to lead healthy, productive lives. I know from the school teachers in my family the importance of good nutrition, especially for our children's development. Moreover, the food for nutrition programs comes from U.S. farmers which helps agriculture. Finally, food assistance programs are an important part of this country's safety net. Not long ago, the Nation witnessed the food stamp program's effective emergency response to evacuees from hurricanes Katrina and Rita. The U.S. food assistance programs are good for families, good for farmers and good for America.

The food stamp program not only helps by providing food and emergency aid, it helps America's needy families on their path to independence and self-sufficiency. The goals of the 1996 welfare reform were spelled out in the title, to increase ''personal responsibility and work opportunity.'' In essence, Congress asked our nation's families on welfare to take personal responsibility for themselves and join the workforce, and many of those families did. In the ten years since welfare reform was passed by Congress and signed by President Clinton, fewer families receive cash welfare, and more welfare families are working. According to the Congressional Research Service, from 1996 to 2005, the number of food stamp households with children who received cash welfare payments decreased by 57 percent, and the number who reported earned income increased 41 percent. Many families have transitioned from welfare to work, and the Food Stamp program should do more to encourage this continuing transition.

States have done a great job addressing food stamp error rates. From fiscal year 2000 to fiscal year 2005, while average monthly participation increased to a near historical high of almost 26 million people, the combined error rates of over payments and under payments fell 34 percent to a historical low of 5.84 percent.

In the 2002 farm bill, Congress gave States many options to administer the food stamp program easier. Most States have taken advantage of these options and the program serves both taxpayers and recipients better today than in the past. However, there is room to improve. For many working families with low income, there are some aspects of the food stamp program that may reduce their ability to escape the cycle of poverty. For example, food stamp asset rules conflict

with families' ability to save for their future. The asset limit of $2,000 for liquid assets for most food stamp recipients has not changed for more than 20 years. When indexed for inflation, the asset limit would be almost $4,000 today. This bill would index the asset limit to inflation. A higher asset limit should help families build up savings in order to achieve financial independence and prepare for a rainy day or get an education and eventually end their need to receive food stamps.

In addition, food stamp rules discourage working families from utilizing all the financial investment tools encouraged by the tax code for working Americans. This bill would exempt savings plans for retirement and education from being counted toward the asset when determining eligibility, provisions included in the Bush Administration's farm bill proposal.

The core ideas underlying this bill enjoy broad support across the political spectrum. Examples of organizations that have voiced support for reforming asset limits in order to encourage savings include: The Heritage Foundation; the Center on Budget and Policy Priorities; the New America Foundation; the Corporation for Enterprise Development; and, the Center for Law and Social Policy.

Reforming food stamp asset limits has the potential to help needy families break the cycle of poverty and achieve long-term financial independence. I urge my colleagues to support this bill.

Mr. HARKIN. Mr. President, I am pleased today to join my friend and colleague, the senior Senator from Georgia, as a cosponsor of legislation to provide some needed improvements to the Food Stamp Program's eligibility rules.

Senator CHAMBLISS' legislation, the Food Stamp Personal Savings and Investment Act of 2007, would exempt retirement accounts and educational savings accounts from the current asset limits test in the Food Stamp Program. Additionally, this bill would index the current asset limit to inflation.

For most households, the current asset limit in the Food Stamp Program is $2000; $3000 for households with an elderly individual or an individual with a disability. This limit has not been raised in over 20 years, making it inconsistent with the economic challenges faced by today's low-income working families in America.

In addition, current Food Stamp Program resources rules are inconsistent. Many types of retirement accounts and all educational savings accounts are counted against the asset limit, meaning that a working mother who has recently become unemployed but managed to save $2500 for her daughter's college education is actually ineligible for food stamps. This forces otherwise eligible households to have to choose between liquidating such savings, which in many cases are also subject to a financial penalty, or going without needed food assistance.

It is clear that current Food Stamp Program rules actually discourage people from planning responsibly for their futures and deny them a helping hand at a time when they need it most. It makes no sense for the government to force families that are suffering through periods of unemployment to spend down the savings which represent their only source of security in times of hardship. In essence we require people to trade-off their minimal savings for meager food stamp benefits that equal an average of one dollar per meal per person.

If our true goal is to provide low-income families with a hand up—to help make a better life for themselves and their children—then we must enact policies that actually encourage them to build the resources that are necessary to get out of poverty and remove the barriers to saving that exist in current law. Exempting retirement and educational savings accounts from the Food Stamp Program's asset limits test will help do that.

Similarly, adjusting the current asset limit so that it rises with inflation will provide a more reasonable, less-restrictive threshold that, though modest, will at least prevent further erosion in the current asset limits. I'm hopeful that we can do more than just indexing the current limit, which is too restrictive. I hope that we can first increase the asset limits and then index them annually to inflation. But Senator CHAMBLISS' bill is a good start, and I commend him for seeking to address this problem.

Taken together, these are common sense changes that are needed throughout our federal anti-poverty programs to allow low-income Americans who are currently discouraged from saving to invest in their futures. The Committee on Agriculture, Nutrition and Forestry obviously has no jurisdiction over other anti-poverty programs, but we can start by removing the unrealistic and damaging limits that currently exist within the Food Stamp Program.

I should also make clear that this is not the only change needed to improve upon the Food Stamp Program. We clearly must do more to help those who suffer from food insecurity in this country, and there are a number of other improvements that we should make to our federal food assistance programs to help low-income families put food on their tables.

This legislation is a good start to the larger objective of simplifying and strengthening our food assistance programs to make them more responsive and relevant to helping meet the needs of today's low-income American families. I commend Senator CHAMBLISS for introducing this bill, am happy to cosponsor it and look forward to continuing to work with him to promote economic and food security and stability for low-income Americans and families.

By Ms. COLLINS:

S. 592. A bill to amend the Internal Revenue Code of 1986 to provide for a manufacturer's jobs credit, and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to introduce legislation, the ''Growing Our Manufacturing Employment Act, or ''GoME,'' which is aimed at reinvigorating the manufacturing sector, boosting the level of domestic manufacturing, and preventing the further loss of manufacturing jobs.

Few issues are as important to the American people than the availability of good jobs in their communities. Manufacturing jobs have long provided quality employment for generations of Americans. But in recent years, employment in the manufacturing sector has dropped, and over 3 million manufacturing jobs have been lost since the year 2000.

Few States have been hit harder by the loss of manufacturing jobs than my home State of Maine. According to the National Association of Manufacturers, Maine has lost 22,000 manufacturing jobs—nearly 28 percent of our total—since the beginning of this decade. These jobs once provided lifelong employment to Mainers in towns like Millinocket, Wilton, Waterville, Fort Kent, Dexter, Westbrook, and Sanford. Here is but one example of the tragic results of this ongoing trend, from my home State of Maine: For 60 years, Moosehead Manufacturing produced furniture of the highest quality—beautiful designs and quality materials combined with expert craftsmanship. Last week, Moosehead closed its doors. More than 120 skilled workers have lost their jobs. A traditional Maine business, built from the ground up by a Maine family, is gone.

Why are American manufacturing jobs disappearing? Three years ago, the National Association of Manufacturers released a study showing that American manufacturers face ''structural costs'' that makes it 22 percent more expensive to manufacture goods here than overseas. Last fall, NAM updated this study, and found that these costs are escalating, with American manufacturers now facing a cost differential 31 percent higher than our nine leading trading partners.

While it would surprise no one that U.S. manufacturers face a higher cost-of-doing business than manufacturers in countries like China and Mexico, it would be a mistake to assume that wage rates alone explain this difference. They do not. In fact, the productivity of American workers is unrivaled, allowing American workers to receive more value, in wages, for the goods they produce. As the original NAM study states, if wages were the only factor, then ''U.S. manufacturers would be much more dominant . . . in the global markets than the current trade situation suggests.''

It is other ''structural costs'' that make it more expensive to manufacture goods in the U.S. relative to the

cost elsewhere. Indeed, the NAM study shows that most of the ''structural costs'' facing American manufacturers are higher than those facing manufacturers in industrialized nations like Japan, Germany, and France. This fact illustrates the critical impact these high ''structural costs'' have on our ability to compete.

In essence, these costs have the same effect as imposing a 31 percent additional tax on making goods here rather than overseas. To stay in business, American manufacturers must somehow do more with less, move operations overseas, or get out of manufacturing altogether. The end result is fewer jobs, a weaker economy, and a manufacturing sector in crisis.

I believe a healthy manufacturing base is essential to our Nation's future. Not only is manufacturing a key source of skilled, high-paying jobs, but also it is crucial to our economic and national security that we have the ability to manufacture the goods we need right here in this country. For all these reasons, I am proposing the ''Growing Our Manufacturing Employment Act.''

This bill would help to lessen the 31 percent cost differential that American manufacturers face by providing a variety of tax incentives. For example, a jobs tax credit would be provided to manufacturers that employ displaced workers who are receiving benefits under the Trade Adjustment Act, as well as those who are receiving benefits under the Alternative TAA program. That would help get those workers back to work. In Maine alone over 4,700 workers have been deemed eligible for benefits under TAA since November of 2002, and nationally, the number is nearly 600,000.

The jobs credit I am proposing in this bill would only be available to manufacturers that increase their employment level. The availability of this credit would provide a powerful incentive to hire workers who are receiving benefits because they are displaced.

This bill is designed to ensure that only companies that are helping to build America's manufacturing base obtain its benefits. It has both a carrot and a stick approach. Companies that move jobs offshore will see their benefits under this proposal reduced, and companies that chose to ''invert'' their corporate structure to avoid U.S. taxes will not be eligible for this credit at all.

As important as it is to assist workers who are eligible for benefits under TAA and ATAA, however, this alone is not enough to address the crisis facing American manufacturers. That is why my bill also includes a 5-year extension of the research and development tax credit we passed last year. R&D is critical to our manufacturers, because it is the basis of the breakthroughs we need to keep our economy on the cutting edge. The credit also creates jobs—it can only be claimed on R&D performed in the United States, and 75 percent of each dollar claimed goes to cover salaries of employees engaged in R&D. But despite its importance, the R&D tax credit is scheduled to sunset at the end of this year. Extending this credit would be a powerful tool that will help manufacturers keep their operations in America, and help offset the cost disparity American manufacturers face.

I am hopeful that, working together on this and other proposals, we can take the important steps needed to strengthen American manufacturers, preserve our manufacturing capacity, and most of all, help ensure that hard-working Americans have the jobs they need and deserve.

By Mr. BURR (for himself, Mr. REED, Mr. NELSON of Florida, Mr. MARTINEZ, Mr. DURBIN, Mrs. DOLE, and Ms. COLLINS):

S. 593. A bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, I am pleased to join my colleague, Senator BURR, to introduce the Services for Ending Long-Term Homelessness Act (SELHA).

It is estimated that two to three million Americans experience a period of homelessness in a given year. While the majority of these individuals find themselves homeless for a brief period of time, a growing segment are experiencing prolonged periods of homelessness. Roughly 200,000 to 250,000 Americans fall under the category of chronically homeless.

In March 2003, former Department of Health and Human Services Secretary Tommy Thompson issued a report that defined the issues and challenges facing the chronically homeless and developed a comprehensive approach to bringing the appropriate services and treatments to this population of individuals who typically fall outside of mainstream support programs.

Similarly, the President's New Freedom Commission on Mental Health recommended the development of a comprehensive plan to facilitate access to permanent supportive housing for individuals and families who are chronically homeless. However, affordable housing, alone, is not enough for many chronically homeless to achieve stability. This population also needs flexible, mobile, and individualized support services to sustain them in housing.

The legislation we are introducing today is critical to the development and implementation of more effective strategies to combat chronic homelessness through improved service delivery and coordination across Federal agencies serving this population. It directs the Substance Abuse and Mental Health Services Administration to coordinate their efforts not only with the Department of Housing and Urban Development, but with other Federal departments as well as with various agencies within the Department of Health and Human Services that provide supportive services.

Mr. President, SELHA is an important bipartisan measure designed to help improve coordination and ensure access to the range of supportive services that the growing number of chronically homeless Americans need to get back on their feet. Our bill brings together permanent supportive housing and services, the essential tools to enable these individuals to begin to take the steps necessary to become productive and active members of our communities again.

I look forward to working with my colleagues toward expeditious passage of this legislation.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, Mr. SANDERS, and Ms. MIKULSKI):

S. 594. A bill to limit the use, sale, and transfer of cluster munitions; to the Committee on Foreign Relations.

Mrs. FEINSTEIN. Mr. President, I rise with Senator LEAHY, Senator SANDERS, and Senator MIKULSKI to introduce legislation to address the continuing threat posed by cluster bombs to innocent civilians around the world.

Our legislation places common sense restrictions on the use of cluster bombs. It prevents any funds from being spent to use, sell or transfer cluster munitions: that have a failure rate of more than one percent; unless the rules of engagement or the agreement applicable to the sale or transfer of such cluster munitions specify that: the cluster munitions will only be used against clearly defined military targets and; will not be used where civilians are known to be present or in areas normally inhabited by civilians.

The bill also requires the President to submit a report to the appropriate Congressional committees on the plan, including estimated costs, by either the United States Government or the government to which U.S. cluster bombs are sold or transferred to clean up unexploded cluster bombs.

Finally, the bill includes a national security waiver that allows the President to waive the prohibition on the use, sale, or transfer of cluster bombs with a failure rate of more than one percent, if he determines it is vital to protect the security of the United States.

The human death toll and injury from these weapons are felt everyday. Innocent children think they are picking up a play toy in the field and suddenly their arm is blown off.

Last November, the International Committee for the Red Cross called for a ban on the use of cluster bombs in highly populated areas. They joined other leading organizations who have also decried the indiscriminate use of these weapons: Amnesty International, Human Rights Watch, the Friends Committee on National Legislation,

Handicap International, and Landmine Action.

Several countries, including Belgium, Germany, and Norway have either instituted a ban or a moratorium on the use and procurement of cluster bombs. More than 30 countries are actively calling for increased international controls on the weapon.

And next week, Norway will host an international conference to explore the possibility of a international treaty to ban certain types of cluster munitions and provide support for the victims of the weapons.

We need to adjust our policies for their use and can do so easily.

Every year, hundreds of civilians are killed and many more are injured due to unexploded cluster bombs.

From the fields of Vietnam, Laos, and Cambodia, through the streets of Kosovo and Iraq, to the arid hills of Afghanistan and the playgrounds of Lebanon, these lethal relics of war continue to cripple life, hope, and peace.

Cluster munitions are large bombs, rockets, or artillery shells that contain up to hundreds of small submunitions, or individual ''bomblets.''

They are intended for attacking enemy troop formations and armor covering over a half mile radius.

Yet, in practice, they pose a real threat to the safety of civilians when used in populated areas because they leave hundreds of unexploded bombs over a very large area and they are often inaccurate.

The non-profit group Handicap International studied the effects of cluster bombs in 24 countries and regions, including Afghanistan, Chechnya, Laos, and Lebanon.

Its report found that civilians make up 98 percent of those killed or injured by cluster bombs. 27 percent of the casualties are children.

As the report shows, cluster bombs end up in streets and cities where men and women go to work and do their shopping.

They end up in groves of trees and fields where children play.

They end up in homes where families live.

In some cases, up to 40 percent of cluster bombs fail to explode, posing a particular danger to civilians long after the conflict has ended.

This is particularly and sadly true of children because bomblets are no bigger than a D battery and in some cases resemble a tennis ball.

Children, outside with their friends and relatives, come across these cluster bombs, pick them up because they look a ball, and start playing with them.

A terrible result often follows as these stories demonstrate.

On March 25, 2003 Abdallah Yaqoob was sleeping in his bed in his family's home in Basra, Iraq when he was hit by shrapnel from a cluster munition strike that hit his neighborhood.

He lost his arm, and his abdomen was severely injured. Abdallah was hit by British L20A1/M85 munition.

Falah Hassan, 13, was injured by an unexploded ground-launched submunition in Iraq on March 26, 2003.

The explosion severed his right hand and spread shrapnel through his body. He lost his left index finger and soft tissue in his lower limbs. Source: Bonnie Docherty/Human Rights Watch.

Hassan Hammade, a 13 year old Lebanese boy, lost four fingers and sustained injuries to his stomach and shoulder after he picked up an unexploded cluster bomb in front of an orange tree.

He said, ''I started playing with it and it blew up. I didn't know it was a cluster bomb—it just looked like a burned out piece of metal.'' Source: Christian Science Monitor.

All the children are too scared to go out now, we just play on the main roads or in our homes.

These unexploded cluster bombs become, in essence, de facto landmines.

Instead of targeting troop formations and enemy armor, unexploded bomblets target innocent civilians, seriously maiming or killing their victims.

This runs counter to our values and counter to the laws of war.

Make no mistake, the impact of unexploded cluster bombs on civilian populations has been devastating.

In Laos alone there are between 9 and 27 million unexploded cluster bombs, leftovers from U.S. bombing campaigns in the 1960s and 1970s. Approximately 11,000 people, 30 percent of them children, have been killed or injured since the war ended. Source: International Committee for the Red Cross.

In the first Gulf War, 61,000 cluster bombs were used containing 20 million bomblets. Since 1991, unexploded bomblets have killed 1,600 innocent men, women, and children and injured more than 2,500.

In Afghanistan in 2001, 1,228 cluster bombs with 248,056 bomblets were used. Between October 2001 and November 2002, 127 civilians were killed by them, 70 percent of them under the age of 18.

In Iraq in 2003, 13,000 cluster bombs with nearly 2 million bomblets were used. Combining the first and second Gulf Wars, the total number of unexploded bomblets in the region is approximately 1.2 million.

An estimated 1,220 Kuwaitis and 400 Iraqi civilians have been killed since 1991. Source: Human Rights Watch.

What gives rise, in part, to my bill are recent developments in Lebanon over alleged use of cluster bombs by Israel.

It is estimated that Israel dropped 4 million bomblets in southern Lebanon and 1 million of these bomblets failed to explode.

As Lebanese children and families have returned to their homes and begin to rebuild, they have been exposed to the danger of these unexploded bomblets lying in the rubble.

22 people, including six children have been killed and 133, including 47 children, injured.

One United Nations official estimates that 40 percent of the cluster bombs launched by Israel in Southern Lebanon failed to explode.

So far, more than 58,000 unexploded bomblets in Lebanon have been destroyed but it will take 12 to 15 months to complete the effort. Source: United Nations humanitarian coordinator for Lebanon.

Looking at these figures it is clear that several countries are awash with unexploded bomblets.

The number is indeed staggering and the consequences are real.

Each death that results from an unexploded American bomblet weakens American diplomacy and American values.

How are we supposed to win the hearts and minds of civilians in these countries when we leave behind such deadly weapons that indiscriminately kill boys and girls?

How are we supposed to speed up reconstruction efforts—building homes, schools, hospitals, clinics, and ensuring electricity and water supplies—when populated areas are littered with these bombs?

Simply put, unexploded cluster bombs fuel anger and resentment and make security, stabilization, and reconstruction efforts that much harder.

And it is not just a humanitarian problem, it is a military problem.

By showering targets with cluster bombs, we ensure that our troops will face thousands of unexploded bomblets as they move forward.

This will force them to change course and slow the mission.

During the Iraq war, U.S. troops would fire six rockets containing 4,000 bomblets to eliminate one artillery piece in a civilian neighborhood. With a 16 percent dud rate, approximately 640 duds were left behind. Source: Human Rights Watch.

As an August 2003 Wall Street Journal article noted: ''Unexploded bomblets render significant swaths of battlefield off-limits to advancing U.S. troops.''

In fact, during the first Gulf War, unexploded cluster munitions killed 22 U.S. troops—6 percent of total U.S. fatalities—and injured 58.

Former Secretary of Defense William Cohen recognized the threat cluster bombs posed to civilians and U.S. troops alike and issued a memorandum which became known as the Cohen Policy.

It stated that beginning in fiscal year 2005, all new cluster bomb would have a failure rate of less than one percent.

This was an important step forward but we must remember that we still have 5.5 million cluster bombs in our arsenals containing 728.5 million bomblets. That is, we are still prepared to use an enormous amount of cluster bombs that have significant failure rates. That is unacceptable.

Let me be clear. While this legislation prohibits the sale, use, or transfer of cluster bombs with a failure rate of more than one percent, it does include a national security waiver to allow the President to waive the restriction.

Instead of exercising the waiver, I would hope that administration would work with Congress to extend the Cohen Policy to the entire U.S. cluster bomb arsenal.

During the 1990s, a comprehensive pact was forged to protect civilians from land mines worldwide. The United States and the international community have since spent millions to remove mines in post-conflict regions.

There is no question there should be a similar program for cluster bombs.

Simply put, this legislation will save lives—civilians and soldiers alike—and will help save the reputation of the United States.

I urge my colleagues to support this bill.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 594

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Cluster Munitions Civilian Protection Act of 2007''.

SEC. 2. LIMITATION ON THE USE, SALE, OR TRANSFER OF CLUSTER MUNITIONS.

No funds appropriated or otherwise available to any Federal department or agency may be obligated or expended to use, sell, or transfer any cluster munitions unless—

(1) the submunitions of the cluster munitions have a 99 percent or higher functioning rate;

(2) the policy applicable to the use, or the agreement applicable to the sale or transfer, of such cluster munitions specifies that the cluster munitions will only be used against clearly defined military targets and will not be used where civilians are known to be present or in areas normally inhabited by civilians; and

(3) not later than 30 days after such cluster munitions are used, the President submits to the appropriate congressional committees a plan, including estimated costs, for cleaning up any such cluster munitions and submunitions which fail to explode and continue to pose a hazard to civilians that is prepared, as applicable—

(A) by the head of such Federal department or agency in the event such cluster munitions are to be used by the United States Government; or

(B) by the government of the country to which the United States Government sold or transferred such cluster munitions.

SEC. 3. PRESIDENTIAL WAIVER.

The President may waive the requirement under section 2(1) if, prior to the use, sale, or transfer of cluster munitions, the President—

(1) certifies that it is vital to protect the security of the United States; and

(2) not later than 30 days after making such certification, submits to the appropriate congressional committees a report, in classified form if necessary, describing in detail—

(A) the steps that will be taken to protect civilians; and

(B) the failure rate of the cluster munitions that will be used, sold, or transferred and whether such munitions are fitted with self-destruct or self-neutralization devices.

SEC. 4. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term ''appropriate congressional committees'' means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

Mr. LEAHY. Mr. President, I am very pleased to cosponsor this legislation on cluster munitions with my friend from California, Senator FEINSTEIN. I commend her for the determination she has shown to prevent future harm to innocent people from these weapons.

The problem of cluster munitions, which overwhelmingly maim and kill civilians, has been known for many years. Perhaps the most egregious example is Laos, where millions of these tiny explosives were dropped by United States military aircraft during the Vietnam war. Over three decades later they continue to cause horrific casualties among local villagers and unsuspecting children.

I have urged the Pentagon to address this problem for nearly a decade.

While they have acknowledged the problem, they have not yet taken sufficient steps to solve it. We used large numbers of cluster munitions in the invasion of Iraq, including in densely inhabited, urban areas, and many civilians paid and continue to pay a terrible price.

Israel used these weapons extensively in Lebanon, including cluster munitions supplied by the United States, and again it has been civilians who have suffered disproportionately.

Cluster munitions, like any weapon, have military utility. They can be effective against armor or other military infrastructure. But they are, in effect, indiscriminate, because they are scattered by the thousands over wide areas.

Many of them—between 1 and 40 percent depending on the type and the condition of the terrain—fail to explode on contact and remain on the surface of the ground as hazardous duds indefinitely, no different from landmines.

The duds are exploded by whoever comes into contact with them. Often it is a child who thinks it is a toy. The consequences are disastrous—lifelong disfigurement and disability, or death.

No one suggests that it is possible to completely avoid civilian casualties in war. Innocent casualties are an inevitable, tragic consequence of all wars. But this legislation should not be necessary. Weapons that are so disproportionately hazardous to civilians should of course be subject to strict controls on their use.

The Feinstein-Leahy bill does not prohibit the use or export of cluster munitions. Rather, it would set a standard for reliability that is the same as what the Pentagon now requires for new procurements of these weapons.

The President may waive this requirement if he certifies that doing so is vital to protect the security of the United States, and he submits a report describing the steps that will be taken to protect civilians and the failure rate of the cluster munitions to be used or sold.

Our bill, which is not aimed at any particular country because this is a global problem, would also require that cluster munitions be used only against military targets and not where civilians are known to be present or in areas normally inhabited by civilians.

This is a moral issue and it is an issue of our own self-interest. Using or selling weapons that are so indiscriminate in their effect without strict controls on their use is immoral. It is immoral.

Anyone who has seen the horrific consequences of children with an arm or a leg blown off, or a part of their face, or their lifeless body cut to pieces by shrapnel, knows that.

It is also contrary to our own interest to be using or selling weapons which cause such appalling casualties of people who are not the enemy. It fuels anger and resentment we can ill afford among the very people whose support we need.

Again, I am pleased to join with the Senator from California. This is a thoughtful, much needed response to a serious humanitarian problem.

It is also timely because other governments, following the leadership of Norway, Austria and others, are meeting in Oslo later this month to begin discussions on an international treaty to curtail the use and export of cluster munitions that pose unacceptable risks to civilians.

The United States should play a visible, constructive role in those negotiations and it is our hope that this legislation will contribute to that process.

By Mr. LAUTENBERG (for himself, Mrs. BOXER, and Mr. MENENDEZ):

S. 595. A bill to amend the Emergency Planning and Community Right-to-Know Act of 1986 to strike a provision relating to modifications in reporting frequency; to the Committee on Environment and Public Works.

Mr. LAUTENBERG. Mr. President, I rise today to introduce legislation that would preserve the public's right to know about toxic chemical releases and waste management where they live.

The legislation would overturn the Environmental Protection Agency's recent action to undermine the Toxics Release Inventory (TRI) program—which I helped create in 1986—by allowing facilities that release up to 2,000 pounds of a toxic chemical to simply provide notice of a chemical's presence at the facility, rather than disclose the actual amounts released to the land, air, and water. The 2,000 pounds standard represents a four-fold increase of the current reporting threshold. EPA finalized another change to the TRI program that will reduce the information available to the public regarding the waste management of some of the most toxic chemicals that accumulate

in the environment, including lead and mercury.

These changes would eliminate detailed reporting for one or more chemicals at thousands of facilities in communities around the country, including hundreds of facilities in New Jersey, and could eliminate entirely the disclosure of the releases of more than a dozen potentially dangerous chemicals. According to the Government Accountability Office (GAO), citizens living in 75 U.S. counties could have no numerical TRI information about local toxic pollution under the changes made by EPA. Furthermore, GAO estimates that 3,565 facilities—including 101 in New Jersey—would no longer have to report any quantitative information about their chemical releases and waste management practices to the TRI.

The EPA had also proposed to require reports on chemical emissions only every other year, instead of the current annual requirement. Under that plan, communities would have no knowledge of what chemicals have been released into their neighborhoods, or how those wastes were otherwise managed every other year. Additionally, companies would have an incentive to concentrate their most egregious releases of toxic chemicals into the environment in years which are not reported. EPA withdrew this particular part of their proposal, but there is no guarantee that they will not pursue this avenue in the future.

I strongly oppose all of these rule changes; and the legislation I am introducing will overturn the changes EPA has made, and prevent them from making the third change that they considered.

I firmly believe that it is unacceptable for the EPA to reduce the amount of information available to the public about chemicals—including mercury, lead benzene, chromium, and other carcinogens—stored nearby or released into their community. When Congress passed the original Emergency Planning and Community Right-to-Know Act in 1986, as a response to the 1984 Union Carbide chemical disaster in Bhopal, India, some accountability was finally established in the chemical industry. And now, the EPA has weakened the rules and reduced the amount of information available to the public on these critical issues. For instance, in my home State of New Jersey, a chemical facility that released 2,000 pounds of arsenic via air emissions in 2003 would no longer be required to disclose this pollution to the general public. Fourteen facilities that released a combined 8,600 pounds of carcinogenic styrene would no longer have to report these emissions in detail.

While the EPA touts the benefits of its proposal as ''burden reduction'' for industry, I strongly believe that the benefit of annual, detailed reporting vastly outweighs any reduction in burden that will be provided to industry. In fact, according to GAO's estimates, the average cost savings for facilities no longer required to report their release of toxic chemicals or waste management practices would be approximately $2.46 per day.

There are constructive ways to improve the TRI program, and lessen the burdens on industry, without reducing the amount of information available to the public. These include improving the system for electronic reporting, and offering technical assistance to help businesses comply with the requirements.

The bill I introduce today, with Senator BOXER and Senator MENENDEZ as original co-sponsors, would codify the previous requirement that facilities with chemical releases of more than 500 pounds of any standard TRI chemical must disclose the details of their releases. Releases in amounts less than 500 pounds could continue to use the less detailed reporting form. Second, it would codify the current prohibition on using the less detailed form for the most persistent chemicals, including lead and mercury—those the EPA has classified as ''chemicals of special concern.'' Finally, it would prevent EPA from making the frequency of reporting less than every year.

I would also like to thank my Congressional colleagues in the House of Representatives, FRANK PALLONE of New Jersey, and HILDA SOLIS of California, with whom I have been pleased to work on this issue. Representatives PALLONE and SOLIS are introducing the companion of this bill in the House; I now look forward to continuing to work with them and my colleagues in the Senate to ensure its passage.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 595

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Toxic Right-to-Know Protection Act''.

SEC. 2. MODIFICATIONS IN REPORTING FREQUENCY.

(a) IN GENERAL.—Section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11023) is amended—

(1) by striking subsection (i); and

(2) by redesignating subsections (j) through (l) as subsections (i) through (k), respectively.

(b) CONFORMING AMENDMENTS.—Sections 322(h)(2) and 326(a)(1)(B)(iv) of the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11042(h)(2), 11046(a)(1)(B)(iv)) are amended by striking ''313(j)'' each place it appears and inserting ''313(i)''.

SEC. 3. REQUIREMENTS RELATING TO TOXICS RELEASE INVENTORY.

Notwithstanding any other provision of law—

(1) the Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator'') shall establish the eligibility threshold regarding the use of a form A certification statement under the Toxics Release Inventory Program established under the Emergency Planning and Community Right-to-Know Act of 1986 (42 U.S.C. 11001 et seq.) at not greater than 500 pounds for nonpersistent bioaccumulative and toxic chemicals; and

(2) the use of a form A certification statement described in paragraph (1), or any equivalent successor to the statement, shall be prohibited with respect to any chemical identified by the Administrator as a chemical of special concern under section 372.28 of title 40, Code of Federal Regulations (or a successor regulation).

By Mrs. FEINSTEIN (for herself, Mrs. HUTCHISON, Ms. MURKOWSKI, Mrs. BOXER, Ms. SNOWE, Ms. CANTWELL, Mrs. CLINTON, Mr. SCHUMER, Mr. KYL, Mr. VOINOVICH, Mr. DURBIN, Mr. DODD, Mr. DOMENICI, Mr. STEVENS, Mr. WARNER, Mr. SALAZAR, Mr. BIDEN, Mr. FEINGOLD, Mr. GRAHAM, Mr. BAUCUS, Mr. THOMAS, Ms. MIKULSKI, Mr. LEAHY, Mr. BURR, Mr. BROWNBACK, and Mr. SUNUNU):

S. 597. A bill to extend the special postage stamp for breast cancer research for 2 years; to the Committee on Homeland Security and Governmental Affairs.

Mrs. FEINSTEIN. Mr. President. I rise today with Senator HUTCHISON to introduce legislation to reauthorize the extraordinarily successful Breast Cancer Research Stamp for two additional years.

Without Congressional action, this important stamp will expire on December 31 of this year.

This stamp deserves to be extended as it has proven to be highly effective.

Since 1998, over 747 million breast cancer research stamps have been sold—raising $53.76 million for breast cancer research.

California continues to be one of the leading contributors, purchasing over 47 million stamps with $3.6 million going to research—almost 15 percent of the nationwide contribution.

Furthermore, in September 2005, the General Accounting Office (GAO) released a report showing that the Breast Cancer Research Stamp has been a success and an effective fund-raiser in the effort to increase funds to fight the disease.

The report also indicated that ''grants funded by NIH and DOD using Breast Cancer Research Stamp proceeds have produced significant findings in breast cancer research.''

The National Institutes for Health and the Department of Defense have received approximately $36.7 million and $15.7 million, respectively, putting these research dollars to good use by funding innovative advances in breast cancer research.

For example, a 2002 Department of Defense Concept Award enabled researchers to develop Medical Hyperspectral Imaging (MHSI) technology. This method of imaging helps surgeons determine if they have removed all cancerous tissue during breast cancer surgery.

Thanks to breakthroughs in cancer research, more and more people are becoming cancer survivors rather than cancer victims. Every dollar we continue to raise will help save lives.

One cannot calculate in dollars and cents how the stamp has focused public awareness on this terrible disease and the need for additional research funding.

There is still so much more to do because this disease has far reaching effects on our nation: breast cancer is the second most commonly diagnosed cancer among women after skin cancer. More than three million women are living with breast cancer in the U.S. today, one million of who have yet to be diagnosed. Though much less common, over 1,700 men were diagnosed with breast cancer last year.

This legislations would: extend the authorization of the Breast Cancer Research stamp for two additional years—until December 31, 2009; allow the stamp to continue to have a surcharge of up to 25 percent above the value of a first-class stamp with the surplus revenues going to breast cancer research; not affect any other semi-postal proposals under consideration by the U.S. Postal Service.

I urge my colleagues to join me and Senator HUTCHISON in passing this important legislation to extend the Breast Cancer Research Stamp for another two years.

Until a cure is found, the money from the sale of this unique postal stamp will continue to focus public awareness on this devastating disease and provide hope to breast cancer survivors.

We ask for unanimous consent that the text of the legislation directly follow this statement in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 597

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. 2-YEAR EXTENSION OF POSTAGE STAMP FOR BREAST CANCER RESEARCH.

Section 414(h) of title 39, United States Code, is amended by striking ''2007'' and inserting ''2009''.

By Mr. KERRY (for himself, Ms. SNOWE, Ms. LANDRIEU, Mr. VITTER, and Mr. LIEBERMAN):

S. 598. A bill to require reporting regarding the disaster loan program of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Mr. President, I rise today to introduce the ''Small Business Disaster Loan Reporting Act of 2007,'' which will require the Small Business Administration to update its disaster response plan and to submit detailed disaster loan reports to the Small Business and Entrepreneurship Committee. This bill is a bipartisan effort, and I thank Ranking Member SNOWE as well as Senators LANDRIEU, VITTER, and LIEBERMAN for their efforts in bringing this bill together.

In the months since Hurricane Katrina, Rita and Wilma, I have worked with other members of the Committee on Small Business and Entrepreneurship to improve the SBA's disaster loan program. We have introduced numerous drafts of this legislation, and each time our reform proposals have been blocked by the administration. While we continue to work toward passing this comprehensive reforms bill, we need to address some of the provisions that will assist Congress in assessing how the SBA's disaster loan program is operating in the present.

SBA Administrator Steve Preston appeared before the House Committee on Small Business this morning and admitted that although the SBA has implemented widespread reforms in its operational approach to processing and disbursing disaster loans, there is no plan on paper to speak of that can be provided to Congress. To provide disaster victims with a quick and effective response in the aftermath of future disasters, we must continue to evaluate the SBA's programs, building upon successes and making improvements when we identify agency flaws. It is imperative that the SBA review its disaster response plan in preparation for the 2007 hurricane season, and this bill requires the SBA to do so and to submit its changes to our Committee and the House Small Business Committee for review.

Last February, while thousands of Gulf Coast hurricane victims sat waiting for promised disaster relief to arrive, the SBA nearly ran out of money twice for its Disaster Assistance program. It required two emergency acts of Congress to keep the program running. Despite knowing about these funding issues well in advance, the SBA chose not to disclose the problem to its authorizing Committee until just before the issue came to a head. With greater coordination and transparency, Congress can work with the SBA to ensure that this essential disaster response program does not run the risk of shutting down. This bill requires the SBA to provide the Committee with detailed monthly and daily reports to update us on the program's lending volumes as well as funding levels. It also requires the SBA to notify its oversight committees when it will be seeking supplemental funding. Making the disaster loan program transparent for our review is crucial in creating a system that provides timely and valuable assistance to victims of disasters, and this legislation will help to do that.

The SBA's failure to act quickly and effectively in response to the devastation of the 2005 hurricanes was unacceptable, but as we have learned from the continuing devastation in those areas, long-term disaster assistance for our small businesses also requires attention to federal procurement requirements. Small businesses need to play a leading role in rebuilding these areas. This legislation requires the SBA to report to Congress the number of contracts awarded to small businesses following disaster declarations, because continued assistance and government contracts for small businesses in these areas help to empower entrepreneurs to make their homes and cities vibrant once again.

This bill will improve the SBA disaster loan program in allowing better congressional oversight to ensure the agency is giving entrepreneurs the tools they need to make a difference in their communities after a disaster.

By Ms. SNOWE (for herself, Ms. LANDRIEU, and Mr. VITTER):

S. 599. A bill to improve the disaster loan program of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. SNOWE. Mr. President, I rise today to introduce with Senator LANDRIEU and Senator VITTER the ''Private Disaster Loans Act of 2007.'' This legislation streamlines the current disaster loan program and allows private banks to make loans to disaster victims.

As ranking member of the Committee on Small Business and Entrepreneurship, I am committed to providing the Small Business Administration, SBA, with the tools necessary to help small businesses and homeowners recover in the wake of a disaster. With the SBA at the forefront of disaster relief efforts, Congress must support the agency to ensure that this country's 25 million small businesses have a resource they can depend on when disaster strikes. It is essential that we create a program to utilize existing infrastructure and provide immediate, much-needed aid to disaster victims.

I have made reforming and improving the disaster loan program a top priority. The legislation I am introducing today, the Private Disaster Loans Act of 2007, is designed to remedy some of the problems that prevented or delayed disaster victims from receiving immediate and necessary funding following the 2005 gulf coast hurricanes. Homeowners and businesses are the bedrock of communities across this Nation, and keeping them healthy, happy, and economically viable will enhance and improve the disaster recovery process. My bill is an important step in the right direction.

The creation of private disaster loan program will give the SBA the opportunity to work with private banks to improve the lending process in the wake of another devastating disaster, as in the case of September 11 or the 2005 gulf coast hurricanes. Because these private disaster loans will be made by qualified private lenders, borrowers will have an efficient alternative for accessing disaster assistance instead of depending solely on the SBA.

Under my proposal, the maximum PDL loan size will be $2 million, with a

maximum SBA guaranty of 85 percent, no matter the size of the loan. The maximum term will be 25 years if collateral is involved; otherwise, the maximum term for uncollateralized loans will be 15 years. These loans can be used for any purposes that are authorized under the standard SBA disaster loan program.

There will be no SBA guaranty fee for PDLs. In addition, there will be a loan origination fee paid to lenders by the SBA using authorized funds appropriated for the standard disaster loan program.

The size standard used to determine a borrower's eligibility for the PDL program will be the standard currently used in the 7(a) or 504 loan program. This will provide greater flexibility to the lenders and foster more incentive for use of the program.

For documenting each loan, lenders would be allowed to use their own documents, subject to SBA approval, and would also be permitted to create an internet, or electronic, application process.

As we learned all too well after the 2005 gulf coast hurricanes, it is critical for our Government agencies to be as prepared as possible when disaster strikes. As we move forward during the 110th Congress, I look forward to working with my colleagues in Congress to get this vital legislation passed, and to support the SBA in its continuing mission to assist the country's small business community.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 599

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Private Disaster Loans Act of 2007''.

SEC. 2. PRIVATE DISASTER LOANS.

(a) IN GENERAL.—Section 7 of the Small Business Act (15 U.S.C. 636) is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(2) by inserting after subsection (b) the following:

''(c) PRIVATE DISASTER LOANS.—

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'disaster area' means a county, parish, or similar unit of general local government in which a disaster was declared under subsection (b);

''(B) the term 'eligible small business concern' means a business concern that is—

''(i) a small business concern, as defined in this Act; or

''(ii) a small business concern, as defined in section 103 of the Small Business Investment Act of 1958; and

''(C) the term 'qualified private lender' means any privately-owned bank or other lending institution that the Administrator determines meets the criteria established under paragraph (9).

''(2) AUTHORIZATION.—The Administrator may guarantee timely payment of principal and interest, as scheduled on any loan issued by a qualified private lender to an eligible small business concern located in a disaster area.

''(3) USE OF LOANS.—A loan guaranteed by the Administrator under this subsection may be used for any purpose authorized under subsection (b).

''(4) ONLINE APPLICATIONS.—

''(A) ESTABLISHMENT.—The Administrator may establish, directly or through an agreement with another entity, an online application process for loans guaranteed under this subsection.

''(B) OTHER FEDERAL ASSISTANCE.—The Administrator may coordinate with the head of any other appropriate Federal agency so that any application submitted through an online application process established under this paragraph may be considered for any other Federal assistance program for disaster relief.

''(C) CONSULTATION.—In establishing an online application process under this paragraph, the Administrator shall consult with appropriate persons from the public and private sectors, including private lenders.

''(5) MAXIMUM AMOUNTS.—

''(A) GUARANTEE PERCENTAGE.—The Administrator may guarantee not more than 85 percent of a loan under this subsection.

''(B) LOAN AMOUNTS.—The maximum amount of a loan guaranteed under this subsection shall be $2,000,000.

''(6) LOAN TERM.—The longest term of a loan for a loan guaranteed under this subsection shall be—

''(A) 15 years for any loan that is issued without collateral; and

''(B) 25 years for any loan that is issued with collateral.

''(7) FEES.—

''(A) IN GENERAL.—The Administrator may not collect a guarantee fee under this subsection.

''(B) ORIGINATION FEE.—The Administrator may pay a qualified private lender an origination fee for a loan guaranteed under this subsection in an amount agreed upon in advance between the qualified private lender and the Administrator.

''(8) DOCUMENTATION.—A qualified private lender may use its own loan documentation for a loan guaranteed by the Administrator, to the extent authorized by the Administrator. The ability of a lender to use its own loan documentation for a loan offered under this subsection shall not be considered part of the criteria for becoming a qualified private lender under the regulations promulgated under paragraph (9).

''(9) IMPLEMENTATION REGULATIONS.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Private Disaster Loans Act of 2007, the Administrator shall issue final regulations establishing permanent criteria for qualified private lenders.

''(B) REPORT TO CONGRESS.—Not later than 6 months after the date of enactment of the Private Disaster Loans Act of 2007, the Administrator shall submit a report on the progress of the regulations required by subparagraph (A) to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives.

''(10) AUTHORIZATION OF APPROPRIATIONS.—

''(A) IN GENERAL.—Amounts necessary to carry out this subsection shall be made available from amounts appropriated to the Administration under subsection (b).

''(B) AUTHORITY TO REDUCE INTEREST RATES.—Funds appropriated to the Administration to carry out this subsection, may be used by the Administrator, to the extent available, to reduce the applicable rate of interest for a loan guaranteed under this subsection by not more than 3 percentage points.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to disasters declared under section 7(b)(2) of the Small Business Act (631 U.S.C. 636(b)(2)) before, on, or after the date of enactment of this Act.

SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 4(c)—

(A) in paragraph (1), by striking ''7(c)(2)'' and inserting ''7(d)(2)''; and

(B) in paragraph (2)—

(i) by striking ''7(c)(2)'' and inserting ''7(d)(2)''; and

(ii) by striking ''7(e),''; and

(2) in section 7(b), in the undesignated matter following paragraph (3)—

(A) by striking ''That the provisions of paragraph (1) of subsection (c)'' and inserting ''That the provisions of paragraph (1) of subsection (d)''; and

(B) by striking ''Notwithstanding the provisions of any other law the interest rate on the Administration's share of any loan made under subsection (b) except as provided in subsection (c),'' and inserting ''Notwithstanding any other provision of law, and except as provided in subsection (d), the interest rate on the Administration's share of any loan made under subsection (b)''.

By Mr. SMITH (for himself, Mr. DODD, Ms. COLLINS, Ms. SNOWE, Mr. KENNEDY, Mr. VITTER, and Mr. BINGAMAN):

S. 600. A bill to amend the Public Health Service Act to establish the School-Based Health Clinic program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. SMITH. Mr. President, today, I am honored to introduce the School Based Health Clinic Act of 2007. I developed this legislation in partnership with parents and healthcare advocates, all of whom are affiliated with Oregon's vibrant school based health center network. This important legislation will create a federal authorization to support the work of school based health centers (SBHCs) across the Nation. I am pleased to be joined by my colleagues, Senators DODD, SNOWE, COLLINS, KENNEDY, VITTER and BINGAMAN.

Currently, there are approximately 1700 SBHCs operating across the country, and Oregon is home to 44 of them. These special health clinics—with the input of parents, school personnel, healthcare providers and other youth advocate—provide vital primary and mental healthcare services to all children, regardless of their income or insurance status. Communities around the country are beginning to realize the enormous benefits of SBHCs, not only to the health of children, but to the broader healthcare system. Study after study show that SBHCs can help curtail inappropriate emergency room use, reduce Medicaid expenditures and prevent costly hospitalizations. Findings such as these have convinced me that Congress should be supporting programs like SBHCs that provide convenient points of access to basic healthcare services.

Along with Community Health Centers, SBHCs serve as an invaluable

component of the Nation's healthcare safety net. Sadly, more than nine million children in the U.S. still lack any form of health insurance coverage. As a consequence, they face enormous challenges in accessing primary, preventive and mental health services. Even those children who are fortunate to have consistent health coverage face access barriers, which may result in increased absences or undiagnosed health conditions. SBHCs help tear down those barriers so that all children—regardless of insurance or socioeconomic status—have access to a comprehensive range of health services.

What truly sets SBHCs apart is their unique model of delivering care. Working with parents, school personnel and other community based programs, they provide direct care in a manner that helps foster the development of positive behaviors and long-term healthy lifestyles. They also play an important role in helping students achieve their full academic potential. An Oregon survey found that 75 percent of SBHC users would have missed one or more classes if they had to seek treatment in a traditional care setting. Clearly, SBHCs play a vital role not only in keeping children healthy, but in supporting their long-term educational success. We cannot expect children to excel in the classroom if they are forced to miss school to seek treatment from a traditional healthcare provider.

Despite the enormous value they add to our nation's educational and healthcare systems, SBHCs receive little to no federal support. Most of their funding comes from state and local resources, patient revenue and private contributions. However, as budgets tighten and deficits grow larger, SBHCs find themselves competing alongside other programs for limited public health dollars. Many have been forced to scale back services or close altogether.

Some SBHCs have been fortunate to receive limited support through the Federal Community Health Center (CHC) program, if they are affiliated with or operated by a center. While this relationship has proven beneficial, over time it has placed an increasing demand on CHC's source of revenue and has limited the ability of SBHCs to cultivate the resources needed to expand into other vulnerable and underserved areas.

To realize their full potential, the Federal Government needs to establish a separate authorization for SBHCs. Even a small amount of Federal support can serve as much needed seed money to attract funding from other sources. In Oregon, centers have been able to generate as much as $3 to $4 dollars in funding from other public and private sources with every $1 of State general revenue. This clearly underscores the value of the SBHC-model of service delivery to the government. My legislation is asking for only a $50 million annual appropriation to support the work of SBHCs—an investment that could lead to a return many times over.

As Congress prepares to consider the reauthorization of the State Children's Health Insurance Program this year, my colleagues and I have turned our attention to finding innovative and effective ways we can support the health and well-being of our Nation's children. I am hopeful that along with that important piece of legislation, we also can generate the support to pass the School Based Health Clinics Establishment Act. I believe we must support a variety of means of healthcare access so that all children are able to receive the care they need to stay healthy and well-prepared to excel in their educational pursuits.

Mr. DODD. Mr. President, today, Senator SMITH and I are introducing the School-Based Health Clinic Establishment Act of 2007. This legislation will assist in the operation of school-based health clinics (SBHCs) which provide comprehensive and accessible primary health care services to medically underserved youth.

Why is this legislation needed? Let's look at the facts. We have more than eight million children in this country who have no health insurance. According to recent data released by the Department of Health and Human Services, between 2003–2005, the percentage of high school students who reported smoking cigarettes was around 23 percent. In 2005, 30 percent of students in grades 11–12 reported binge drinking, which is five or more alcoholic drinks in a row. Twenty-two percent of students in grades 11 and 12 reported using marijuana in the past month.

In addition, the same Department of Health and Human Services report found that the United States spends more on health per capita than any other country. The report, ''Health, United States 2006,'' specifically stated that ''much of this spending is for care that controls or reduces the impact of chronic diseases and conditions affecting an aging population.'' Fewer dollars are spent on preventative care for our children.

Another fact I would like to bring to your attention is one found in a document released today by the United Nations Children's Fund. The U.N. Children's Fund report found that the United States ranks last in child health and safety, with the highest rates of relative child poverty and teenage obesity.''

The points I have just made should not only shock us, but should be a wake-up call to each member of this body and to the American people that we need to take action and we need to take it now.

With the introduction of the School-Based Health Clinic Establishment Act of 2007, Senator SMITH and I are seeking to change the data I have outlined. School-based health clinics, where available, have a demonstrated record of improving the health care of our nation's youth. A study by Johns Hopkins University found that SBHCs reduced inappropriate emergency room use and increased primary care utilization, which resulted in fewer hospitalizations for those who used SBHCs. SBHCs also save money. For example, the Emory University School of Public Health attributed a reduction in Medicaid expenditures related to inpatient care and emergency department registration to the use of SBHCs.

In Connecticut, we have 73 school-based health clinics. The SBHCs have provided health care to many elementary, middle, and high school students who would not have access to care if SBHCs did not exist. The Connecticut clinics provide an array of services such as comprehensive physical and mental health assessments, dental care, asthma treatment, and conflict resolution.

The bill we are introducing today will help enable school-based health clinics to continue providing these much needed services. Although these clinics function totally in accordance with state laws and regulations, the federal government needs to provide funding so these clinics can continue to be a key component of our health care delivery system.

This year, we will be working on the reauthorization of the State Children's Health Insurance Program (SCHIP). The program was created to provide health care to millions of children who were previously uninsured. SCHIP is an outstanding program. I believe the ''School-Based Health Clinic Establishment Act of 2007'' would be a good complement to SCHIP.

The School-Based Health Clinic Establishment Act of 2007 is an important step in making sure that the next time the United Nations Children's Fund issues their rankings on children's quality of life, that the United States is no longer listed in last place. I look forward to working with Sen. Smith and my colleagues to see that this legislation is not only passed by this body soon, but that it is signed into law.

By Mr. BAYH (for himself, Mr. COBURN, Mr. OBAMA, Mr. LEVIN, Mr. KERRY, Mr. CARPER, Mr. DURBIN, Mrs. FEINSTEIN, Mr. SCHUMER, Ms. KLOBUCHAR, Mr. LIEBERMAN, Mr. BIDEN, Mr. BROWN, Ms. STABENOW, Mrs. CLINTON, Mr. LEAHY, and Mr. KENNEDY):

S. 601. A bill to amend the Internal Revenue Code of 1986 to require broker reporting of customer's basis in securities transactions, and for other purposes; to the Committee on Finance.

Mr. BAYH. Mr. President, today Senator TOM COBURN, Representatives RAHM EMANUEL and WALTER JONES and I, in the House of Representatives, are re-introducing bipartisan legislation to close the capital gains tax gap. The legislation, entitled the Simplification Through Additional Reporting Tax

(START) Act of 2007, will require brokerage houses and mutual fund companies to track and report cost basis information to their customers and the IRS. In the Senate, the legislation has 15 original co-sponsors: Senators COBURN, BIDEN, BROWN, CARPER, CLINTON, DURBIN, FEINSTEIN, KENNEDY, KERRY, LEAHY, LEVIN, LIEBERMAN, OBAMA, KLOBUCHAR, SCHUMER, and STABENOW. The House version has seven co-sponsors. The legislation is based upon a recommendation made by the National Taxpayer Advocate, the organization created as part of the 1998 IRS Restructuring and Reform Act whose explicit purpose is to make recommendations to Congress to simplify the tax code.

As you can see from the members that are supporting this proposal, addressing the issue of the tax gap is not a partisan issue. Taxpayers who pay the right amount each year should not be subsidizing those who don't. According to the National Taxpayer Advocate, Nina Olson, honest taxpayers are paying an additional $2700 in taxes to subsidize dishonest taxpayers.

It is also an issue of fairness. Middle-class Americans cannot underpay their taxes because their employers submit wage information reports, called W–2s, to the IRS. If a factory worker in Kokomo, Indiana underreports his income, the IRS is going to know about it because his employer sent his wage report to the IRS. By contrast, taxpayers who rely on stocks and bonds for their income are on the honor system to report their income accurately because the IRS receives virtually no information on what taxpayers paid for their investment. A $17 billion capital gains tax gap is ample proof that there are some taxpayers that are doing some Enron accounting when it comes to paying their capital gains taxes.

This is also an economic issue—we are failing to collect, at a minimum, $345 billion in taxes that are legally owed each year. In light of our economic challenges—a national debt approaching $9 trillion, the eve of the Baby Boomer retirement only a year away—Democrats and Republicans need to come together and address this issue as a first step toward solving our longer-term fiscal challenges. This bill is only a small part of the solution but hopefully this will pave the way for other practical solutions that not only close the tax gap but also simplify the tax code.

The START Act of 2007 requires brokerage houses and mutual fund companies to track and report the purchase price of a security, plus any adjustments, to their customers and the IRS. This simple change will allow taxpayers to have accurate information regarding their investments, saving them considerable time and effort when they file their taxes and have to figure out how much they owe each year in capital gains taxes. For the average taxpayer with capital gains, simply filling out the capital gains tax form adds 12 hours to the tax return filing process—more than a full work day. According to a recent GAO report, over one-third of taxpayers with capital gains or losses are not paying the right amount in taxes.

The problem involves people who are cheating the system and underpaying the amount of capital gains taxes that they owe, but also involves honest taxpayers who are simply overwhelmed by the complexity of the tax code and make mistakes. A principal reason for the complexity involved in paying capital gains taxes is the need to obtain what is called ''adjusted cost basis'' information, a technical term for the purchase price of an investment, plus any necessary changes. This bill closes the loophole that dishonest taxpayers are using, but also offers a hand to taxpayers who spend hours simply trying to fill out the capital gains portion of their tax return.

The bill will also help the IRS enforce the law and close the capital gains loophole. For the first time, the IRS will have the ability to see both sides of the picture, the purchase price and the sell price of a security. For decades, the IRS has only had half the picture. The IRS receives information about the price of a security when it is sold, but doesn't receive any information about the purchase price of the security.

This loophole has resulted in the Federal Government being shortchanged by $17 billion per year in capital gains taxes owed but not paid. With the passage of this bill, the capital gains reporting loophole will be eliminated.

I first introduced this proposal in the 109th Congress and, unfortunately, no action was taken on the bill. However, over the course of the past year, this proposal gained significant momentum, in part due to work done by the non-partisan General Accountability Office (GAO) and the Joint Committee on Taxation. Both of these organizations evaluated this proposal and made a recommendation to Congress that it be adopted.

There has also been significant activity in the Congress. Last year alone, Congress held 7 hearings on the tax gap and Sen. COBURN's Homeland Security subcommittee held one of those hearings that specifically focused on this proposal. During that hearing, IRS Commissioner Mark Everson recommended this approach. The proposal also has support from non-profit taxpayer groups, such as the Citizens for Tax Justice.

In addition to the bipartisan support our bill enjoys in the House and Senate, last week President Bush included this proposal in his budget submission. With the introduction of the President's proposal, the Securities Industry and Financial Markets Association, the preeminent association representing the securities and bond industry, publicly stated that the proposal was ''very constructive.''

In conclusion, this should be an issue that honorable members from both sides of the aisle can agree needs to be addressed. Democrats and Republicans will fight endlessly about what tax rates should be, but I believe all members should agree on the principle that all taxpayers should pay what you owe. We should also all agree that we need to reduce our deficit, simplify the tax-filing process, and promote a fair and equitable tax system. The START Act of 2007 is intended to make progress on all of these goals. I hope it can start a civil conversation about ways to improve our tax system. I look forward to working with all interested parties to craft a workable proposal that provides some needed relief to our overburdened taxpayers.

Mr. OBAMA. Mr. President, I rise to speak in favor of a bill I am proud to introduce today with Senators BAYH and COBURN to help close the tax gap by improving the reporting of capital gains income. This bill requires brokerage firms and mutual fund companies to track and report the adjusted cost basis of their clients' stock, bond, and mutual fund investments.

This bill is a simple, commonsense solution to a serious problem. Many taxpayers have a hard enough time filing their taxes. One of the most complex parts of an individual's tax return is the schedule for capital gains income. And what makes capital gains particularly difficult is the challenge of figuring out the adjusted basis of a security that has been sold.

Many taxpayers lack the proper records or knowledge to calculate adjusted basis for a stock that has split or been exchanged as part of a company's merger or acquisition. And right now, the IRS does not have the ability to monitor the accuracy of taxpayer calculations. As a result, there is a clear risk of error or fraud. In some cases, taxpayers may end up paying too much in taxes. More often, they report too little income and thus pay too little in taxes.

In 2001, the IRS estimated that underreporting cost the Treasury $11 billion annually. Today the loss is even greater.

Because the IRS fails to collect these funds, the rest of us have to pay higher taxes than we should. Most people pay their taxes honestly and follow the law to the best of their ability. But a small number of tax frauds—who often owe great amounts of taxes—cheat the system. And it's hard now for the IRS to stop them.

This bill makes it easier to stop these cases of fraud and it helps reduce the amount of Federal tax dollars owed that the IRS fails to collect each year. Brokerage firms and mutual fund companies will be required to keep track of a taxpayer's cost basis and to report that information to the IRS. This will make it easier for honest taxpayers to calculate their taxable capital gain, and harder for dishonest taxpayers to lie about it. Based on information from

the Taxpayer Advocate, reporting to the IRS can improve compliance of capital gains reporting from an estimated 50 percent today to 90 percent.

Fortunately, this new reporting requirement will not pose an undue burden to the financial firms affected. First, the firms will have plenty of time to put the necessary systems in place since the reporting requirement will not take effect until 2009, and then will only apply to securities acquired starting in 2009. Second, technology has made tracking by financial firms simple and efficient. More than 80 percent of all retail accounts already subscribe to a national reporting service for transferring basis information at a nominal cost per account. Finally, in cases where it is impossible to track basis, the Treasury Secretary and the IRS may develop regulations to require alternative information.

It is estimated that $345 billion of Federal taxes goes uncollected each year. This bill doesn't solve that full problem, but it is a step in the right direction. It reduces the Federal deficit without raising taxes or cutting spending. It simplifies the tax filing process and reduces the chance of error or fraud. It applies what we know about the clear benefits of automatic reporting to the IRS—which is required now for wage income—to capital gains income as well.

This bill makes sense. It's good policy. And I urge my colleagues to join me in supporting it and in helping to improve our tax code.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 81—RECOGNIZING THE 45TH ANNIVERSARY OF JOHN HERSHEL GLENN, JR.'S HISTORIC ACHIEVEMENT IN BECOMING THE FIRST UNITED STATES ASTRONAUT TO ORBIT THE EARTH

Mr. BROWN (for himself and Mr. VOINOVICH) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 81

Whereas John Herschel Glenn, Jr. was born on July 18, 1921, in Cambridge, Ohio, and grew up in New Concord, a small college town a few miles from the larger city of Zanesville, Ohio;

Whereas John Glenn attended New Concord High School and earned a Bachelor of Science degree in engineering from Muskingum College, which also awarded him an honorary Doctor of Science degree in engineering;

Whereas John Glenn enlisted in the Naval Aviation Cadet Program shortly after the attack on Pearl Harbor and was commissioned in the United States Marine Corps in 1943;

Whereas John Glenn served in combat in the South Pacific and also requested combat duty during the Korean conflict;

Whereas John Glenn was a dedicated military officer, flying 149 missions during 2 wars;

Whereas John Glenn received many honors for his military service, among them the Distinguished Flying Cross on 6 occasions, the Air Medal with 18 Clusters, the Asiatic-Pacific Campaign Medal, the American Campaign Medal, the World War II Victory Medal, the China Service Medal, the National Defense Service Medal, and the Korean Service Medal;

Whereas John Glenn served several years as a test pilot on Navy and Marine Corps jet fighters and attack aircraft;

Whereas, as a test pilot, John Glenn set a transcontinental speed record in 1957 by completing the first flight to average supersonic speeds from Los Angeles to New York;

Whereas John Glenn was a pioneer in the realm of space exploration and was selected in 1959 as one of the original 7 astronauts in the United States space program, entering the National Aeronautics and Space Administration's (NASA) Project Mercury;

Whereas John Glenn was assigned to the NASA Space Task Group at Langley Research Center in Hampton, Virginia;

Whereas, in 1962, the Space Task Group was moved to Houston, Texas, and became part of the NASA Manned Spacecraft Center;

Whereas, on February 20, 1962, John Glenn piloted the Mercury-Atlas 6 ''Friendship 7'' spacecraft on the first manned orbital mission of the United States;

Whereas, after launching from the Kennedy Space Center in Florida, John Glenn completed a 3-orbit mission around the planet, reaching an approximate maximum altitude of 162 statute miles and an approximate orbital velocity of 17,500 miles per hour;

Whereas John Glenn landed Friendship 7 approximately 5 hours later, 800 miles southeast of the Kennedy Space Center near Grand Turk Island;

Whereas, with that pioneering flight, John Glenn joined his colleagues Alan Shepard and Virgil Grissom in realizing the dream of space exploration and engaging the minds and imaginations of his and future generations in the vast potential of space exploration;

Whereas, after retiring from the space program, John Glenn continued his public service as a distinguished member of the Senate, in which he served for 24 years;

Whereas John Glenn has continued his public service through his work at the John Glenn Institute at Ohio State University, which was established to foster public involvement in the policy-making process, raise public awareness about key policy issues, and encourage continuous improvement in the management of public enterprise;

Whereas, in March 1999, Secretary of Education Richard W. Riley appointed John Glenn as Chair of the newly formed National Commission on Mathematics and Science Teaching for the 21st Century;

Whereas the Commission played a pivotal role in improving the quality of teaching in mathematics and science in the United States;

Whereas, in 1998, John Glenn returned to space after 36 years as a member of the crew of the space shuttle Discovery, serving as a payload specialist and as a subject for basic research on how weightlessness affects the body of an older person; and

Whereas, combined with his previous missions, John Glenn logged over 218 hours in space: Now, therefore, be it

Resolved, That the Senate—

(1) honors the 45th anniversary of John Hershel Glenn, Jr.'s landmark mission piloting the first manned orbital mission of the United States; and

(2) recognizes the profound importance of John Glenn's achievement as a catalyst to space exploration and scientific advancement in the United States.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, February 14, 2007, at 3 p.m., in closed session to receive a briefing on Iranian activities in Iraq.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, February 14, 2007, at 10 a.m. to conduct a hearing on ''The Semiannual Monetary Policy Report to the Congress.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Wednesday, February 14, 2007, at 10 a.m., in room 253 of the Russell Senate Office Building. The purpose of the hearing is to evaluate overseas sweatshop abuses, their impact on U.S. workers, and the need for anti-sweatshop legislation.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to hold a hearing during the session of the Senate on Wednesday, February 14, 2007, at 2:30 p.m., in room 253 of the Russell Senate Office Building, for an oversight hearing on the coast guard deepwater acquisition program.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Wednesday, February, 14, 2007 at 9:30 a.m. in SD–430.

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

COMMITTEE ON THE JUDICIARY

Mr. SANDERS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Judicial Security and Independence'' for Wednesday, February 14, 2007 at 10 a.m. in Hart Senate Office Building Room 216.