

not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber.

## AMENDMENT NO. 272

At the request of Mr. ALLARD, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of amendment No. 272 intended to be proposed to S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

## AMENDMENT NO. 280

At the request of Mr. SALAZAR, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of amendment No. 280 proposed to S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

## AMENDMENT NO. 281

At the request of Mr. BINGAMAN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 281 proposed to S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

## AMENDMENT NO. 282

At the request of Mr. BINGAMAN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of amendment No. 282 intended to be proposed to S. 4, a bill to make the United States more secure by implementing unfinished recommendations of the 9/11 Commission to fight the war on terror more effectively, to improve homeland security, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 720. A bill to amend title 4, United States Code, to authorize the Governor of a State, territory, or possession of the United States to order that the National flag be flown at half-staff in that State, territory, or possession in the event of the death of a member of the Armed Forces from that State, territory, or possession who dies while serving on active duty; to the Committee on the Judiciary.

Mr. LEVIN. Mr. President, every day across our Nation, families, friends, and entire communities mourn the loss of fallen soldiers, sailors, airmen and marines. Michigan has lost 130 heroes in the wars in Iraq and Afghanistan. One of the most powerful ways we can

honor those who have made the ultimate sacrifice for our country is to fly the flag they fought under at half-staff.

At times during the course of these wars, governors around the country have issued proclamations for State agencies and residents to lower our Nation's flag to honor fallen service members from their States. Many Federal agencies in those States comply with such proclamations, but some have not. To a family member, the effect can be that the Federal Government appears not to be paying the proper respect to their loved one.

Today, I am introducing legislation that would prevent this situation by giving governors the explicit authority to order the Nation's flag lowered to half staff when a member of the Armed Forces from their State dies while serving on active duty. It would also require Federal agencies in that State to lower their flags consistent with a governors' proclamation. Congressman Bart Stupak is introducing identical legislation in the House of Representatives.

One of my greatest honors as the chairman of the Senate Armed Services Committee is to spend time with our troops, and they are as courageous, honorable, and capable a fighting force as the world has ever known. These men and women have made a commitment to protect our Nation. We need to make an equally strong commitment to honor them when they make the ultimate sacrifice for our country. We owe our fallen soldiers, their families, and their communities a unified showing of respect.

By Mr. ENZI (for himself, Mr. DORGAN, Mr. BAUCUS, Mr. CRAIG, Mr. LEAHY, Mr. HARKIN, Mr. HAGEL, Mr. FEINGOLD, Mrs. FEINSTEIN, and Mr. BINGAMAN):

S. 721. A bill to allow travel between the United States and Cuba; to the Committee on Foreign Relations.

Mr. ENZI. Mr. President, today I am pleased to introduce the Freedom to Travel to Cuba Act with Senator DORGAN and a number of Senators. This legislation addresses only the travel provisions of our Cuba policy.

The Freedom to Travel to Cuba Act is very straightforward. It states that the President should not prohibit, either directly or indirectly, travel to or from Cuba by United States citizens.

I have had the opportunity to watch what has happened with Cuba through the years and I am reminded of something my dad used to say—if you keep on doing what you have always been doing, you are going to wind up getting what you already got. That has been the situation with the United States policy on Cuba. We have been trying the same thing for over 40 years, and our strategy has not worked. I am suggesting a change to get more people in Cuba to increase the dialogue.

Most of us know that Fidel Castro's health is not good and that he ceded power to his brother Raul last year. I

have heard arguments that now is not the time to change our policy toward Cuba, and that by changing policy, we could strengthen Raul's grip on the nation. This is the same argument we have been hearing for the last 40 years, simply a new verse.

When we stop Cuban-Americans from bringing financial assistance to their families in Cuba, end the people-to-people exchanges, and stop the sale of agricultural and medicinal products to Cuba, we are not hurting the Cuban government—we are hurting the Cuban people. We are further diminishing their faith and trust in the United States and reducing the strength of the ties that bind the people of our two countries.

If we allow travel to Cuba, if we increase trade and dialogue, we take away the Cuban government's ability to blame the hardships of the Cuban people on the United States. In a very real sense, the more we work to improve the lives of the Cuban people, the more we will reduce the level and the tone of the rhetoric used against us by the Cuban government.

It is time for a different policy—one that goes further than embargoes and replaces a restrictive and confusing travel policy with a new one that will more effectively help us to achieve our goal of sharing democratic ideas with the people of Cuba.

The bill we are introducing today makes real change in our Cuba travel policy toward that will lead to real change for the people of Cuba. What better way to let the Cuban people know of our concern for their plight than for them to hear it from their friends and extended family from the United States. Let them hear it from the American people who will go there. The people of this country are our best ambassadors and we should let them show the people of Cuba what we as a nation are all about. If we want to give the Cuban people real knowledge of the truth about America, we need to have Americans go there to share it.

Unilateral sanctions stop not just the flow of goods, but the flow of ideas—ideas of freedom and democracy are the keys to positive change in any nation. The rest of the world is not doing what we are doing. Countries around the world are trading with Cuba, investing in Cuba, and allowing their citizens to visit Cuba. China, Venezuela, and Iran are becoming the largest investors on the island. These nations are in a position to directly influence the future of Cuba. Americans are nowhere to be found.

Keeping the door closed and yelling at the Castro government on the other side does nothing to spread democracy and does nothing to help the people of Cuba. Let us do something, let us open the door and talk to the Cuban people. I encourage all of my colleagues to take a look at this legislation and join me in this effort.

By Mr. MCCAIN (for himself and Mr. KYL):

S. 722. A bill to direct the Secretary of the Interior and the Secretary of Agriculture to jointly conduct a study of certain land adjacent to the Walnut Canyon National Monument in the State of Arizona; to the Committee on Energy and Natural Resources.

Mr. MCCAIN. Mr. President, I am pleased to be joined by Senator KYL in reintroducing legislation to authorize a special resources and land management study for lands adjacent to the Walnut Canyon National Monument in Arizona. The study is intended to evaluate a range of management options for public lands adjacent to the monument to ensure adequate protection of the canyon's cultural and natural resources. A similar bill was introduced last Congress and received a hearing in the Senate Energy and Natural Resources Committee's Subcommittee on National Parks. The bill being introduced today reflects suggested changes of that Subcommittee and includes language that met their approval. I am grateful for the input of the members of the Subcommittee and their staff.

For several years, local communities adjacent to the Walnut Canyon National Monument have debated whether the land surrounding the monument would be best protected from future development under management of the U.S. Forest Service or the National Park Service. The Coconino County Board and the Flagstaff City Council have passed resolutions concluding that the preferred method to determine what is best for the land surrounding Walnut Canyon National Monument is by having a Federal study conducted. The recommendations from such a study would help to resolve the question of future management and whether expanding the monument's boundaries could complement current public and multiple-use needs.

The legislation also would direct the Secretary of the Interior and the Secretary of Agriculture to provide recommendations for management options for maintenance of the public uses and protection of resources of the study area.

This legislation would provide a mechanism for determining the management options for one of Arizona's high uses scenic areas and protect the natural and cultural resources of this incredibly beautiful monument. I urge my colleagues to support its passage.

Mr. KYL. Mr. President, today I am pleased to join with Senator MCCAIN introducing the Walnut Canyon Study Act of 2007. I cosponsored similar legislation in the last Congress. That legislation had a favorable hearing in the Senate Energy and Natural Resources Committee. Unfortunately, we were unable to enact it before the Congress ended.

The bill is simple. It directs the Secretary of Agriculture and the Secretary of the Interior, utilizing a third-party consultant, to conduct jointly a study of approximately 31,000 acres surrounding Walnut Canyon National

Monument. The purpose of this study is to help the land managers ascertain the best long-term management strategy for these surrounding lands in order to protect the natural, cultural, and recreational values. I want to emphasize that adding these acres to the monument is not the end goal of this study.

As stated, the study area consists of approximately 31,000 acres. Approximately 25,000 acres are currently managed by the Forest Service through the Land Resource Management Plan for the Coconino National Forest. The plan was amended in early 2003 with local input to close the area to motorized access and remove the land encircling the monument from consideration for sale or exchange. The plan, as amended, is under revision. The remaining acres are comprised of State trust land managed by the State Lands Department and the Walnut Canyon National Monument itself, which is managed by the National Park Service. A small number of acres, about 200, are private land. That private land is already subject to the Coconino County and the Flagstaff City Council-approved Flagstaff-area Regional Land Use and Transportation Plan, RLUTP, which restricts development within the study area.

This legislation is the product of extensive public input that included State and local officials, Federal agencies, and local citizens who use the land surrounding the monument. This public participation highlighted the core of the debate: how can we best protect the natural and cultural resources in the area while continuing the multiple-use management in a way that has stability and permanence. I hope that this independent study will help answer that important question. I urge my colleagues to approve the bill at the earliest possible date.

By Mr. LEVIN (for himself and Ms. COLLINS):

S. 725. A bill to amend the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to reauthorize and improve that Act; to the Committee on Environment and Public Works.

Mr. LEVIN. Mr. President, today, my colleague from Maine, Senator COLLINS and I are very pleased to introduce the National Aquatic Invasive Species Act of 2007. This bill, which reauthorizes the Nonindigenous Aquatic Nuisance Prevention and Control Act, takes a Comprehensive approach towards addressing aquatic nuisance species to protect the Nation's aquatic ecosystems. Invasive species are not a new problem for this country, but what is so important about this bill is that it takes a comprehensive approach toward the problem of aquatic invasive species rather than just focusing on species after they are established and a nuisance. The bill deals with the prevention of new introductions of species, the screening of live aquatic organisms imported into the country, the rapid

response to new invasions before they become established, and the research to implement the provisions of this bill.

More than 6,500 non-indigenous invasive species have been introduced into the United States and have become established, self-sustaining populations. These species—from microorganisms to mollusks, from pathogens to plants, from insects to fish to animals—typically encounter few, if any, natural enemies in their new environments and often wreak havoc on native species. Aquatic nuisance species threaten biodiversity nationwide, especially in the Great Lakes.

In fact, the aquatic nuisance species became a major issue for Congress back the late eighties when the zebra mussel was released into the Great Lakes. The Great Lakes still have zebra mussels, and now, more than 20 States are fighting to control them. They have traveled down the Mississippi River, then up the Arkansas River over to Oklahoma, and zebra mussels have been found out even in Nevada and California. From 1993 to 2003, rapidly multiplying zebra mussels caused \$3 billion in damage to the Great Lakes region. Industry and municipalities spend millions to keep water pipes from becoming clogged with zebra mussels. And that is just the economic impact that one species has caused.

Zebra mussels were carried over from the Mediterranean to the Great Lakes in the ballast tanks of ships. The leading pathway for aquatic invasive species was and still is maritime commerce.

Most invasive species are contained in the water that ships use for ballast to maintain trim and stability. There are over 180 aquatic invasive species in the Great Lakes. Some of the more notorious aquatic invaders such as the zebra mussel and round goby were introduced into the Great Lakes when ships pulled into port and discharged their ballast water. In addition to ballast water, aquatic invaders can also attach themselves to ships' hulls and anchor chains.

Because of the impact that the zebra mussel had in the Great Lakes, Congress passed legislation in 1990 and 1996 that has reduced, but not eliminated, the threat of new invasions by requiring ballast water management for ships entering the Great Lakes. Today, there is a mandatory ballast water management program in the Great Lakes, and the Coast Guard recently turned the voluntary ballast water exchange reporting requirement into a mandatory ballast water exchange program for all of our coasts. The current law requires that ships entering the Great Lakes must exchange their ballast water, seal their ballast tanks or use alternative treatment that is "as effective as ballast water exchange." Unfortunately, alternative treatments have not been fully developed and widely tested on ships because the developers of ballast technology do not know what standard

they are trying to achieve. This obstacle is serious because ultimately, only on-board ballast water treatment will adequately reduce the threat of new aquatic nuisance species being introduced through ballast water.

Our bill addresses this problem by setting a ballast discharge standard. After 2011, all ships that enter any U.S. port after operating outside the Exclusive Economic Zone of 200 miles will be required to use a ballast water treatment technology that meets the ballast technology standard. This standard is based on the standard proposed by the International Maritime Organization but is more protective of our waters by a factor of 100. The standard would ensure that ships discharge water that has less than 1 living organism that is greater than 50 micrometers per 10 cubic meters of water. If the Coast Guard determines in 2010 that technology is not available that can meet this standard, then the Coast Guard and EPA would establish a standard for ballast water management based on the best performance available that exceeds the international standard. Technology vendors and the maritime industry will know what standard they should be striving to achieve and when they will be expected to achieve it.

I understand that ballast water technologies are being researched, and some are currently being tested on-board ships. The range of technologies includes ultraviolet lights, filters, chemicals, deoxygenation, ozone, and several others. Each of these technologies has its own merits, and each has a different price tag attached to it. This bill will not overburden the maritime industry with an expensive requirement to install technology because the market for technology to meet a domestic and an international standard is evolving into a competitive market, and that competition will provide affordable technology.

Technology will always be evolving, and we hope that affordable technology will become available that completely eliminates the risk of new introductions. Therefore, it is important that the Coast Guard regularly review and revise the standard so that it reflects what the best technology currently available is.

There are other important provisions of the bill that also address prevention. For instance, the bill encourages the Coast Guard to consult with Canada, Mexico, and other countries in developing guidelines to prevent the introduction and spread of aquatic nuisance species. The Aquatic Nuisance Species Task Force is also charged with conducting a pathway analysis to identify other high risk pathways for introduction of nuisance species and implement management strategies to reduce those introductions. And this legislation, establishes a process to screen live organisms entering the country for the first time for non-research purposes.

Organisms believed to be invasive would be imported based on conditions

that prevent them from becoming a nuisance. Such a screening process might have prevented such species as the Snakehead, which has established itself in the Potomac River here in the DC area, from being imported.

The third title of this bill addresses the early detection of new invasions and the rapid response to invasions as well as the control of aquatic nuisance species that do establish themselves. If fully funded, this bill will provide a rapid response fund for states to implement emergency strategies when outbreaks occur. The bill requires the Army Corps of Engineers to construct and operate the Chicago Ship and Sanitary Canal project which includes the construction of a second dispersal barrier to keep species like the Asian carp from migrating up the Mississippi through the Canal into the Great Lakes. Equally important, this barrier will prevent the migration of invasive species in the Great Lakes from proceeding into the Mississippi system.

Lastly, the bill authorizes additional research which will identify threats and the tools to address those threats.

Though invasive species threaten the entire nation's aquatic ecosystem, I am particularly concerned with the damage that invasive species have done to the Great Lakes. There are now roughly 180 invasive species in the Great Lakes, and on average, a new species is introduced every 8 months. Invasive species cause disruptions in the food chain which is now causing the decline of certain fish. Invasive species are believed to be the cause of a new dead zone in Lake Erie. And invasive species compete with native species for habitat.

This bill addresses the "NOBOB" or No Ballast on Board problem which is when ships report having no ballast when they enter the Great Lakes. However, a layer of sediment and small bit of water that cannot be pumped out is still in the ballast tanks. So when water is taken on-board and then discharged all within the Great Lakes, a new species that was still living in that small bit of sediment and water may be introduced. By requiring that these ships immediately begin saltwater flushing so that freshwater species cannot survive in the saltwater being pumped through the ballast tank, this bill addresses a very serious issue in the Great Lakes. In 2012, these NOBOB ships, like all ships, will be required to install and use ballast technology.

All in all, the bill would cost about \$150 million each year if authorized funding were to be fully appropriated. This is a lot of money, but it is a critical investment. As those of us from the Great Lakes know, the economic damage that invasive species can cause is much greater. The zebra mussel, which is just 1 of the 180 species that has invaded the Great Lakes, has caused \$3 billion in economic damage over 10 years. Imagine what the cost of zebra mussels is to all of the states that are now dealing with them. Com-

pared to the annual cost of zebra mussels and the hundreds of other aquatic invasive species, the cost of this bill is more than reasonable. Therefore, I urge my colleagues to cosponsor this legislation and work to move the bill swiftly through the Senate.

Ms. COLLINS. Mr. President, from Pickerel Pond to Lake Auburn, from Sebago Lake to Bryant Pond, lakes and ponds in Maine are under attack. Aquatic invasive species threaten Maine's drinking water systems, recreation, wildlife habitat, lakefront real estate, and fisheries. Plants, such as Variable Leaf Milfoil, are crowding out native species. Invasive Asian shore crabs are taking over Southern New England's tidal pools and have advanced well into Maine—the potential detriment of Maine's lobster and clam industries.

I rise today to join Senator LEVIN in introducing legislation to address this problem. The National Aquatic Invasive Species Act of 2007 would create the most comprehensive nationwide approach to date for combating alien species that invade our shores.

The stakes are high when invasive species are unintentionally introduced into our Nation's waters. They endanger ecosystems, reduce biodiversity, and threaten native species. They disrupt people's lives and livelihoods by lowering property values, impairing commercial fishing and aquaculture, degrading recreational experiences, and damaging public water supplies.

In the 1950s, European Green Crabs swarmed the Maine coast and literally ate the bottom out of Maine's soft-shell clam industry by the 1980s. Many clam diggers were forced to go after other fisheries or find new vocations. In just one decade, this invader reduced the number of clam diggers in Maine from nearly 5,000 in the 1940s to fewer than 1500 in the 1950s. European green crabs currently cost an estimated \$44 million a year in damage and control efforts in the United States.

Past invasions forewarn of the long-term consequences to our environment and communities unless we take steps to prevent new invasions. It is too late to stop European green crabs from taking hold on the East Coast, but we still have the opportunity to prevent many other species from taking hold in Maine and the United States.

Senator LEVIN and I first introduced a version of this legislation in late 2002. Unfortunately, in the subsequent years in which Congress has failed to act on our legislation, a number of new invasive species have taken hold in Maine. North America's most aggressive invasive species—hydrilla—was found shortly after we first introduced our legislation. This stubborn and fast-growing aquatic plant has taken hold in Pickerel Pond in the Town of Limerick, ME. This plant is now found throughout Pickerel Pond, where it diminishes recreational use for swimmers and boaters.

Eurasian Milfoil is another invasive which has taken hold since our legislation was first introduced. Maine was the last of the lower 48 States to be free of this stubborn and fast-growing invasive plant. Eurasian Milfoil degrades water quality by displacing native plants, fish and other aquatic species. The plant forms stems reaching up to 20 feet high that cause fouling problems for swimmers and boaters. In total, there are now 27 documented cases of aquatic invasive species infesting Maine's lakes and ponds.

When considering the impact of these invasive species, it is important to note the tremendous value of our lakes and ponds. While their contribution to our quality of life is priceless, their value to our economy is more measurable. Maine's Great Ponds generate nearly 13 million recreational user days each year, lead to more than \$1.2 billion in annual income for Maine residents, and support more than 50,000 jobs.

With so much at stake, Mainers are taking action to stop the spread of invasive species into our State's waters. The State of Maine has made it illegal to sell, possess, cultivate, import or introduce 11 invasive aquatic plants. Boaters participating in the Maine Lake and River Protection Sticker program are providing needed funding to aid efforts to prevent, detect and manage aquatic invasive plants. Volunteers are participating in the Courtesy Boat Inspection program to keep aquatic invasive plants out of Maine lakes. Before launch or after removal, inspectors ask boaters for permission to inspect the boat, trailer or other equipment for plants.

While I am proud of the actions that Maine and many other States are taking to protect against invasive species, all too often their efforts have not been enough. Protecting the integrity of our lakes, streams, and coastlines from invading species cannot be accomplished by individual states alone. We need a uniform, nationwide approach to deal effectively with invasive species. The National Aquatic Invasive Species Act of 2007 will help my State and States throughout the Nation detect, prevent and respond to aquatic invasive species.

The National Aquatic Invasive Species Act of 2007 would be the most comprehensive effort ever undertaken to address the threat of invasive species. By authorizing \$150 million per year, this legislation would open numerous new fronts in our war against invasive species. The bill directs the Coast Guard to develop regulations that will end the easy cruise of invasive species into US waters through the ballast water of international ships, and would provide the Coast Guard with \$6 million per year to develop and implement these regulations.

The bill also would provide \$30 million per year for a grant program to assist State efforts to prevent the spread of invasive species. It would provide

additional funds for the Army Corps of Engineers and Fish and Wildlife Service to contain and control invasive species. Finally, the Levin-Collins bill would authorize \$30 million annually for research, education, and outreach.

The most effective means of stopping invading species is to attack them before they attack us. We need an early alert, rapid response system to combat invading species before they have a chance to take hold. For the first time, this bill would establish a national monitoring network to detect newly introduced species, while providing \$25 million to the Secretary of the Interior to create a rapid response fund to help States and regions respond quickly once invasive species have been detected. This bill is our best effort at preventing the next wave of invasive species from taking hold and decimating industries and destroying waterways in Maine and throughout the country.

One of the leading pathways for the introduction of aquatic organisms to U.S. waters from abroad is through transoceanic vessels. Commercial vessels fill and release ballast tanks with seawater as a means of stabilization. The ballast water contains live organisms from plankton to adult fish that are transported and released through this pathway. Our legislation would require all ships, with limited exceptions, to meet environmentally protective performance standards for ballast water discharge by 2012. In addition, it would establish a mandatory ballast water management program that includes invasive species management plans, ballast management reporting requirements, and best management practices for all ships in US waters.

The National Aquatic Invasive Species Act of 2007 offers a strong framework to combat aquatic invasive species. I call on my colleagues to help us enact this legislation in order to protect our waters, ecosystems, and industries from destructive invasive species—before even more of them take hold in our lakes and rivers and along our coastlines.

By Mr. COCHRAN (for himself  
Mr. DODD, Mr. AKAKA, Ms. COLLINS,  
Mr. STEVENS, Mr. LOTT,  
Mr. SMITH, Mr. ALEXANDER, and  
Ms. SNOWE):

S. 727. A bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

Mr. COCHRAN. Mr. President, today, I am introducing the Teaching Geography is Fundamental Act. I am pleased to be joined by my friend from Connecticut Mr. DODD. The purpose of this bill is to improve geographic literacy among K-12 students in the

United States by supporting professional development programs for their teachers that are administered in institutions of higher education. The bill also assists States in measuring the impact of education in geography.

Ensuring geographic literacy prepares students to be good citizens of both our Nation and the world. Last May, John Fahey, President of the National Geographic Society, stated that "Geographic illiteracy impacts our economic well-being, our relationships with other nations and the environment, and isolates us from the world." When students understand their own environment, they can better understand the differences in other places, and the people who live in them. Knowledge of the diverse cultures, environment, and distances between States and countries helps our students to understand national and international policies, economies, societies, and political structures on a more global scale.

The 2005 publication, *What Works in Geography*, reported that elementary school geography instruction significantly improves student achievement and proved that the integration of geography into the elementary school curriculum improves student literacy achievement an average of 5 percent. That's the good news. However, the 2006 National Geographic-Roper Global Geographic Literacy Survey shows that 69 percent of elementary school principals report a decrease in time spent teaching geography and less than a quarter of our Nation's high school students take a geography course in high school. This survey shows that many of our high school graduates lack the basic skills to navigate our international economy, policies and relationships.

To expect that Americans will be able to work successfully with the other people in this world, we need to be able to communicate and understand each other. It is a fact that we have a global marketplace, and that will continue to be the case. We need to be preparing our younger generation for global competition and ensuring that they have a strong base of understanding to be able to succeed. A strong base of geography knowledge improves those opportunities.

The U.S. Bureau of Economic Analysis announced yesterday that 27.9 percent of the U.S. GDP, that is \$3.7 trillion, annually results from international trade. According to the CIA World Factbook of 2005, U.S. workers need geographic knowledge to compete in this global economy. Geographic knowledge is increasingly needed for U.S. businesses in international markets to understand such factors as physical distance, time zones, language differences, and cultural diversity among project teams.

In addition, geospatial technology is a new and emerging career available to people with an extensive background in geography education. Professionals in

geospatial technology are employed in Federal Government agencies, the private sector and the non-profit sector, focusing on areas such as agriculture, archeology, ecology, land appraisal, and urban planning and development. In the United States, there are currently 175,000 individuals employed in the geospatial technology industry. It is estimated that this industry is growing up to 14 percent per year and it is projected to be a \$5-6 billion industry by 2010. A strong geography education system is a necessity for this industry's continued advancement.

Former Secretary of State Colin Powell said, "To solve most of the major problems facing our country today, from wiping out terrorism, to minimizing global environmental problems, to eliminating the scourge of AIDS, will require every young person to learn more about other regions, cultures, and languages."

We need to do more to ensure that the teachers responsible for the education of our students, from kindergarten through high school graduation, are prepared and trained to teach these critical skills to solve these problems. Over the last 15 years, the National Geographic Society has awarded more than \$100 million in grants to educators, universities, geography alliances, and others for the purposes of advancing and improving the teaching of geography. Their models are successful and research shows that students who have benefitted from this teaching outperform other students. State geography alliances exist in 19 States, including Mississippi, endowed by grants from the society. But, their efforts alone are not enough. The bill I am introducing establishes a Federal commitment to enhance the education of our teachers, focus on geography education research, and develop reliable, advanced technology based classroom materials.

In my State of Mississippi, teachers and university professors are making progress to increase geography education in the schools through additional professional training. Based at the University of Mississippi, over 300 geography teachers are members of the Mississippi Geography Alliance. Two weeks ago, the Mississippi Geography Alliance conducted a workshop for graduate and undergraduate students who are preparing to be certified to teach elementary through high school-level geography in our State. The workshop provided opportunities for model teaching sessions and discussion of best practices in the classroom.

I hope the Senate will consider the seriousness of the need to invest in geography and I invite other Senators to cosponsor the Teaching Geography is Fundamental Act.

By Mr. DOMENICI:

S. 728. A bill to authorize the Secretary of the Army to carry out restoration projects along the Middle Rio Grande; to the Committee on Environment and Public Works.

Mr. DOMENICI. Mr. President, I rise today to talk about a project of great importance to my State and our environment—one that has been discussed before on this floor when I helped unveil a vision that would rehabilitate and restore New Mexico's Bosque. I return here today to implement this vision that concerns this long neglected treasure of the Southwest.

I would like to point out that this project passed through this body in the last Congress. The project that I am proposing today was contained in the 2005 Water Resources Development Act, which passed the Senate on July 19, 2006. I hope that this important project will again obtain the approval of the Senate.

The Albuquerque metropolitan area is the largest concentration of people in New Mexico. It is also the home to the irreplaceable riparian forest which runs through the heart of the city and surrounding towns that is the Bosque. It is the largest continuous cottonwood forest in the Southwest, and one of the last of its kind in the world.

Unfortunately, mismanagement, neglect, and the effects of upstream development have severely degraded the Bosque. The list of its woes is long: It has been overrun by non-native vegetation; graffiti and trash mar locations along its length; the drought and build up of hazardous fuel have contributed to fires. As a result, public access is problematical and crucial habitat for scores of species is threatened.

Yet the Middle Rio Grande Bosque remains one of the most biologically diverse ecosystems in the Southwest. My goal is to restore the Bosque and create a space that is open and attractive to the public.

This is a grand undertaking to be sure; but I want to ensure that this extraordinary corridor of the Southwestern desert is preserved for generations to come—not only for generations of humans, but for the diverse plant and animal species that reside in the Bosque as well.

The rehabilitation of this ecosystem leads to greater protection for threatened and endangered species; it means more migratory birds, healthier habitat for fish, and greater numbers of towering cottonwood trees. This project can increase the quality of life for a city while assuring the health and stability of an entire ecosystem. Where trash is now strewn, paths and trails will run. Where jetty jacks and discarded rubble lie, cottonwoods will grow. The dead trees and underbrush that threaten devastating fire will be replaced by healthy groves of trees. School children will be able to study and maybe catch sight of a bald eagle. The chance to help build a dynamic public space like this does not come around often, and I would like to see Congress embrace that chance on this occasion.

Having grown up along the Rio Grande in Albuquerque, the Bosque is something I treasure, and I lament the

degradation that has occurred. Because of this, I have been involved in Bosque restoration since 1991, and I commend the efforts of groups like the Bosque Coalition for the work they have done, and will continue to do, along the river. I propose to build on their efforts with the legislation I am introducing today.

I remain grateful to each of the parties who have been involved with this idea since its inception. Each one contributes a very critical component of the project. The Middle Rio Grande Conservancy District (the "MRGCD") owns the vital part of the Bosque which runs from the National Hispanic Cultural Center north to the Paseo Del Norte Bridge. The MRGCD has proven to be a valuable local partner that has worked with all parties to provide options on how the Bosque can be preserved, protected and enjoyed by everyone. Additionally, the Army Corps of Engineers is developing a preliminary restoration plan for the Bosque along the Albuquerque corridor.

My bill authorizes \$10 million dollars in Fiscal Year 2007 and such sums as are necessary for the following nine years to complete projects, activities, substantial ecosystem restoration, preservation, protection, and recreation facilities along the Middle Rio Grande. I urge my fellow members to help preserve this rare and diverse ecosystem and to aid the city of Albuquerque and the State of New Mexico in building a place to treasure.

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. 728

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

**SECTION 1. FINDINGS.**

Congress finds that—

- (1) the Middle Rio Grande bosque is—
  - (A) a unique riparian forest along the Middle Rio Grande in New Mexico;
  - (B) the largest continuous cottonwood forest in the Southwest;
  - (C) one of the oldest continuously inhabited areas in the United States;
  - (D) home to portions of 6 pueblos; and
  - (E) a critical flyway and wintering ground for migratory birds;
- (2) the portion of the Middle Rio Grande adjacent to the Middle Rio Grande bosque provides water to many people in the State of New Mexico;
- (3) the Middle Rio Grande bosque should be maintained in a manner that protects endangered species and the flow of the Middle Rio Grande while making the Middle Rio Grande bosque more accessible to the public;
- (4) environmental restoration is an important part of the mission of the Corps of Engineers; and
- (5) the Corps of Engineers should reestablish, where feasible, the hydrologic connection between the Middle Rio Grande and the Middle Rio Grande bosque to ensure the permanent healthy growth of vegetation native to the Middle Rio Grande bosque.

**SEC. 2. DEFINITIONS.**

In this Act:

(1) MIDDLE RIO GRANDE.—The term “Middle Rio Grande” means the portion of the Rio Grande from Cochiti Dam to the headwaters of Elephant Butte Reservoir, in the State of New Mexico.

(2) RESTORATION PROJECT.—The term “restoration project” means a project carried out under this Act that will produce, consistent with other Federal programs, projects, and activities, immediate and substantial ecosystem restoration, preservation, recreation, and protection benefits.

(3) SECRETARY.—The term “Secretary” means the Secretary of the Army.

### SEC. 3. MIDDLE RIO GRANDE RESTORATION.

(a) RESTORATION PROJECTS.—The Secretary shall carry out restoration projects along the Middle Rio Grande.

(b) PROJECT SELECTION.—

(1) IN GENERAL.—The Secretary may select restoration projects in the Middle Rio Grande based on feasibility studies.

(2) USE OF EXISTING STUDIES AND PLANS.—In carrying out subsection (a), the Secretary shall use, to the maximum extent practicable, studies and plans in existence on the date of enactment of this Act to identify the needs and priorities for restoration projects.

(c) LOCAL PARTICIPATION.—In carrying out this Act, the Secretary shall consult with—

(1) the Middle Rio Grande Endangered Species Act Collaborative Program; and

(2) the Bosque Improvement Group of the Middle Rio Grande Bosque Initiative.

(d) COST SHARING.—

(1) COST-SHARING AGREEMENT.—Before carrying out any restoration project under this Act, the Secretary shall enter into an agreement with the non-Federal interests that shall require the non-Federal interests—

(A) to pay 25 percent of the total costs of the restoration project through in-kind services or direct cash contributions, including the cost of providing necessary land, easements, rights-of-way, relocations, and disposal sites;

(B) to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs associated with the restoration project that are incurred after the date of enactment of this Act; and

(C) to hold the United States harmless for any claim or damage that may arise from the negligence of the Federal Government or a contractor of the Federal Government.

(2) NON-FEDERAL INTERESTS.—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b), a non-Federal interest carrying out a restoration project under this Act may include a nonprofit entity.

(3) RECREATIONAL FEATURES.—

(A) IN GENERAL.—Any recreational features included as part of a restoration project shall comprise not more than 30 percent of the total project cost.

(B) NON-FEDERAL FUNDING.—The full cost of any recreational features included as part of a restoration project in excess of the amount described in subparagraph (A) shall be paid by the non-Federal interests.

(4) CREDIT.—The non-Federal interests shall receive credit toward the non-Federal share of the cost of design or construction activities carried out by the non-Federal interests (including activities carried out before the execution of the cooperation agreement for a restoration project) if the Secretary determines that the work performed by the non-Federal interest is integral to the project.

### SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act—

(1) \$10,000,000 for fiscal year 2007; and

(2) such sums as are necessary for each of fiscal years 2008 through 2016.

By Mr. SALAZAR:

S. 729. A bill to better provide for compensation for certain persons injured in the course of employment at the Rocky Flats site in Colorado; to the Committee on Health, Education, Labor, and Pensions.

Mr. SALAZAR. Mr. President, I rise today to speak about legislation I introduced today. The Rocky Flats Special Exposure Cohort Act will at long last repay our debt to the patriotic American workers of Rocky Flats, who served our Nation during the Cold War.

Many Americans contributed to our victory in the Cold War. Brave men and women worked in laboratories and factories throughout the Nation, fashioning nuclear weapons that led to the fall of the former Soviet Union. Unfortunately, many of these Cold War Veterans contracted cancer and other disabling and fatal diseases due to their service.

Before I arrived to Washington, DC, Congress recognized the sacrifices made by our nuclear weapons workers by enacting the Energy Employees Occupational Injury Compensation Act (EEOICPA) to provide benefits to nuclear weapons workers for their work-related illnesses or to their survivors when these illnesses took their lives.

While thousands of workers are successfully applying and receiving benefits today, others face incredible obstacles as they try to demonstrate that they qualify for benefits. In fact, a combination of missing records and bureaucratic red tape has prevented many workers from accessing benefits who served at the Rocky Flats facility in Colorado.

Our government failed these workers when they maintained shoddy, inaccurate, and incomplete records. Thankfully, Congress had the foresight in the Energy Employees Act to realize that some workers might not be able to prove that their cancers were caused by their work in nuclear weapons facilities, whether due to the lack of records or other problems that make it difficult or impossible to determine the dose of radiation they received. To protect these workers, Congress designated a Special Exposure Cohort to receive benefits if they suffered from one of the specified cancers known to be linked to radiation exposure.

Since February 2005, Rocky Flats workers have patiently and diligently been making their case to the Federal Government. Unfortunately, many of the Rocky Flats workers are running out of time. Over the past 2 years, several have passed away without having received the healthcare and other benefits that they would have qualified for if they were granted an SEC designation.

Their petition is being reviewed by the Advisory Board on Radiation and Worker Health (ABRWH), a body that is stretched thin. In the past, I have raised my strong concerns about the several unfilled Advisory Board seats. I commend these Americans for having

answered the calls of their government to serve our country. Like our Cold War Veterans, Advisory Board members have sacrificed their time and energy to perform an important service. I believe it is the responsibility of this Congress to fulfill its duty as well.

The bill I am introducing today would extend Special Exposure Cohort status to workers employed by the Department of Energy or its contractors at Rocky Flats according to the stringent requirements of the EEOICPA. As a result of this designation, a Rocky Flats worker suffering from one of the 22 listed cancers will be able to receive benefits despite the inadequate records maintained by the Department of Energy and its contractors.

Through five decades, men and women worked at Rocky Flats, producing plutonium, one of the most dangerous substances in creation, and crafting it into the triggers for America's nuclear arsenal. These men and women served a critical role in a program deemed essential to our national security by a succession of Presidents and Congresses. We owe them an enormous debt of gratitude.

My bill is a companion bill to the bipartisan House bill, H.R. 904, introduced by my friends, Congressman MARK UDALL and Congressman ED PERLMUTTER from Colorado. I look forward to its bipartisan support in the Senate and urge this body to swiftly take up and pass this important legislation. In doing so, we will right a wrong and fulfill a task that is long overdue.

By Mr. DODD (for himself and Ms. MIKULSKI):

S. 730. A bill to amend the Help America Vote Act of 2002 to protect voting rights and to improve the administration of Federal elections, and for other purposes; to the Committee on Rules and Administration.

Mr. DODD. Mr. President, as we move forward in the coming months in the Senate Committee on Rules and Administration on critical election reform hearings, I wanted to take this opportunity to re-introduce my legislation, the Voting Opportunity and Technology Enhancement Rights (VOTER) Act of 2007. I am committed to working with our new Rules Committee Chair Senator FEINSTEIN and my other Rules Committee colleagues, and with others off the committee, to try to secure enactment of tough new election reform legislation in this Congress. This bill provides a focus and framework for that discussion.

It does not purport to address all of the key problems in election reform that have arisen since enactment in 2002 of the historic Help America Vote Act (HAVA), but it is an important start, and I am pleased that Senator FEINSTEIN and I will be working together on comprehensive reform legislation this year. In light of the continuing barriers that American citizens

found at polling places across this Nation last November, including technological barriers, human errors, and other problems, we cannot rest on the laurels of past legislation. We must continue to strive to provide an equal opportunity for all citizens to participate in their democracy by voting and having their vote counted.

That's why today I am re-introducing this legislation. There is nothing more fundamental to the vitality of a democracy of the people, by the people, and for the people, than the people's right to vote. In the words of Thomas Paine: "The right of voting for representatives is the primary right by which other rights are protected." Indeed, it is the right on which all others in our democracy depend.

We still have a long way to go before we get to the point where all Americans are able to participate without obstacles in our elections, and able to participate with confidence in the voting systems they use. In the 2000 presidential election, 51.2 percent of the eligible American electorate voted. And although in the 2004 presidential election voting participation reached its highest level since 1968, only 60.7 percent of eligible Americans voted. That dropped back down, in the 2006 off-year elections, to just over 40 percent.

While there are many reasons why more Americans do not vote, we learned from the debacle of the 2000 presidential elections that many citizens cannot vote and have their vote counted because they are improperly removed from registration rolls, do not have access to accessible voting systems and ballots, or lack confidence in antiquated and error-prone machines and State administrative procedures. In response to those concerns, in 2002 Congress enacted HAVA, overwhelmingly bipartisan election reform legislation. For the first time in our history, that landmark legislation established the role of the Federal Government in administering and funding Federal elections. The twin goals of the act were to make it easier to vote and harder to defraud the system.

On the day that the Senate adopted its version of HAVA, I noted that the Senate bill was a bipartisan compromise and the culmination of the hard work of a dedicated group of Senators. But I also noted that the compromise was just that—it was not everything that all of us wanted, but it was something that everyone wanted. That was equally true of the final HAVA compromise on election reform.

The 2004 and 2006 elections raised both continuing and new concerns. And some of the most important of these concerns are not addressed by HAVA. The fact that less than one-half of the eligible voting age population voted in 2006 underscores the reality that not everybody votes in America. We must do better on this front, and we can. As the 2006 elections in some states reminded us, we also must do better at bolstering Americans' confidence in

the security and reliability of our election systems, while preserving critical access to people with disabilities, language minorities, and others.

Let me summarize briefly what this bill does. First, the VOTER Act provides every eligible American, regardless of where they live in the world or where they find themselves on election day, the right to cast a National Federal Write-In Absentee Ballot in Federal elections. This new national absentee ballot extends to all citizens the same right to a Federal absentee ballot that overseas and active military voters currently have. Beginning with Federal elections in 2008, every State shall provide early voting opportunities for a minimum of 15 days prior to election day, including Saturdays. Beginning in 2009, any otherwise eligible voter must be allowed to register to vote on election day and have that vote counted in Federal elections. This last provision would in itself be a major advance.

The VOTER Act also addresses many of the recurring, and new, barriers to voting that voters faced at the polls in the last two federal elections. It requires that a State count a provisional ballot for Federal office cast within the State by an otherwise eligible voter, notwithstanding the polling place where the ballot is cast.

HAVA established a uniform national right for every voter in a Federal election to receive and cast a provisional ballot. This new right was intended to ensure that no otherwise eligible voter could be turned away from the polls because of an administrative error or other challenge. But in 2004, and again in 2006, we saw this right eroded by States and applied in non-uniform ways. Some States, such as Ohio, initially interpreted HAVA to require that a voter be in their correct precinct in order to cast a Federal provisional ballot. Other States interpreted the same HAVA language to allow challenged voters to cast a provisional ballot in their county of residence. Whether or not the provisional ballot was ultimately counted turned solely on State law. This bill ensures that voters who cast a provisional ballot for Federal office will have that ballot counted in a uniform manner.

In addition, the VOTER Act requires that each State provide a minimum required number of voting systems and poll workers for each polling place on election day and during early voting, consistent with mandatory standards established by the Election Assistance Commission. This is to avoid the problem of long lines and disenfranchised voters because of too few voting systems or ballots at polling places and too few poll workers to assist voters. This requirement would become effective in January, 2008.

To ensure that all voters have an opportunity to independently verify their ballot before it is cast and counted, the VOTER Act also requires that all States provide voters a voter-verified

ballot with a choice of at least four formats for verification: a paper record; an audio record; a pictorial record; and an electronic record or other means which is fully accessible to the disabled, including the blind and visually impaired.

HAVA already requires that all voting systems provide voters an opportunity to verify their ballot before it is cast and counted. HAVA also requires that all systems produce a permanent paper record for audit purposes. However, it does not spell out how that verification is to be achieved to ensure security and independence of the voter's choice.

In the last few years, many have called on Congress to require a voter-verified paper ballot. And I understand what is behind that impulse. Even so, unless voter verification schemes are carefully crafted, paper-only processes can be less accurate, printer jams can result in more destroyed ballots, and they can inherently discriminate against the disabled, particularly the blind and visually-impaired. HAVA already requires that all voters, regardless of disability, be able to verify their ballots. With current and developing technology—and with new approaches being developed which will require paper ballots which are then convertible into formats for verification that are accessible to persons with disabilities and language minorities—I am hopeful that as we move forward we will be able to work out an approach on which all sides can agree.

I continue to believe it is important to preserve the anti-discrimination requirements in current law, by ensuring that appropriate verification alternatives are offered to those who need them. I know my colleagues have various proposals on this issue to bring before the Committee for its consideration, either separately or as part of more comprehensive reform efforts, and we should examine those proposals carefully. That process has already begun with the Committee's hearing last month which focused on problems with electronic voting systems, including those currently before the court in the contested election for the 13th Congressional District in Sarasota County, Florida.

The VOTER Act also addresses the continuing problem of minority disenfranchisement through last-minute purges of voter registration lists by requiring States to provide public notice of any such purges not later than 45 days before a Federal election.

To expedite the studies called for under HAVA for establishing election day as a Federal holiday, the VOTER Act requires the EAC to complete its study and issue recommendations within 6 months of enactment and earmarks funds within the EAC budget solely for this purpose.

It also includes amendments to HAVA that build on the existing voting system requirements to ensure that all voting systems, including punch cards

and central count optical scan machines, provide voters with actual notice of over-votes. Also, beginning in 2009, States must allow for voter registration through the Internet. The bill also includes provisions to ensure both the security and uniform treatment of voter registration applications by requiring that all voters sign an affidavit attesting to both their citizenship and age, in lieu of the HAVA requirements for a check-off box alone, effective in 2009.

HAVA requires that voter registration forms include questions regarding citizenship and age with check-off boxes that applicants use to indicate whether or not they meet eligibility requirements. States are further required to contact any applicant who does not fill in the boxes in order to complete the form. However, in the 2004 and 2006 elections, States implemented this requirement in widely varying ways, resulting in non-uniform treatment of voters in Federal elections. In some cases, States refused to process the form and failed to contact the voter. In other States, voters who had submitted incomplete forms were asked to complete those forms at the polling place. While the twin purposes of HAVA were to make it easier to vote and harder to defraud the system, as implemented this requirement achieves neither purpose. This requirement further resulted in disenfranchising voters who failed to check a box but nonetheless signed an affidavit, under penalty of perjury, attesting to both their citizenship and age. With the implementation of statewide voter registration lists, the check-off box requirement is unnecessary and burdensome to both voters and election administrators.

To ensure that the implementation of the voter identification requirements in HAVA do not make it harder to vote, the VOTER Act expands the forms of identification that can be used to establish identity for first-time voters who submit their voter registration by mail to include an affidavit executed by the voter attesting to his or her identity, generally subject to penalties for perjury under State law.

The VOTER Act also begins to respond to concerns first raised in the 2000 Presidential election in Florida, and echoed again in the 2004 and 2006 elections, regarding the appearance of impartiality by State election officials who were otherwise active in Federal campaigns. The bill imposes new accountability and transparency requirements on States, beginning in 2008, including a public notice requirement of any changes in State law affecting the administration of elections, such as changes in polling places and actions denying access to polling place observers. Some have urged going beyond this, including by banning state election officials from engaging in political activity in races which they oversee; the committee should consider this approach carefully.

To ensure the independence of the Election Assistance Commission, and

the timely issuance of guidance and standards, the bill provides the agency with independent budget authority and the authority to issue mandatory standards to implement the new requirements. Finally, in recognition of the inherent role of the States in the administration of Federal elections, the VOTER Act provides additional Federal funds for the State requirement grants under HAVA to implement the new requirements.

This measure does not pretend to be exhaustive, and I know there are other important reform ideas that will be considered by the committee, including measures to penalize deceptive voter intimidation practices, to impose additional voting systems testing, to improve poll worker training, to ease registration for new voters, and others. I welcome a full discussion of all of these issues.

While Congress accomplished much with the passage of the Help America Vote Act following the debacle of the 2000 Presidential election, 5 years later voters still face some of the same barriers to voting that HAVA promised to remove. As we move forward on election reform this year, let us ensure that every eligible American voter has an equal opportunity to cast a vote and have that vote counted in Federal elections.

I invite my colleagues to join me as cosponsors of this measure, and I ask unanimous consent that a brief section-by-section analysis of this measure be printed in the RECORD.

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

VOTING OPPORTUNITY AND TECHNOLOGY  
ENHANCEMENT ACT OF 2007

SECTION-BY-SECTION ANALYSIS

*Sec. 1.—Title; Table of Contents.*

*Sec. 2.—Findings and Purposes.*

*Sec. 3.—National Federal Write-In Absentee Ballot.*

Sec. 3 creates a National Federal Write-in Absentee Ballot (NFWAB) for Federal office to be used in a Federal election by any otherwise eligible voter.

Sec. 3 requires States to accept the NFWAB cast by any person eligible to vote in a Federal election, provided the ballot has been postmarked or signed by the voter before the close of the polls on election day.

Sec. 3 requires the Election Assistance Commission to prescribe a national Federal write-in absentee ballot and prescribe standards for distributing the ballot, including distribution through the Internet.

*Sec. 4.—Voter Verified Ballots.*

Sec. 4 requires that all voting systems purchased after January 1, 2009 and used in Federal elections provide an independent means for each voter to verify the ballot before it is cast and counted.

Sec. 4 allows each voter to choose one means of verification from among the following options—(1) paper; (2) audio; (3) pictorial; or (4) an electronic record accessible for voters with disabilities.

*Sec. 5.—Requirements for Counting Provisional Ballots.*

Sec. 5 requires that a State shall count a provisional ballot for Federal office cast within the State by an otherwise eligible

voter, notwithstanding the polling place in which the ballot is cast.

*Sec. 6.—Minimum Required Voting Systems and Poll Workers in Polling Places.*

Sec. 6 requires that each State shall provide the minimum required number of voting systems and poll workers for each polling place on election day and during early voting, consistent with mandatory standards established by the Election Assistance Commission.

*Sec. 7.—Election Day Registration.*

Sec. 7 requires that each State shall provide for election day registration in a Federal election for any otherwise eligible individual, using a form established by the Election Assistance Commission, unless the State does not have a voter registration requirement.

*Sec. 8.—Integrity of Voter Registration Lists.*

Sec. 8 requires that each State provide public notice at least 45 days before a Federal election of all names removed from the voter registration list.

*Sec. 9.—Early Voting.*

Sec. 9 requires that each State shall establish an early voting program for a minimum of 15 calendar days before a Federal election that provides a uniform voting period each day, except Sunday, for at least 4 hours.

*Sec. 10.—Acceleration of Study on Election Day as a Public Holiday.*

Sec. 10 requires the Election Assistance Commission to submit within 6 months of enactment of this Act the report on establishing a public election day holiday and uniform poll closing time, and authorizes \$100,000 for fiscal year 2007 for that purpose.

*Sec. 11.—Improvements to Voting Systems.*

Sec. 11 requires that punch card and central count voting systems conform to the in person notice of over-votes in Sec. 301 of the Help America Vote Act and to permit a voter to verify and change or correct any errors before the ballot is cast and counted.

*Sec. 12.—Voter Registration.*

Sec. 12 requires that, by January 1, 2009, the mail registration form be changed to include an affidavit to be signed by the voter attesting to citizenship and age eligibility and requires each State to establish a program to permit voter registration through the Internet.

*Sec. 13.—Establishing Voter Identification.*

Sec. 13 requires that an individual may meet the identification requirement for voters who register by mail as described in Sec. 303 of the Help America Vote Act by executing a written affidavit attesting to the individual's identity.

Sec. 13 requires the Election Assistance Commission to develop standards for verifying voter identification information required for registration (the driver's license number or last four digits of the social security number), as described in Sec. 303 of the Help America Vote Act.

*Sec. 14.—Impartial Administration of Elections.*

Sec. 14 requires that each State will issue a public notice of changes in State election law since the most recent election.

Sec. 14 requires that each State will allow uniform, nondiscriminatory access to observe a Federal election at any polling place to party challengers, voting and civil rights organizations, and nonpartisan domestic and international observers.

*Sec. 15.—Strengthening the Election Assistance Commission.*

Sec. 15 requires the Election Assistance Commission to provide budget estimates and requests to the Congress, the House Administration Committee, and the Senate Rules

and Administration Committee when it submits such estimates and requests to the President or Office of Management and Budget; the section provides rule-making authority for the Election Assistance Commission with respect to subtitle C of this Act; the section requires that the Director of the National Institutes of Standards and Technology provide the Commission with technical support.

Sec. 15 authorizes \$23 million for the operational costs of the Election Assistance Commission for fiscal year 2007, with \$3 million earmarked for the National Institute of Standards and Technology for technical support, and such sums as necessary for the succeeding fiscal years.

*Sec. 16.—Authorization of Appropriations.*

Sec. 16 authorizes \$2 billion for fiscal year 2007 and such sums as necessary thereafter for requirements grants to States under title II of the Help America Vote Act to implement the additional requirements.

By Mr. SALAZAR (for himself, Mr. BINGAMAN, Mr. WEBB, Mr. TESTER, and Mr. BUNNING):

S. 731. A bill to develop a methodology for, and complete, a national assessment of geological storage capacity for carbon dioxide, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. SALAZAR. Mr. President, today, I am proud to introduce the National Carbon Dioxide Storage Capacity Assessment Act of 2007.

Our earth is getting warmer. The National Oceanic and Atmospheric Administration recently announced that 2006 was the warmest year on record, and every single year since 1993 has fallen in the top twenty warmest years on record.

In February 2007, a report released by the Intergovernmental Panel on Climate Change found the levels of carbon dioxide and other greenhouse gases in the atmosphere resulting from the burning of fossil fuels have increased more than 30 percent since the Industrial Revolution. The increased levels of greenhouse gases in the atmosphere are contributing to the increased temperatures we are seeing today.

The United States is the largest emitter of CO<sub>2</sub> in the world, and much of these emissions come from satisfying our energy needs. These same energy needs that fuel our homes, our cars, and our economy are hurting our planet. The debate on climate change in the Senate has started to transform, it has gone from whether or not climate change is real, to what can we do, now, to address climate change. There has been much discussion in the Senate about the need to create a clean energy future for America, and there is much optimism about our ability to produce energy in ways that do not harm the environment.

In attempting to limit emissions, one promising step we can take is to sequester carbon dioxide. Carbon sequestration is a process where carbon is captured before it is released into the atmosphere, compressed, and stored underground in geological areas such as saline formations, unmineable coal

seams, and oil and gas reservoirs. This technology exists today.

My legislation would start us on the path to large-scale sequestration by directing the U.S. Geological Survey to conduct a national assessment of our sequestration capacity. Specifically, this assessment would evaluate the potential capacity and rate of carbon sequestration in all possible sites throughout the United States, as well as the various risk levels involved.

Carbon sequestration also holds potential economic benefits for the United States. Sequestration has the potential to enhance the recovery capabilities of certain oil, gas, and coalbed reservoirs increasing the efficiency of these important resources to the benefit of all.

The Department of Energy has already established seven regional carbon sequestration partnerships. These partnerships have vital experience and understanding about the potential for storing carbon dioxide. This bill will build upon the existing work of these partnerships, and create a national database assessable to the public on the potential storage sites across the United States—enabling companies to make cost-effective decisions needed to make sequestration a viable option.

The need to combat climate change is here; many of the techniques and technologies to combat climate change are available; and we have the will to act. What is missing for carbon sequestration is a accessible, national assessment of the potential storage sites. This bill gives us the tools our country needs to spur the implementation of carbon sequestration, fight climate change, and create a clean energy future.

By Mr. DODD (for himself and Mr. KENNEDY):

S. 732. A bill to empower Peace Corps volunteers, and for other purposes; to the Committee on Foreign Relations.

Mr. DODD. Mr. President, today, March 1, marks the 46th Anniversary of the Peace Corps. Never in our history has it been more critical that the Peace Corps succeed in its mission to “promote world peace and friendship.” As we all know, the Peace Corps seeks to advance both a better understanding of Americans and better understanding by Americans; and these goals are especially central if we want to effectively counter the spread of extremist ideology to disaffected people around the world, people who, after all, know as little of us as we know of them.

Since 1961, nearly 190,000 Peace Corps volunteers have served our Nation as citizen diplomats. For the last 45 years, by living and working side-by-side with people from 139 nations, these volunteers have represented the very best of American ideals: working to improve the human condition, and overcoming barriers of culture, language and religion, through patience, mutual respect, and partnership.

The Peace Corps is an absolutely crucial instrument in advancing Amer-

ica’s longer term foreign policy goals. And so today I am proud to introduce the Peace Corps Volunteer Empowerment Act that is designed to make the Peace Corps even more relevant to the dynamic world of the 21st Century. I am also very pleased to announce that another returned Peace Corps volunteer, Congressman SAM FARR will shortly introduce a companion bill in the House so that both bodies can begin working to pass this very important legislation.

The bill will provide seed monies for active Peace Corps volunteers for demonstration projects at their specific in-country sites. It authorizes \$10 million in additional annual appropriations to be distributed by the Peace Corps as grants to returned Peace Corps volunteers interested in undertaking “third goal” projects in their communities. The bill will also authorize active Peace Corps volunteers to accept, under certain carefully defined circumstances, private donations to support their development projects.

For any organization to thrive, managers and leaders must have access to first-hand knowledge and perspectives of those working on the front lines. And so, this bill will establish mechanisms for more volunteer input into Peace Corps operations, including staffing decisions, site selection, language training and country programs. This bill will also explicitly protect certain rights of Peace Corps volunteers with respect to termination of service and whistleblower protection.

We must bring the Peace Corps into the digital age. To that end, this bill will provide volunteers with better means of communication by establishing websites and email links for use by volunteers in-country.

Inadequate funding and internal structural roadblocks have unfortunately resulted in an unfulfilled Presidential pledge to double the size of the Peace Corps by 2007. Despite a large increase in volunteers signing up for the Peace Corps immediately after September 11, the Congressional Research Service reports that the number of Peace Corps volunteers actually declined in 2006. It is crucial that we work to reverse this troubling trend. That is why this bill authorizes active recruitment from the 185,000 returned Peace Corps volunteer community for second tours as volunteers and as participants in third goal activities in the United States.

This bill will also remove certain medical, healthcare and other impediments that discourage older individuals from becoming Peace Corps volunteers. It will create more transparency in the medical screening and appeals process, and require reports on costs associated with extending post-service health coverage from 1 month to 6 months.

Finally, and perhaps most crucially, my bill includes annual authorizations for Fiscal Years 2008 to 2011, so that we can provide the means by which the

Peace Corps can double the number of volunteers to 15,000, by 2011.

In all the controversies of the past 5 years, all the vagaries of strategy and tactics and plans and counter plans, there's one policy that guarantees success: sending our best young men and women into the world to make America known. So, I encourage my colleagues to support this bill, to modernize, strengthen and enlarge the Peace Corps. On the 46th Anniversary of this great program, let us act swiftly to ensure that at the very least, the Peace Corps will continue to thrive for an additional 46 years.

By Mr. FEINGOLD (for himself and Ms. COLLINS):

S. 733. A bill to promote the development of health care cooperatives that will help businesses to pool the health care purchasing power of employers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. FEINGOLD. Mr. President, today, along with my colleague Senator COLLINS from Maine, I am introducing legislation to help businesses form group-purchasing cooperatives to obtain enhanced benefits, to reduce health care rates, and to improve quality for their employees' health care.

High health care costs are burdening businesses and employees across the Nation. These costs are digging into profits and preventing access to affordable health care. Too many patients feel trapped by the system, with decisions about their health dictated by costs rather than by what they need.

Nationally, the annual average cost to an employer for an individual employee's health care is \$3,615. For a family, the employer contribution is \$8,508. We must curb these rapidly increasing health care costs. I strongly support initiatives to ensure that everyone has access to health care. It is crucial that we support successful local initiatives to reduce health care premiums and to improve the quality of employees' health care.

By using group purchasing to obtain rate discounts, some employers have been able to reduce the cost of health care premiums for their employees. According to the National Business Coalition on Health, there are nearly 80 employer-led coalitions across the United States that collectively purchase health care. Through these pools, businesses are able to proactively challenge high costs and inefficient delivery of health care and share information on quality. These coalitions represent over 10,000 employers nationwide.

Improving the quality of health care will also lower the cost of care. By investing in the delivery of quality health care, we will be able to lower long term health care costs. Effective care, such as quality preventive services, can reduce overall health care expenditures. Health purchasing coalitions help promote these services and

act as an employer forum for networking and education on health care cost containment strategies. They can help foster a dialogue with health care providers, insurers, and local HMOs.

Health care markets are local. Problems with cost, quality, and access to health care are felt most intensely in the local markets. Health care coalitions can function best when they are formed and implemented locally. Local employers of large and small businesses have formed health care coalitions to track health care trends, create a demand for quality and safety, and encourage group purchasing.

In Wisconsin, there have been various successful initiatives that have formed health care purchasing cooperatives to improve quality of care and to reduce cost. For example, the Employer Health Care Alliance Cooperative, an employer-owned and employer-directed not-for-profit cooperative, has developed a network of health care providers in Dane County and 12 surrounding counties on behalf of its 157 member employers. Through this pooling effort, employers are able to obtain affordable, high-quality health care for their nearly 73,000 employees and dependents.

This legislation seeks to build on successful local initiatives, such as the Alliance, that help businesses to join together to increase access to affordable and high-quality health care.

The Promoting Health Care Purchasing Cooperatives Act would authorize grants to a group of businesses so that they could form group-purchasing cooperatives to obtain enhanced benefits, reduce health care rates, and improve quality.

This legislation offers two separate grant programs to help different types of businesses pool their resources and bargaining power. Both programs would aid businesses to form cooperatives. The first program would help large businesses that sponsor their own health plans, while the second program would help small businesses that purchase their health insurance.

My bill would enable larger businesses to form cost-effective cooperatives that could offer quality health care through several ways. First, they could obtain health services through pooled purchasing from physicians, hospitals, home health agencies, and others. By pooling their experience and interests, employers involved in a coalition could better address essential issues, such as rising health insurance rates and the lack of comparable health care quality data. They would be able to share information regarding the quality of these services and to partner with these health care providers to meet the needs of their employees.

For smaller businesses that purchase their health insurance, the formation of cooperatives would allow them to buy health insurance at lower prices through pooled purchasing. Also, the communication within these coopera-

tives would provide employees of small businesses with better information about the health care options that are available to them. Finally, coalitions would serve to promote quality improvements by facilitating partnerships between their group and the health care providers.

By working together, the group could develop better quality insurance plans and negotiate better rates.

This legislation also tries to alleviate the burden that our Nation's farmers face when trying to purchase health care for themselves, their families, and their employees. Because the health insurance industry looks upon farming as a high-risk profession, many farmers are priced out of, or simply not offered, health insurance. By helping farmers join cooperatives to purchase health insurance, we will help increase their health insurance options.

Past health purchasing pool initiatives have focused only on cost and have tried to be all things for all people. My legislation creates an incentive to join the pools by giving grants to a group of similar businesses to form group-purchasing cooperatives. The pools are also given flexibility to find innovative ways to lower costs, such as enhancing benefits, for example, more preventive care, and improving quality. Finally, the cooperative structure is a proven model, which creates an incentive for businesses to remain in the pool because they will be invested in the organization.

We must reform health care in America and give employers and employees more options. This legislation, by providing for the formation of cost-effective coalitions that will also improve the quality of care, contributes to this essential reform process. I urge my colleagues to join me in supporting this proposal to improve the quality and costs of health care.

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. 733

*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 "Promoting Health Care Purchasing Cooperatives Act".

**SEC. 2. FINDINGS AND PURPOSE.**

(a) FINDINGS.—Congress makes the following findings:

(1) Health care spending in the United States has reached 16 percent of the Gross Domestic Product of the United States, yet 46,000,000 people remains uninsured.

(2) After nearly a decade of manageable increases in commercial insurance premiums, many employers are now faced with consecutive years of double digit premium increases.

(3) Purchasing cooperatives owned by participating businesses are a proven method of achieving the bargaining power necessary to manage the cost and quality of employer-sponsored health plans and other employee benefits.

(4) The Employer Health Care Alliance Cooperative has provided its members with

health care purchasing power through provider contracting, data collection, activities to enhance quality improvements in the health care community, and activities to promote employee health care consumerism.

(5) According to the National Business Coalition on Health, there are nearly 80 employer-led coalitions across the United States that collectively purchase health care, proactively challenge high costs and the inefficient delivery of health care, and share information on quality. These coalitions represent more than 10,000 employers.

(b) PURPOSE.—It is the purpose of this Act to build off of successful local employer-led health insurance initiatives by improving the value of their employees' health care.

**SEC. 3. GRANTS TO SELF INSURED BUSINESSES TO FORM HEALTH CARE COOPERATIVES.**

(a) AUTHORIZATION.—The Secretary of Health and Human Services (in this Act referred to as the "Secretary"), acting through the Director of the Agency for Healthcare Research and Quality, is authorized to award grants to eligible groups that meet the criteria described in subsection (d), for the development of health care purchasing cooperatives. Such grants may be used to provide support for the professional staff of such cooperatives, and to obtain contracted services for planning, development, and implementation activities for establishing such health care purchasing cooperatives.

(b) ELIGIBLE GROUP DEFINED.—

(1) IN GENERAL.—In this section, the term "eligible group" means a consortium of 2 or more self-insured employers, including agricultural producers, each of which are responsible for their own health insurance risk pool with respect to their employees.

(2) NO TRANSFER OF RISK.—Individual employers who are members of an eligible group may not transfer insurance risk to such group.

(c) APPLICATION.—An eligible group desiring a grant under this section shall submit to the Secretary an application at such time, in such manner, and accompanied by such information as the Secretary may require.

(d) CRITERIA.—

(1) FEASIBILITY STUDY GRANTS.—

(A) IN GENERAL.—An eligible group may submit an application under subsection (c) for a grant to conduct a feasibility study concerning the establishment of a health insurance purchasing cooperative. The Secretary shall approve applications submitted under the preceding sentence if the study will consider the criteria described in paragraph (2).

(B) REPORT.—After completion of a feasibility study under a grant under this section, an eligible group shall submit to the Secretary a report describing the results of such study.

(2) GRANT CRITERIA.—The criteria described in this paragraph include the following with respect to the eligible group:

(A) The ability of the group to effectively pool the health care purchasing power of employers.

(B) The ability of the group to provide data to employers to enable such employers to make data-based decisions regarding their health plans.

(C) The ability of the group to drive quality improvement in the health care community.

(D) The ability of the group to promote health care consumerism through employee education, self-care, and comparative provider performance information.

(E) The ability of the group to meet any other criteria determined appropriate by the Secretary.

(e) COOPERATIVE GRANTS.—After the submission of a report by an eligible group

under subsection (d)(1)(B), the Secretary shall determine whether to award the group a grant for the establishment of a cooperative under subsection (a). In making a determination under the preceding sentence, the Secretary shall consider the criteria described in subsection (d)(2) with respect to the group.

(f) COOPERATIVES.—

(1) IN GENERAL.—An eligible group awarded a grant under subsection (a) shall establish or expand a health insurance purchasing cooperative that shall—

(A) be a nonprofit organization;

(B) be wholly owned, and democratically governed by its member-employers;

(C) exist solely to serve the membership base;

(D) be governed by a board of directors that is democratically elected by the cooperative membership using a 1-member, 1-vote standard; and

(E) accept any new member in accordance with specific criteria, including a limitation on the number of members, determined by the Secretary.

(2) AUTHORIZED COOPERATIVE ACTIVITIES.—A cooperative established under paragraph (1) shall—

(A) assist the members of the cooperative in pooling their health care insurance purchasing power;

(B) provide data to improve the ability of the members of the cooperative to make data-based decisions regarding their health plans;

(C) conduct activities to enhance quality improvement in the health care community;

(D) work to promote health care consumerism through employee education, self-care, and comparative provider performance information; and

(E) conduct any other activities determined appropriate by the Secretary.

(g) REVIEW.—

(1) IN GENERAL.—Not later than 1 year after the date on which grants are awarded under this section, and every 2 years thereafter, the Secretary shall study programs funded by grants under this section and provide to the appropriate committees of Congress a report on the progress of such programs in improving the access of employees to quality, affordable health insurance.

(2) SLIDING SCALE FUNDING.—The Secretary shall use the information included in the report under paragraph (1) to establish a schedule for scaling back payments under this section with the goal of ensuring that programs funded with grants under this section are self sufficient within 10 years.

**SEC. 4. GRANTS TO SMALL BUSINESSES TO FORM HEALTH CARE COOPERATIVES.**

The Secretary shall carry out a grant program that is identical to the grant program provided in section 3, except that an eligible group for a grant under this section shall be a consortium of 2 or more employers, including agricultural producers, each of which—

(1) have 99 employees or less; and

(2) are purchasers of health insurance (are not self-insured) for their employees.

**SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

From the administrative funds provided to the Secretary, the Secretary may use not more than a total of \$60,000,000 for fiscal years 2008 through 2017 to carry out this Act.

By Mr. SPECTER:

S. 734. A bill to amend the Internal Revenue Code of 1986 to reduce the rate of the tentative minimum tax for non-corporate taxpayers to 24 percent; to the Committee on Finance.

Mr. SPECTER. Mr. President, I have sought recognition to introduce legis-

lation to provide relief to the rising number of taxpayers impacted by the Alternative Minimum Tax (AMT). Between a lack of indexing for inflation and higher AMT tax rates relative to the regular income tax system, we now have a tax system which has grown far beyond its intended result. Important changes must be made to address these two critical issues. Absent legislative action, the number of taxpayers subject to AMT liability will continue to rise sharply. The AMT Rate Reduction Act of 2007 would bring the AMT back "in line" with the regular individual income tax by reducing its rate back to 24 percent. Combined with the continued extension of the AMT exemption, this proposal would remove millions of unintended middle-class taxpayers from the AMT rolls.

The AMT functions as a parallel tax system to the regular income tax so that when a taxpayer's AMT liability exceeds their regular income tax liability, that person must pay the AMT. The AMT is set up to ensure that high-income taxpayers pay their fair share by denying certain deductions and exemptions available under the regular income tax. However, the AMT is now hitting the middle class—and hitting them hard.

It is important to keep in mind that the first version of the AMT was created in 1969 in response to a small number of high-income individuals who had paid little or no federal income taxes. In 2006, 3.5 million taxpayers will be subject to the AMT, and that number will continue to increase sharply in the coming decade. In Pennsylvania alone, 79,000 individuals filed their returns under the AMT in 2003, accounting for 1.37 percent of all Pennsylvania returns; 114,000 Pennsylvania returns were filed under the AMT in 2004, accounting for 1.97 percent of all Pennsylvania returns; and 137,486 Pennsylvania returns were filed under the AMT in 2005.

This onerous tax is slapped on average American families largely because the AMT is not indexed for inflation, while the regular income tax is indexed, and taxpayers are "pushed" into the AMT through so-called "bracket creep." Temporary increases in the AMT exemption amounts expired at the end of 2006. The Economic Growth and Tax Relief Reconciliation Act of 2001 increased the AMT exemption amount effective for tax years between 2001 and 2004; the Working Families Tax Relief Act of 2004 extended the previous increase in the AMT exemption amounts through 2005; and the Tax Increase Prevention and Reconciliation Act of 2005 increased the AMT exemption amount for 2006. If we do not again adjust the AMT exemption amount, it is estimated that the number of taxpayers subject to the AMT will jump from 3.5 million in 2006 to 23 million in 2007, with middle-income taxpayers most affected. In Pennsylvania alone, that number will jump drastically to 837,000 in 2007. According to the Congressional Research Service, taxpayers

filing joint returns with no dependents will be subject to the AMT starting at income levels of \$75,386. Large families will be subject to the AMT at income levels as low as \$49,438.

In addition to the issue of indexing the AMT exemption amount for inflation, the AMT tax rate relative to the regular income tax must also be addressed to keep additional taxpayers who were never intended to pay the AMT from being subject to its burdensome grasp. In 1993, President Clinton and a Democrat-controlled Congress imposed a significant tax hike on Americans through the regular income tax. At the same time, the AMT tax rate was also increased from 24 percent to 26 percent for taxable income under \$175,000 and from 24 percent to 28 percent for taxable income that exceeds \$175,000. In theory, these simultaneous changes had the effect of keeping roughly the same number of individuals paying their taxes under the AMT. However, when President Bush's tax cuts were enacted in 2001 and 2003, Congress did not again adjust the AMT tax rates. Ironically, by reducing regular income tax liabilities without substantially changing the AMT, many new taxpayers were pushed into these higher AMT tax rates created in 1993.

According to an editorial in the Wall Street Journal (WSJ) on February 23, 2007, entitled "Bill Clinton's AMT Bomb," the number of filers paying the AMT increased from 300,000 to nearly 2 million between 1992 and 2002. The WSJ also cites a Joint Committee on Taxation (JCT) analysis from April 2006 which shows that about 11 million more Americans will have to pay the AMT next year as a result of the 1993 AMT rate increase. It concludes that "going back to the pre-Clinton rates would leave only about 2.6 million tax filers subject to an AMT penalty next year instead of 23 million under current law."

The most unfortunate aspect of adjusting the AMT is the associated cost. According to the April 2006 JCT analysis, the ten-year cost of my proposal, combined with extension of the AMT exemption amount, is a staggering \$632.7 billion. However, it is still substantially less than the cost of full repeal. According to the Congressional Research Service, it is estimated that repealing the AMT would cost, depending on whether the recent reductions in the regular income tax are extended beyond 2010, \$806 billion to over \$1.4 trillion from 2007 through 2016.

I am cognizant of the fact that Democrats in the 110th Congress will seek to fully offset the cost of the lost revenue resulting from any adjustment to the AMT. With the political realities being as such, I am willing to work with my colleagues to identify reasonable offsets, if they are necessary, to garner broad support for this effort. However, it is questionable whether an offset should be needed to recover "lost" revenue that was never intended to be collected in the first place.

I look forward to working with my colleagues to both simplify our tax code and to identify the best avenue for keeping unintended taxpayers from falling prey to the AMT. I will continue to support the so-called "hold-harmless patch." By both extending and increasing the AMT exemption amount to keep up with inflation, the "patch" ensures that no additional taxpayers on the lower end of the income spectrum become liable for the AMT. However, I urge my colleagues to support my legislation which would remove millions of additional unintended taxpayers who are currently subject to the AMT.

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. 734

*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 "AMT Rate Reduction Act of 2007".

**SEC. 2. REDUCTION IN RATE OF TENTATIVE MINIMUM TAX FOR NONCORPORATE TAXPAYERS.**

(a) IN GENERAL.—Clause (i) of section 55(b)(1)(A) of the Internal Revenue Code of 1986 (relating to noncorporate taxpayers) is amended to read as follows:

"(i) IN GENERAL.—In the case of a taxpayer other than a corporation, the tentative minimum tax for the taxable year is—

"(I) 24 percent of the taxable excess, reduced by

"(II) the alternative minimum tax foreign tax credit for the taxable year."

(b) CONFORMING AMENDMENT.—Subparagraph (A) of section 55(b)(1) of such Code is amended by striking clause (iii).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

By Mr. KENNEDY (for himself, and Mr. COLEMAN, and Mr. KYL):

S. 735. A bill to amend title 18, United States Code, to improve the terrorist hoax statute; to the Committee on the Judiciary.

Mr. KENNEDY. Mr. President, in the wake of the tragic events of September 11, Congress, the Administration and the country faced the urgent need to do all we can to strengthen our national security and counterterrorism strategy. Soon after the attacks, Congress moved swiftly to enact new intelligence and law enforcement powers for the Federal Government through the PATRIOT Act. Since then, we have also enacted legislation to reform our intelligence laws, and we spent significant time re-authorizing key provisions of the PATRIOT Act last year.

Yet, much work still needs to be done to achieve the goals of the 9/11 Commission. Two and a half years after its report, many of its recommendations haven't been implemented and the Nation remains seriously unprepared for another terrorist strike. A top priority

is to enact the pending Improving America's Security Act—an important step in the right direction to implement the Commission's recommendations and strengthen the nation's preparedness against terrorism.

Given the circumstances driving the passage of these measures, the administration and Congress must continue to work together to assess whether existing national security laws are adequate and make necessary improvements when required.

While families in Boston, New York and across the country were still grieving over the tragedy of September 11, our communities suddenly faced a new threat, when anthrax contamination resulted in 5 deaths and 20 hospitalizations across the country. As Federal, State and local law enforcement struggled to deal with the threat of terrorism, yet another challenge arose because of reckless individuals who perpetrated hoaxes that caused panic, unrest and expenditure of critical resources.

Since September 11 such hoaxes have seriously disrupted many lives and needlessly diverted law-enforcement and emergency-services resources. In the wake of the anthrax attacks in the fall of 2001, for example, a number of individuals mailed unidentified white powder, intending for the recipient to believe it was anthrax. Over 150,000 anthrax hoaxes were reported between September 2001 and August 2002.

In Massachusetts, one of these hoaxes was directed at a military facility. Fire trucks and hazmat responders rushed to the scene at the Agawam armory, only to learn that the powder spread over the armory equipment was not a toxic substance.

Hoaxes about anthrax continue to be a serious problem. Earlier this week, such a scare shut down a university campus in Missouri when a student claimed to have a bomb and anthrax. It was a false alarm, but authorities had no choice except to make a serious response. They quarantined 23 people and evacuated 6,000 students from the campus and a nearby elementary school. The emotional and financial costs associated with these hoaxes puts an extraordinary strain on our communities and resources.

Progress has been made to pass Federal and State laws to give prosecutors the authority to charge perpetrators engaging in such reckless conduct. Without tough and comprehensive laws on the books, successful and fair prosecutions are much more difficult.

In 2004, Congress enacted the first Federal terrorism hoax statute. Its purpose was to establish definitions and set serious penalties to deal with the problem of hoax crimes, but events have moved the need for additional authority. A significant number of prosecutions have taken place for individuals who disrupt communities with terrorist hoaxes, but a disturbing pattern has also developed of new hoaxes not covered by the original law.

A few weeks ago in Boston, advertisers using so-called "guerrilla tactics" left strange packages near sites essential for our region's infrastructure. A serious response obviously had to be made, but its cost was high. Our public safety officials did an outstanding job in responding to the threat and discovering the hoax. Boston, Cambridge, Somerville and other affected local governments are struggling to deal with the cost and lost productivity it caused.

The incident highlighted the need to close the gaps in existing federal law on terrorist hoaxes. The current statute only punishes hoaxes involving an unduly restricted list of terrorist offenses. This list does not include, for example, hoaxes related to taking hostages, to blowing up energy facilities, attacks on military bases, or attacks on railways and mass-transit facilities, such as the London bombings.

The legislation I am introducing today will punish hoaxes involving any terrorist offense listed in current law. It also increases the maximum penalty for hoaxes involving the death or injury of a U.S. soldier during wartime.

One such incident involved a soldier from Flagstaff, Arizona who was then serving in Iraq. On a Sunday morning a prank caller devastated the family of a 22-year-old in the Army, falsely telling them their son was dead. The call came only hours after the soldier had appeared in an Arizona Daily Sun photo at a Support the Troops rally.

The hoax was a nightmare for the family. It took them a full day to get confirmation that their son was still alive in Iraq. As a member of the family testified, "As a result of this ordeal, my family had been put in an upheaval that is unimaginable. My mother, my brother, my sister and everybody in my family were placed in terror and immeasurable pain. My niece even went into premature labor."

The consequences of this hoax went beyond the soldier's family. The Army had allowed him to call home from Iraq by satellite phone to reassure them that he was alive and uninjured. But another soldier had been killed bringing him the satellite phone to make the call.

As the son wrote to his uncle: "I have seen things words can't describe and done things I don't want to. I lost some friends out here loading their bodies on the truck was the worst feeling in the world. One guy died bringing me a satellite phone so I could call dad to let him know I was alive. It made me think of Saving Private Ryan. Was it worth his life and the risk of three others to bring me a phone? I know it was a relief to all of you to hear I was OK. Now I feel I must make my life worth his. I don't know if I can do that."

The person who caused such a hoax deserves to be punished. This bill assures that effective penalties will be imposed for similar crimes in the future.

The bill also expands civil liability to allow first responders and others to

seek reimbursement from a party who knows that first responders are responding to such a hoax and fails to inform authorities that no such event has occurred.

Finally, the bill clarifies that threatening communications are punishable under federal law even if they are directed at an organization rather than a person.

It's unconscionable in this post-9/11 world, for anyone to be perpetrating hoaxes that cause panic and drain already limited public safety resources.

All of us remember where we were and what we were doing on 9/11. We will never forget the lives that were lost and the heroism of the first responders. We honor all those working so hard today to prevent future attacks. Hopefully, this bill will fulfill its purpose of preventing the false alarms that can be so disruptive of our families and our communities in these difficult and dangerous times.

Mr. COLEMAN. Mr. President, the legislation that I am introducing today along with Senator's KENNEDY and KYL will install tougher penalties on those who commit terrorism hoaxes. This is a very important issue to me given the September 2001 bomb threat to the Mall of America and because St. Paul is hosting the 2008 Republican Convention.

We need to send a clear message to those planning a terrorism hoax that they will pay for it dearly by spending a number of years in prison. Terrorizing the public through false threats is not a joke and should be treated as criminal conduct. The threats may be fake but the consequences are very real in costs to first responders, lost revenues and sometimes the loss of human life.

The problem is the current federal statute only punishes hoaxes involving an unduly restricted list of terrorist offenses. This list does not include: hoaxes related to the taking of hostages in order to coerce the Federal Government; hoaxes related to blowing up an energy facility; hoaxes related to attacks on military bases aimed at undermining national defense; or hoaxes related to attacks on railways and mass-transportation facilities, such as the recent London bombings.

The Kennedy-Coleman-Kyl legislation fills these gaps by expanding the hoax statute to punish hoaxes involving any offense included on the U.S. Code's official list of federal terrorist offenses. Specifically, this bill: expands on the current terrorism hoax statute so this punishes hoaxes about any terrorist offense on the U.S. Code's official list of terrorist offenses; increases the maximum penalties for hoaxes about the death or injury of a U.S. soldier during wartime; expands current law's civil liability provisions to allow first responders and others to seek reimbursement from a party who perpetrates a hoax and becomes aware that first responders believe that a terrorist offense is taking place but fails

to inform authorities that no such event has occurred; and clarifies that threatening communications are punishable under federal law even if they are directed at an organization rather than a natural person.

The bill increases the penalties for perpetrating a hoax about the death, injury, or capture of a U.S. soldier during wartime. Under the bill, the maximum penalty for such hoax would be 10 years' imprisonment, and a hoax resulting in serious bodily injury could be punished by up to 25 years' imprisonment. I urge my colleagues to pass this bipartisan measure.

By Mr. KENNEDY (for himself and Mr. SMITH):

S. 736. A bill to provide for the regulation and Oversight of laboratory tests; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, it's a privilege to join Senator SMITH today to introduce the Laboratory Test Improvement Act. Our goal is to ensure the quality of clinical tests used every day in hospitals and doctors' offices across the country. Physicians often base medical decisions on the results of such tests, and patients deserve confidence that they will not be wrongly diagnosed or given the wrong pill because of a faulty test.

In this era of rapid progression in the life sciences, we are learning more and more about the human genome and the genetic basis of disease. Genetic tests are now available for over a thousand different diseases, and the number is continuing to grow. The tests are being used to diagnose illnesses, predict who is most susceptible to specific diseases, and identify persons who carry a genetic disease that they could pass on to their children.

Today, doctors often apply different treatments until they find one that is effective and safe for a patient. But such a trial and error strategy often delays effective treatment and may well cause avoidable adverse events. In many cases today, however, clinical tests can enable doctors to avoid such errors. Through personalized medicine and the use of newly developed genetic tests, doctors are able to give a particular drug only to patients in whom it is very likely to be effective and safe, and can avoid giving it to patients who might suffer an adverse reaction.

As additional technologies are developed and our knowledge increases, clinical testing will become more and more important in guiding medical decisions, and it is essential for us to see that the tests meet a high standard. We know, however, that patients have received the wrong results from some tests. In some cases, the claims associated with genetic tests are clearly dubious.

Last year, Senator SMITH chaired a hearing by the Special Committee on Aging on a GAO report, which found that some genetic tests sold to the public have no scientific merit. Our legislation will give health providers and

patients the best possible information about the analytical and clinical validity of all clinical tests. It is our responsibility to guarantee that such tests are accurate and reliable, and I urge our colleagues to support it.

By Mr. OBAMA:

S. 737. A bill to amend the Help America Vote Act of 2002 in order to measure, compare, and improve the quality of voter access to polls and voter services in the administration of Federal elections in the States; to the Committee on Rules and Administration.

Mr. OBAMA. Mr. President. I am proud to introduce the Voter Advocate and Democracy Index Act of 2007 with the goal of having the Act help inform voters and State officials on how well their States are doing on a basic set of procedural standards for making polls accessible to voters and making the right to vote as easy to exercise as possible.

The Act would establish an Office of the Voter Advocate within the Election Assistance Commission that would be charged with creating a Democracy Index. The Index would rank States according to a system of measurable, basic state election practices. With that information, States could identify weak spots in their process, and voters could push for better performance.

The concept is based on a proposal that Yale Law School Professor Heather Gerken published this January in *Legal Times*. It focuses on issues that matter to all voters: How long did voters spend in line? How many ballots got discarded? How often did the balloting machinery break down?

The Act would constitute an important first step toward improving the health of our democracy. We are all familiar with the problems that have recently plagued our elections: Long lines, lost ballots, voters improperly turned away from the polls. These are basic failures of process. Until we fix them, we run the risk in every election that we will once again experience the kind of chaos and uncertainty that paralyzed the Nation in 2000. We can do better. We must do better. But to do better, we need more than anecdotal information. We need better, non-partisan, objective information.

This bill would provide that information. Some voters have personally experienced problems in casting a ballot; others see stories on the news about election results tainted by malfunctioning machines, inadequate registration lists, or poorly trained administrators. I believe that these issues are merely the visible symptoms of a deeper, systemic problem in the way our election system is run. But voters need a yardstick for evaluating the full extent of the problem and what needs to be done to improve the election process in their State.

Toward that end, this bill would charge the Office of the Voter Advocate with creating the Democracy Index and

specifying the success or failure of States in meeting the criteria that the index is going to measure. The bill also ensures that the Office of the Voter Advocate will draw upon the experience and knowledge of experts and citizens in thinking about what information voters would want to know in evaluating the health of their State's election process. And it requires the Office to establish a pilot program for the 2008 election, use the lessons learned from that experience, and make the Index a reality nationwide as soon as possible.

The Democracy Index would encourage healthy competition among States to improve their systems. It would allow states to engage in healthy experimentation about how best to run an election. In short, the Democracy Index will empower voters and encourage States to work toward the goal we all share: an election system that makes us all proud.

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

S. 738. A bill to amend the Small Business Act to improve the Office of International Trade, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. LANDRIEU. Mr. President, as I come to the floor today to speak, there are countless small businesses in the Gulf Coast, right this moment, that are open for business. The fact that they are open at all is a testament to the hard work and resolve of their owners, along with the focus and commitment of community leaders, state and local officials, as well as Congress and the White House. This is because, as you know, the Gulf Coast was devastated in 2005 by two of the most powerful storms to ever hit the United States in recorded history—Hurricanes Katrina and Rita.

I strongly believe that we cannot rebuild the Gulf Coast without our small businesses. Small businesses not only create jobs and pay taxes—they provide the innovation and energy that drives our economy. In fact, before Katrina and Rita hit, there were more than 95,000 small businesses in Louisiana, employing about 850,000 people—more than half of my State's workforce. About 39,000 of these businesses have yet to resume normal operations so I intend to do everything I can in the coming months to get them back up and running.

That is why today I am introducing legislation to first help small businesses in the Gulf recover, as well as to provide assistance to businesses in other parts of the country. In particular, this legislation is focused on promoting exports by U.S. small businesses. Small businesses are important players in international trade, which is reflected in the fact that small businesses represent that 96 percent of all exporters of goods and services. In Louisiana, we have about 2,000 declared ex-

porters. However, there are many more businesses in my State who conduct Internet sales overseas, as well as those who focus operations on domestic sales but have some international buyers as well. These businesses are exporters but in many cases they do not even realize it!

Given the importance of these exporters to my state and to the rest of the country, I would like to improve their competitive edge in the international market and give them every resource they need to succeed. Certainly my first priority is to provide additional assistance to affected Gulf Coast small businesses. As they continue to recover, one of the main issues being faced by our small business is accessing capital. Our exporters are no different. They need help accessing export financing to cover export-related costs such as purchasing equipment, purchasing inventory, or financing production costs. This legislation would help strengthen the SBA International Finance Specialist program to help these small businesses access export financing.

Today I am introducing the Small Business International Trade Enhancements Act of 2007 to give all small businesses the opportunity to expand their operations into international markets. I am pleased to have Senator KERRY, the Chair of the Senate Small Business Committee, as well as Senator SNOWE, the Ranking Member, and my colleague Senator COLEMAN, as cosponsors.

As I mentioned we have 2,000 exporters in Louisiana. However, there are many other businesses who are exporters, but they do not even realize it. They may have overseas Internet sales, or they focus operations on domestic sales, but have some international buyers as well. In fact, the Small Business Administration has stated that over 96 percent of all exporters of goods and services are small businesses.

Given the importance of these exporters to my State and to the rest of the Gulf Coast, I would like to improve their competitive edge in the international market and give them every resource they need to succeed. As they continue to recover, one of the main issues being faced by our small business is accessing capital. Our exporters are no different. They need help accessing export financing to cover export-related costs such as purchasing equipment, purchasing inventory, or financing production costs.

To assist these businesses, fifteen SBA Finance Specialists operate out of 100 U.S. Export Assistance Centers administered by the Department of Commerce around the country. That is a record staffing low for this program, down from a peak of 22 Finance Specialists in 2000. To ensure that all smaller exporters nationwide will continue to have access to export financing, this bill establishes a floor of 18 International Finance Specialists. I believe this will send a signal to our exporters that, despite current budget

deficits, we are committed to our exporters and want to provide them with the necessary resources to compete internationally.

I realize that the need for export financing is not just limited to the Gulf Coast. There are small businesses nationwide that are looking to find markets overseas. One tool that they can use is the SBA's International Trade Loan (ITL) program. International Trade Loans can help exporters develop and expand overseas markets; upgrade equipment or facilities; and assist exporters that are being hurt by import competition. Exporters can borrow up to \$2 million, with \$1,750,000 guaranteed by SBA.

However, as currently structured these loans are not user-friendly to lenders or borrowers and, as a result, are underutilized. Let me explain what I mean. First, the \$250,000 difference between the loan cap and the guarantee requires borrowers to take out a second SBA loan to take full advantage of the \$2 million guarantee. ITLs can only be used to acquire fixed assets and not working capital, a common need for exporters. Furthermore, ITLs do not have the same collateral or refinancing requirements as SBA 7(a) loans. Because of these issues, lenders do not use these loans.

This legislation will also reduce the paperwork by increasing the maximum loan guarantee to \$2,750,000 and the loan cap to \$3,670,000 to bring it more in line with the 7(a) program. The bill also creates a more flexible ITL by setting out that working capital is an eligible use for loan proceeds, in addition to making the ITL consistent with regular 7(a) loans by allowing the same collateral and refinancing terms as with 7(a).

The SBA International Trade and Export Loans are valuable tools for exporters but they are useless if there is no one to assist borrowers with identifying which loans are right for them. Local lending institutions that specialize in export financing can help but at a cost over less than \$2 million per year, the current group of Finance Specialists has obtained bank financing for more than \$10 billion in U.S. exports since 1999. The \$10 billion in export sales financed by these specialists helped to create over 140,000 new, high-paying U.S. jobs.

The Small Business International Trade Enhancements Act of 2007 is an important first step, not just for exporters in the Gulf Coast, but also for small businesses nationwide who are looking to open markets overseas. I urge my colleagues to support this legislation since it will help our exporters in the Gulf Coast recover and also give small businesses nationwide more options when they are seeking export financing.

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. 738

*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 "Small Business International Trade Enhancements Act of 2007".

**SEC. 2. SMALL BUSINESS ADMINISTRATION ASSOCIATE ADMINISTRATOR FOR INTERNATIONAL TRADE.**

(a) ESTABLISHMENT.—Section 22(a) of the Small Business Act (15 U.S.C. 649(a)) is amended by adding at the end the following: "The head of the Office shall be the Associate Administrator for International Trade, who shall be responsible to the Administrator."

(b) AUTHORITY FOR ADDITIONAL ASSOCIATE ADMINISTRATOR.—Section 4(b)(1) of the Small Business Act (15 U.S.C. 633(b)(1)) is amended—

(1) in the fifth sentence, by striking "five Associate Administrators" and inserting "Associate Administrators"; and

(2) by adding at the end the following: "One of the Associate Administrators shall be the Associate Administrator for International Trade, who shall be the head of the Office of International Trade established under section 22."

(c) DISCHARGE OF ADMINISTRATION INTERNATIONAL TRADE RESPONSIBILITIES.—Section 22 of the Small Business Act (15 U.S.C. 649) is amended by adding at the end the following:

"(h) DISCHARGE OF ADMINISTRATION INTERNATIONAL TRADE RESPONSIBILITIES.—The Administrator shall ensure that—

"(1) the responsibilities of the Administration regarding international trade are carried out through the Associate Administrator for International Trade;

"(2) the Associate Administrator for International Trade has sufficient resources to carry out such responsibilities; and

"(3) the Associate Administrator for International Trade has direct supervision and control over the staff of the Office of International Trade, and over any employee of the Administration whose principal duty station is a United States Export Assistance Center or any successor entity."

(d) ROLE OF ASSOCIATE ADMINISTRATOR IN CARRYING OUT INTERNATIONAL TRADE POLICY.—Section 2(b)(1) of the Small Business Act (15 U.S.C. 631(b)(1)) is amended in the matter preceding subparagraph (A)—

(1) by inserting "the Administrator of" before "the Small Business Administration"; and

(2) by inserting "through the Associate Administrator for International Trade, and" before "in cooperation with".

(e) TECHNICAL AMENDMENT.—Section 22(c)(5) of the Small Business Act (15 U.S.C. 649(c)(5)) is amended by striking the period at the end and inserting a semicolon.

(f) EFFECTIVE DATE.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall appoint an Associate Administrator for International Trade under section 22 of the Small Business Act (15 U.S.C. 649), as amended by this section.

**SEC. 3. OFFICE OF INTERNATIONAL TRADE.**

Section 22 of the Small Business Act (15 U.S.C. 649) is amended—

(1) by striking "SEC. 22. (a) There" and inserting the following:

**"SEC. 22. OFFICE OF INTERNATIONAL TRADE.**

"(a) ESTABLISHMENT.—There".

(2) in subsection (a), by inserting "(referred to in this section as the 'Office')," after "Trade";

(3) in subsection (b)—

(A) by striking "The Office" and inserting the following:

"(b) TRADE DISTRIBUTION NETWORK.—The Office, including United States Export Assistance Centers (referred to as 'one-stop shops' in section 2301(b)(8) of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4721(b)(8)) and as 'export centers' in this section)"; and

(B) by amending paragraph (1) to read as follows:

"(1) assist in maintaining a distribution network using regional and local offices of the Administration, the small business development center network, the women's business center network, and export centers for—

"(A) trade promotion;

"(B) trade finance;

"(C) trade adjustment;

"(D) trade remedy assistance; and

"(E) trade data collection.";

(4) in subsection (c)—

(A) by redesignating paragraphs (1) through (8) as paragraphs (2) through (9), respectively;

(B) by inserting before paragraph (2), as so redesignated, the following:

"(1) establish annual goals for the Office relating to—

"(A) enhancing the exporting capability of small business concerns and small manufacturers;

"(B) facilitating technology transfers;

"(C) enhancing programs and services to assist small business concerns and small manufacturers to compete effectively and efficiently against foreign entities;

"(D) increasing the access to capital by small business concerns;

"(E) disseminating information concerning Federal, State, and private programs and initiatives; and

"(F) ensuring that the interests of small business concerns are adequately represented in trade negotiations.";

(C) in paragraph (2), as so redesignated, by striking "mechanism for" and all that follows through "(D)" and inserting the following: "mechanism for—

"(A) identifying subsectors of the small business community with strong export potential;

"(B) identifying areas of demand in foreign markets;

"(C) prescreening foreign buyers for commercial and credit purposes; and

"(D)"; and

(D) in paragraph (9), as so redesignated—

(i) in the matter preceding subparagraph (A)—

(I) by striking "full-time export development specialists to each Administration regional office and assigning"; and

(II) by striking "office. Such specialists" and inserting "office and providing each Administration regional office with a full-time export development specialist, who";

(ii) in subparagraph (D), by striking "and" at the end;

(iii) in subparagraph (E), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

"(F) participate jointly with employees of the Office in an annual training program that focuses on current small business needs for exporting; and

"(G) jointly develop and conduct training programs for exporters and lenders in cooperation with the United States Export Assistance Centers, the Department of Commerce, small business development centers, and other relevant Federal agencies.";

(5) in subsection (d)—

(A) by inserting "EXPORT FINANCING PROGRAMS.—" after "(d)";

(B) by redesignating paragraphs (1) through (5) as clauses (i) through (v), respectively, and adjusting the margins accordingly;

(C) by striking “The Office shall work in cooperation” and inserting the following:

“(1) IN GENERAL.—The Office shall work in cooperation”; and

(D) by striking “To accomplish this goal, the Office shall work” and inserting the following:

“(2) TRADE FINANCIAL SPECIALIST.—To accomplish the goal established under paragraph (1), the Office shall—

“(A) designate at least 1 individual within the Administration as a trade financial specialist to oversee international loan programs and assist Administration employees with trade finance issues; and

“(B) work”;

(6) in subsection (e), by inserting “TRADE REMEDIES.—” after “(e)”;

(7) by amending subsection (f) to read as follows:

“(f) REPORTING REQUIREMENT.—The Office shall submit an annual report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives that contains—

“(1) a description of the progress of the Office in implementing the requirements of this section;

“(2) the destinations of travel by Office staff and benefits to the Administration and to small business concerns therefrom; and

“(3) a description of the participation by the Office in trade negotiations.”;

(8) in subsection (g), by inserting “STUDIES.—” after “(g)”;

(9) by adding at the end the following:

“(i) EXPORT ASSISTANCE CENTERS.—

“(1) IN GENERAL.—During the period beginning on October 1, 2006, and ending on September 30, 2009, the Administrator shall ensure that the number of full-time equivalent employees of the Office assigned to the one-stop shops referred to in section 2301(b) of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4721 (b)) is not less than the number of such employees so assigned on January 1, 2003.

“(2) PRIORITY OF PLACEMENT.—Priority shall be given, to the maximum extent practicable, to placing employees of the Administration at any Export Assistance Center that—

“(A) had an Administration employee assigned to such Center before January 2003; and

“(B) has not had an Administration employee assigned to such Center during the period beginning January 2003, and ending on the date of enactment of this subsection, either through retirement or reassignment.

“(3) NEEDS OF EXPORTERS.—The Administrator shall, to the maximum extent practicable, strategically assign Administration employees to Export Assistance Centers, based on the needs of exporters.

“(4) GOALS.—The Office shall work with the Department of Commerce and the Export-Import Bank to establish shared annual goals for the Export Centers.

“(5) OVERSIGHT.—The Office shall designate an individual within the Administration to oversee all activities conducted by Administration employees assigned to Export Centers.”.

#### SEC. 4. INTERNATIONAL TRADE LOANS.

(a) IN GENERAL.—Section 7(a)(3)(B) of the Small Business Act (15 U.S.C. 636(a)(3)(B)) is amended by striking “\$1,750,000, of which not more than \$1,250,000” and inserting “\$2,750,000 (or if the gross loan amount would exceed \$3,670,000), of which not more than \$2,000,000”.

(b) WORKING CAPITAL.—Section 7(a)(16)(A) of the Small Business Act (15 U.S.C. 636(a)(16)(A)) is amended—

(1) in the matter preceding clause (i), by striking “in—” and inserting “—”;

(2) in clause (i)—

(A) by inserting “in” after “(i)”;

(B) by striking “or” at the end;

(3) in clause (ii)—

(A) by inserting “in” after “(ii)”;

(B) by striking the period and inserting “; or”;

(4) by adding at the end the following:

“(iii) by providing working capital.”.

(c) COLLATERAL.—Section 7(a)(16)(B) of the Small Business Act (15 U.S.C. 636(a)(16)(B)) is amended—

(1) by striking “Each loan” and inserting the following:

“(i) IN GENERAL.—Except as provided in clause (ii), each loan”; and

(2) by adding at the end the following:

“(ii) EXCEPTION.—A loan under this paragraph may be secured by a second lien position on the property or equipment financed by the loan or on other assets of the small business concern, if the Administrator determines such lien provides adequate assurance of the payment of such loan.”.

(d) REFINANCING.—Section 7(a)(16)(A)(ii) of the Small Business Act (15 U.S.C. 636(a)(16)(A)(ii)), as amended by this section, is amended by inserting “, including any debt that qualifies for refinancing under any other provision of this subsection” before the semicolon.

By Mr. BINGAMAN (for himself, Mr. COCHRAN, Mr. CARDIN, Mr. KERRY, Ms. CANTWELL, and Mrs. LINCOLN):

S. 739. A bill to provide disadvantaged children with access to dental services; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, today I am reintroducing legislation entitled the Children's Dental Health Improvement Act of 2007, along with several of my colleagues. This legislation is designed to improve the access and delivery of dental health services to our Nation's children through Medicaid, through the State Children's Health Insurance Program, SCHIP, through the Indian Health Services, or IHS, and also through our Nation's safety net of community health centers.

The oral health problems facing children in this country are widespread. They are closely associated with poverty. Tooth decay remains the single most common childhood disease nationwide. Although poor children are more than twice as likely to have cavities as wealthier children, experts report that they are far less likely to receive treatment. The dramatic consequences of this lack of oral health care were underscored yesterday in the Washington Post article discussing the death of 12-year-old Deamonte Driver from complications arising from a lack of dental care. I know Senator CARDIN has spoken on this same tragic incident.

A little over a month ago, Deamonte Driver came home complaining of a toothache. Today, that young man is dead. What began as a simple toothache developed into an abscessed tooth and, eventually, a brain infection that

killed him. Although his family attempted to access care, they could not acquire meaningful oral health services either when they were on the Medicaid Program or while they were uninsured.

While this young man's death is shocking, the lack of access to dental care that it reflects is not unusual. The inspector general of the Department of Health and Human Services reported that only 18 percent of the children who are eligible for Medicaid actually received even a single preventive dental service. The inspector general also reports that there is no State in the Union that provides preventive services to more than 50 percent of the eligible children. The factors are complex, but the primary one is due to the limited participation by dentists in the Medicaid Program because of the very low reimbursement rates that are provided. Such issues played a central role in the death of this young man.

The Children's Dental Health Improvement Act of 2007 provides a comprehensive strategy to address the underlying oral health issues that led to Deamonte's death. First, the legislation provides grants to States to improve dental services to children enrolled in Medicaid and SCHIP. Such grants will not only assure improved delivery of dental services to children but also improved payment rates for dental services that are provided through those two programs. The bill will also include grants to federally qualified health centers, to county and local public health departments, to dental schools, Indian tribes, tribal corporation organizations, and others to increase the availability of primary dental care services in underserved areas.

The bill also provides critical bonus payments to dentists within the Indian Health Service who commit to work there for 2, 3, or 4 years. The legislation also ensures SCHIP funds will be utilized to provide coverage for dental services for low-income children who have access to limited health insurance coverage that does not include dental services. This is known as wraparound coverage, and it is crucial that we provide for this.

In addition, the bill would make important changes to the way in which dental residents are counted for Medicare graduate medical education or GME purposes to incentivize dental schools to train a larger number of dentists.

Finally, the legislation also creates a comprehensive oral health initiative aimed at reducing oral health disparities for vulnerable populations such as low-income children and children with developmental disabilities. Such activities will be administered through the Department of Health and Human Services, the Centers for Disease Control, and a newly established chief dental officer for Medicaid and SCHIP. Such activities will also include school-based dental sealant programs as well as basic oral health promotion.

I introduce the legislation in the hope that this Congress will act this year to ensure that Deamonte's death does not repeat itself, that no more of America's children will suffer needlessly or even, as in this case, die as a result of a lack of access to meaningful oral health care. I urge my colleagues in the Senate to join me in supporting this important legislation.

I would like to thank the American Dental Association, the American Dental Education Association, the American Academy of Pediatric Dentistry, the National Association of Community Health Centers, Inc., the National Association of Children's Hospitals, the American Dental Hygienists' Association, and the Children's Dental Health Project for their outstanding support and/or their technical advice on this legislation. This bill is a result of their outstanding work.

In particular, I want to thank Dr. Burt Edelstein, Libby Mullin, and Ann De Biasi of the Children's Dental Health Project for their vast knowledge and technical assistance on this issue. I want to thank Judy Sherman of the American Dental Association, Myla Moss and Jack Bresch of the American Dental Education Association, Dr. Herber Simmons and Scott Litch of the American Academy of Pediatric Dentistry, Karen Sealander of the American Dental Hygienists' Association, Dr. Jim Richeson and Judy Kloss Bynum of the Academy of General Dentistry, Dr. Stephen Corbin of Special Olympics, Inc., and Dan Hawkins, Chris Koppen, and Roger Schwartz of the National Association of Community Health Centers, Inc., for their valuable insight, technical advice, and continued support for this legislation. I look forward to working with them all to ensure that we achieve increased access to oral health care for our children.

In addition to those organizations, I would like to thank the following groups for their support of the bill, whether in the past session of Congress or this year. They include: the Academy of General Dentistry, American Academy of Child and Adolescent Psychiatry, American Academy of Oral and Maxillofacial Pathology, American Academy of Periodontology, American Association of Dental Examiners, American Association of Dental Research, American Association of Endodontists, American Association of Public Health Dentistry, American Association of Oral and Maxillofacial Surgeons, American Association of Orthodontists, American Association of Women Dentists, American College of Dentists, American College of Preventive Medicine, American Dental Trade Association, American Public Health Association, American Society of Dentistry for Children, American Student Dental Association, Association of Clinicians for the Underserved, Association of Maternal and Child Health Programs, Association of State and Territorial Dental Directors, Dental Dealers

of America, Dental Manufacturers of America, Inc., Family Voices, Hispanic Dental Association, International College of Dentists—USA, March of Dimes, National Association of City and County Health Officers, National Association of Local Boards of Health, National Dental Association, National Health Law Program, New Mexico Department of Health, Partnership for Prevention, Society of American Indian Dentists, Special Care Dentistry, and United Cerebral Palsy Associations.

I ask unanimous consent that the Washington Post article and the text of the bill be printed in the RECORD.

There being no objection, the materials were ordered to be printed in the RECORD, as follows:

[From the Washington Post, Feb. 28, 2007]

FOR WANT OF A DENTIST

(By Mary Otto)

Twelve-year-old Deamonte Driver died of a toothache Sunday.

A routine, \$80 tooth extraction might have saved him.

If his mother had been insured.

If his family had not lost its Medicaid.

If Medicaid dentists weren't so hard to find.

If his mother hadn't been focused on getting a dentist for his brother, who had six rotted teeth.

By the time Deamonte's own aching tooth got any attention, the bacteria from the abscess had spread to his brain, doctors said. After two operations and more than six weeks of hospital care, the Prince George's County boy died.

Deamonte's death and the ultimate cost of his care, which could total more than \$250,000, underscore an often-overlooked concern in the debate over universal health coverage: dental care.

Some poor children have no dental coverage at all. Others travel three hours to find a dentist willing to take Medicaid patients and accept the incumbent paperwork. And some, including Deamonte's brother, get in for a tooth cleaning but have trouble securing an oral surgeon to fix deeper problems.

In spite of efforts to change the system, fewer than one in three children in Maryland's Medicaid program received any dental service at all in 2005, the latest year for which figures are available from the Federal Centers for Medicare and Medicaid Services.

The figures were worse elsewhere in the region. In the District, 29.3 percent got treatment, and in Virginia, 24.3 percent were treated, although all three jurisdictions say they have done a better job reaching children in recent years.

"I certainly hope the state agencies responsible for making sure these children have dental care take note so that Deamonte didn't die in vain," said Laurie Norris, a lawyer for the Baltimore-based Public Justice Center who tried to help the Driver family. "They know there is a problem, and they have not devoted adequate resources to solving it."

Maryland officials emphasize that the delivery of basic care has improved greatly since 1997, when the state instituted a managed care program, and 1998, when legislation that provided more money and set standards for access to dental care for poor children was enacted.

About 900 of the state's 5,500 dentists accept Medicaid patients, said Arthur Fridley, last year's president of the Maryland State Dental Association. Referring patients to specialists can be particularly difficult.

Fewer than 16 percent of Maryland's Medicaid children received restorative services—such as filling cavities—in 2005, the most recent year for which figures are available.

For families such as the Drivers, the systemic problems are often compounded by personal obstacles: lack of transportation, bouts of homelessness and erratic telephone and mail service.

The Driver children have never received routine dental attention, said their mother, Alyce Driver. The bakery, construction and home health-care jobs she has held have not provided insurance. The children's Medicaid coverage had temporarily lapsed at the time Deamonte was hospitalized. And even with Medicaid's promise of dental care, the problem, she said, was finding it.

When Deamonte got sick, his mother had not realized that his tooth had been bothering him. Instead, she was focusing on his younger brother, 10-year-old DaShawn, who "complains about his teeth all the time," she said.

DaShawn saw a dentist a couple of years ago, but the dentist discontinued the treatments, she said, after the boy squirmed too much in the chair. Then the family went through a crisis and spent some time in an Adelphi homeless shelter. From there, three of Driver's sons went to stay with their grandparents in a two-bedroom mobile home in Clinton.

By September, several of DaShawn's teeth had become abscessed. Driver began making calls about the boy's coverage but grew frustrated. She turned to Norris, who was working with homeless families in Prince George's.

Norris and her staff also ran into barriers: They said they made more than two dozen calls before reaching an official at the Driver family's Medicaid provider and a state supervising nurse who helped them find a dentist.

On Oct. 5, DaShawn saw Arthur Fridley, who cleaned the boy's teeth, took an X-ray and referred him to an oral surgeon. But the surgeon could not see him until Nov. 21, and that would be only for a consultation. Driver said she learned that DaShawn would need six teeth extracted and made an appointment for the earliest date available: Jan. 16.

But she had to cancel after learning Jan. 8 that the children had lost their Medicaid coverage a month earlier. She suspects that the paperwork to confirm their eligibility was mailed to the shelter in Adelphi, where they no longer live.

It was on Jan. 11 that Deamonte came home from school complaining of a headache. At Southern Maryland Hospital Center, his mother said, he got medicine for a headache, sinusitis and a dental abscess. But the next day, he was much sicker.

Eventually, he was rushed to Children's Hospital, where he underwent emergency brain surgery. He began to have seizures and had a second operation. The problem tooth was extracted.

After more than 2 weeks of care at Children's Hospital, the Clinton seventh-grader began undergoing 6 weeks of additional medical treatment as well as physical and occupational therapy at another hospital. He seemed to be mending slowly, doing math problems and enjoying visits with his brothers and teachers from his school, the Foundation School in Largo.

On Saturday, their last day together, Deamonte refused to eat but otherwise appeared happy, his mother said. They played cards and watched a show on television, lying together in his hospital bed. But after she left him that evening, he called her.

"Make sure you pray before you go to sleep," he told her.

The next morning at about 6, she got another call, this time from the boy's grandmother. Deamonte was unresponsive. She rushed back to the hospital.

"When I got there, my baby was gone," recounted his mother.

She said doctors are still not sure what happened to her son. His death certificate listed two conditions associated with brain infections: "meningoencephalitis" and "subdural empyema."

In spite of such modern innovations as the fluoridation of drinking water, tooth decay is still the single most common childhood disease nationwide, five times as common as asthma, experts say. Poor children are more than twice as likely to have cavities as their more affluent peers, research shows, but far less likely to get treatment.

Serious and costly medical consequences are "not uncommon," said Norman Tinanoff, chief of pediatric dentistry at the University of Maryland Dental School in Baltimore. For instance, Deamonte's bill for two weeks at Children's alone was expected to be between \$200,000 and \$250,000.

The federal government requires states to provide oral health services to children through Medicaid programs, but the shortage of dentists who will treat indigent patients remains a major barrier to care, according to the National Conference of State Legislatures.

Access is worst in rural areas, where some families travel hours for dental care, Tinanoff said. In the Maryland General Assembly this year, lawmakers are considering a bill that would set aside \$2 million a year for the next three years to expand public clinics where dental care remains a rarity for the poor.

Providing such access, Tinanoff and others said, eventually pays for itself, sparing children the pain and expense of a medical crisis.

Reimbursement rates for dentists remain low nationally, although Maryland, Virginia and the District have increased their rates in recent years.

Dentists also cite administrative frustrations dealing with the Medicaid bureaucracy and the difficulties of serving poor, often transient patients, a study by the state legislators conference found.

"Whatever we've got is broke," Fridley said. "It has nothing to do with access to care for these children."

S. 739

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

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the "Children's Dental Health Improvement Act of 2007".

(b) **TABLE OF CONTENTS.**—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents

**TITLE I—IMPROVING DELIVERY OF PEDIATRIC DENTAL SERVICES UNDER MEDICAID AND SCHIP**

Sec. 101. Grants to improve the provision of dental services under medicaid and SCHIP

Sec. 102. State option to provide wrap-around SCHIP coverage to children who have other health coverage

**TITLE II—CORRECTING GME PAYMENTS FOR DENTAL RESIDENCY TRAINING PROGRAMS**

Sec. 201. Limitation on the application of the 1-year lag in the indirect medical education ratio (IME) changes and the 3-year rolling average for counting interns and residents for IME and direct graduate medical education (D-GME) payments under the medicare program

**TITLE III—IMPROVING DELIVERY OF PEDIATRIC DENTAL SERVICES UNDER COMMUNITY HEALTH CENTERS, PUBLIC HEALTH DEPARTMENTS, AND THE INDIAN HEALTH SERVICE**

Sec. 301. Grants to improve the provision of dental health services through community health centers and public health departments

Sec. 302. Dental officer multiyear retention bonus for the Indian Health Service

Sec. 303. Demonstration projects to increase access to pediatric dental services in underserved areas

Sec. 304. Technical correction

**TITLE IV—IMPROVING ORAL HEALTH PROMOTION AND DISEASE PREVENTION PROGRAMS**

Sec. 401. Oral health initiative

Sec. 402. CDC reports

Sec. 403. Early childhood caries

Sec. 404. School-based dental sealant program

Sec. 405. Basic oral health promotion

**TITLE I—IMPROVING DELIVERY OF PEDIATRIC DENTAL SERVICES UNDER MEDICAID AND SCHIP**

**SEC. 101. GRANTS TO IMPROVE THE PROVISION OF DENTAL SERVICES UNDER MEDICAID AND SCHIP.**

Title V of the Social Security Act (42 U.S.C. 701 et seq.) is amended by adding at the end the following:

**"SEC. 511. GRANTS TO IMPROVE THE PROVISION OF DENTAL SERVICES UNDER MEDICAID AND SCHIP.**

"(a) **AUTHORITY TO MAKE GRANTS.**—In addition to any other payments made under this title to a State, the Secretary shall award grants to States that satisfy the requirements of subsection (b) to improve the provision of dental services to children who are enrolled in a State plan under title XIX or a State child health plan under title XXI (in this section, collectively referred to as the "State plans").

"(b) **REQUIREMENTS.**—In order to be eligible for a grant under this section, a State shall provide the Secretary with the following assurances:

"(1) **IMPROVED SERVICE DELIVERY.**—The State shall have a plan to improve the delivery of dental services to children, including children with special health care needs, who are enrolled in the State plans, including providing outreach and administrative case management, improving collection and reporting of claims data, and providing incentives, in addition to raising reimbursement rates, to increase provider participation.

"(2) **ADEQUATE PAYMENT RATES.**—The State has provided for payment under the State plans for dental services for children at levels consistent with the market-based rates and sufficient enough to enlist providers to treat children in need of dental services.

"(3) **ENSURED ACCESS.**—The State shall ensure it will make dental services available to children enrolled in the State plans to the same extent as such services are available to the general population of the State.

"(c) **USE OF FUNDS.**—

"(1) **IN GENERAL.**—Funds provided under this section may be used to provide administrative resources (such as program development, provider training, data collection and analysis, and research-related tasks) to assist States in providing and assessing services that include preventive and therapeutic dental care regimens.

"(2) **LIMITATION.**—Funds provided under this section may not be used for payment of direct dental, medical, or other services or to obtain Federal matching funds under any Federal program.

"(d) **APPLICATION.**—A State shall submit an application to the Secretary for a grant

under this section in such form and manner and containing such information as the Secretary may require.

"(e) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to make grants under this section \$50,000,000 for fiscal year 2008 and each fiscal year thereafter.

"(f) **APPLICATION OF OTHER PROVISIONS OF TITLE.**—

"(1) **IN GENERAL.**—Except as provided in paragraph (2), the other provisions of this title shall not apply to a grant made under this section.

"(2) **EXCEPTIONS.**—The following provisions of this title shall apply to a grant made under subsection (a) to the same extent and in the same manner as such provisions apply to allotments made under section 502(c):

"(A) Section 504(b)(6) (relating to prohibition on payments to excluded individuals and entities).

"(B) Section 504(c) (relating to the use of funds for the purchase of technical assistance).

"(C) Section 504(d) (relating to a limitation on administrative expenditures).

"(D) Section 506 (relating to reports and audits), but only to the extent determined by the Secretary to be appropriate for grants made under this section.

"(E) Section 507 (relating to penalties for false statements).

"(F) Section 508 (relating to non-discrimination).

"(G) Section 509 (relating to the administration of the grant program)."

**SEC. 102. STATE OPTION TO PROVIDE WRAP-AROUND SCHIP COVERAGE TO CHILDREN WHO HAVE OTHER HEALTH COVERAGE.**

(a) **IN GENERAL.**—

(1) **SCHIP.**—

(A) **STATE OPTION TO PROVIDE WRAP-AROUND COVERAGE.**—Section 2110(b) of the Social Security Act (42 U.S.C. 1397jj(b)) is amended—

(i) in paragraph (1)(C), by inserting ", subject to paragraph (5)," after "under title XIX or"; and

(ii) by adding at the end the following:

"(5) **STATE OPTION TO PROVIDE WRAP-AROUND COVERAGE.**—A State may waive the requirement of paragraph (1)(C) that a targeted low-income child may not be covered under a group health plan or under health insurance coverage, if the State satisfies the conditions described in subsection (c)(8). The State may waive such requirement in order to provide—

"(A) dental services;

"(B) cost-sharing protection; or

"(C) all services.

In waiving such requirement, a State may limit the application of the waiver to children whose family income does not exceed a level specified by the State, so long as the level so specified does not exceed the maximum income level otherwise established for other children under the State child health plan."

(B) **CONDITIONS DESCRIBED.**—Section 2105(c) of the Social Security Act (42 U.S.C. 1397ee(c)) is amended by adding at the end the following:

"(8) **CONDITIONS FOR PROVISION OF WRAP-AROUND COVERAGE.**—For purposes of section 2110(b)(5), the conditions described in this paragraph are the following:

"(A) **INCOME ELIGIBILITY.**—The State child health plan (whether implemented under title XIX or this XXI)—

"(i) has the highest income eligibility standard permitted under this title as of January 1, 2008;

"(ii) subject to subparagraph (B), does not limit the acceptance of applications for children; and

“(iii) provides benefits to all children in the State who apply for and meet eligibility standards.

“(B) NO WAITING LIST IMPOSED.—With respect to children whose family income is at or below 200 percent of the poverty line, the State does not impose any numerical limitation, waiting list, or similar limitation on the eligibility of such children for child health assistance under such State plan.

“(C) NO MORE FAVORABLE TREATMENT.—The State child health plan may not provide more favorable coverage of dental services to the children covered under section 2110(b)(5) than to children otherwise covered under this title.”.

(C) STATE OPTION TO WAIVE WAITING PERIOD.—Section 2102(b)(1)(B) of the Social Security Act (42 U.S.C. 1397bb(b)(1)(B)) is amended—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period and inserting “; and”; and

(iii) by adding at the end the following:

“(iii) at State option, may not apply a waiting period in the case of a child described in section 2110(b)(5), if the State satisfies the requirements of section 2105(c)(8).”.

(2) APPLICATION OF ENHANCED MATCH UNDER MEDICAID.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended—

(A) in subsection (b), in the fourth sentence, by striking “or subsection (u)(3)” and inserting “(u)(3), or (u)(4)”; and

(B) in subsection (u)—

(i) by redesignating paragraph (4) as paragraph (5); and

(ii) by inserting after paragraph (3) the following:

“(4) For purposes of subsection (b), the expenditures described in this paragraph are expenditures for items and services for children described in section 2110(b)(5), but only in the case of a State that satisfies the requirements of section 2105(c)(8).”.

(3) APPLICATION OF SECONDARY PAYOR PROVISIONS.—Section 2107(e)(1) of the Social Security Act (42 U.S.C. 1397gg(e)(1)) is amended—

(A) by redesignating subparagraphs (B) through (D) as subparagraphs (C) through (E), respectively; and

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

“(B) Section 1902(a)(25) (relating to coordination of benefits and secondary payor provisions) with respect to children covered under a waiver described in section 2110(b)(5).”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2008, and shall apply to child health assistance and medical assistance provided on or after that date.

## TITLE II—CORRECTING GME PAYMENTS FOR DENTAL RESIDENCY TRAINING PROGRAMS

### SEC. 201. LIMITATION ON THE APPLICATION OF THE 1-YEAR LAG IN THE INDIRECT MEDICAL EDUCATION RATIO (IME) CHANGES AND THE 3-YEAR ROLLING AVERAGE FOR COUNTING INTERNS AND RESIDENTS FOR IME AND DIRECT GRADUATE MEDICAL EDUCATION (D-GME) PAYMENTS UNDER THE MEDICARE PROGRAM.

(a) IME RATIO AND ROLLING AVERAGE.—Section 1886(d)(5)(B)(vi) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(B)(vi)) is amended by adding at the end the following new sentence: “For cost reporting periods beginning during fiscal years beginning on or after October 1, 2007, subclauses (I) and (II) shall be applied only with respect to a hospital’s approved medical residency training program in the fields of allopathic medicine and osteopathic medicine.”.

(b) D-GME ROLLING AVERAGE.—Section 1886(h)(4)(G) of the Social Security Act (42

U.S.C. 1395ww(h)(4)(G)) is amended by adding at the end the following new clause:

“(iv) APPLICATION FOR FY 2008 AND SUBSEQUENT YEARS.—For cost reporting periods beginning during fiscal years beginning on or after October 1, 2007, clauses (i) through (iii) shall be applied only with respect to a hospital’s approved medical residency training program in the fields of allopathic medicine and osteopathic medicine.”.

### TITLE III—IMPROVING DELIVERY OF PEDIATRIC DENTAL SERVICES UNDER COMMUNITY HEALTH CENTERS, PUBLIC HEALTH DEPARTMENTS, AND THE INDIAN HEALTH SERVICE

#### SEC. 301. GRANTS TO IMPROVE THE PROVISION OF DENTAL HEALTH SERVICES THROUGH COMMUNITY HEALTH CENTERS AND PUBLIC HEALTH DEPARTMENTS.

Subpart I of part D of title III of the Public Health Service Act (42 U.S.C. 254b et seq.) is amended by insert before section 330, the following:

##### “SEC. 329. GRANT PROGRAM TO EXPAND THE AVAILABILITY OF SERVICES.

“(a) IN GENERAL.—The Secretary, acting through the Health Resources and Services Administration, shall establish a program under which the Secretary may award grants to eligible entities and eligible individuals to expand the availability of primary dental care services in dental health professional shortage areas or medically underserved areas.

“(b) ELIGIBILITY.—

“(1) ENTITIES.—To be eligible to receive a grant under this section an entity—

“(A) shall be—

“(i) a health center receiving funds under section 330 or designated as a Federally qualified health center;

“(ii) a county or local public health department, if located in a federally-designated dental health professional shortage area;

“(iii) an Indian tribe or tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b));

“(iv) a dental education program accredited by the Commission on Dental Accreditation; or

“(v) a community-based program whose child service population is made up of at least 33 percent of children who are eligible children, including at least 25 percent of such children being children with mental retardation or related developmental disabilities, unless specific documentation of a lack of need for access by this sub-population is established; and

“(B) shall prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including information concerning dental provider capacity to serve individuals with developmental disabilities.

“(2) INDIVIDUALS.—To be eligible to receive a grant under this section an individual shall—

“(A) be a dental health professional licensed or certified in accordance with the laws of State in which such individual provides dental services;

“(B) prepare and submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require; and

“(C) provide assurances that—

“(i) the individual will practice in a federally-designated dental health professional shortage area; or

“(ii) not less than 25 percent of the patients of such individual are—

“(I) receiving assistance under a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

“(II) receiving assistance under a State plan under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.); or

“(III) uninsured.

“(c) USE OF FUNDS.—

“(1) ENTITIES.—An entity shall use amounts received under a grant under this section to provide for the increased availability of primary dental services in the areas described in subsection (a). Such amounts may be used to supplement the salaries offered for individuals accepting employment as dentists in such areas.

“(2) INDIVIDUALS.—A grant to an individual under subsection (a) shall be in the form of a \$1,000 bonus payment for each month in which such individual is in compliance with the eligibility requirements of subsection (b)(2)(C).

“(d) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—Notwithstanding any other amounts appropriated under section 330 for health centers, there is authorized to be appropriated \$40,000,000 for each of fiscal years 2008 through 2012 to hire and retain dental health care providers under this section.

“(2) USE OF FUNDS.—Of the amount appropriated for a fiscal year under paragraph (1), the Secretary shall use—

“(A) not less than 65 percent of such amount to make grants to eligible entities; and

“(B) not more than 35 percent of such amount to make grants to eligible individuals.”.

#### SEC. 302. DENTAL OFFICER MULTIYEAR RETENTION BONUS FOR THE INDIAN HEALTH SERVICE.

(a) TERMS AND DEFINITIONS.—In this section:

(1) CREDITABLE SERVICE.—The term “creditable service” includes all periods that a dental officer spent in graduate dental educational (GDE) training programs while not on active duty in the Indian Health Service and all periods of active duty in the Indian Health Service as a dental officer.

(2) DENTAL OFFICER.—The term “dental officer” means an officer of the Indian Health Service designated as a dental officer.

(3) DIRECTOR.—The term “Director” means the Director of the Indian Health Service.

(4) RESIDENCY.—The term “residency” means a graduate dental educational (GDE) training program of at least 12 months leading to a specialty, including general practice residency (GPR) or an advanced education general dentistry (AEGD).

(5) SPECIALTY.—The term “specialty” means a dental specialty for which there is an Indian Health Service specialty code number.

(b) REQUIREMENTS FOR BONUS.—

(1) IN GENERAL.—An eligible dental officer of the Indian Health Service who executes a written agreement to remain on active duty for 2, 3, or 4 years after the completion of any other active duty service commitment to the Indian Health Service may, upon acceptance of the written agreement by the Director, be authorized to receive a dental officer multiyear retention bonus under this section. The Director may, based on requirements of the Indian Health Service, decline to offer such a retention bonus to any specialty that is otherwise eligible, or to restrict the length of such a retention bonus contract for a specialty to less than 4 years.

(2) LIMITATIONS.—Each annual dental officer multiyear retention bonus authorized under this section shall not exceed the following:

(A) \$14,000 for a 4-year written agreement.

(B) \$8,000 for a 3-year written agreement.

(C) \$4,000 for a 2-year written agreement.

(c) ELIGIBILITY.—

(1) IN GENERAL.—In order to be eligible to receive a dental officer multiyear retention bonus under this section, a dental officer shall—

(A) be at or below such grade as the Director shall determine;

(B) have completed any active duty service commitment of the Indian Health Service incurred for dental education and training or have 8 years of creditable service;

(C) have completed initial residency training, or be scheduled to complete initial residency training before September 30 of the fiscal year in which the officer enters into a dental officer multiyear retention bonus written service agreement under this section; and

(D) have a dental specialty in pediatric dentistry or oral and maxillofacial surgery.

(2) EXTENSION TO OTHER OFFICERS.—The Director may extend the retention bonus to dental officers other than officers with a dental specialty in pediatric dentistry, as well as to other dental hygienists with a minimum of a baccalaureate degree, based on demonstrated need.

(d) TERMINATION OF ENTITLEMENT TO SPECIAL PAY.—The Director may terminate, with cause, at any time a dental officer's multiyear retention bonus contract under this section. If such a contract is terminated, the unserved portion of the retention bonus contract shall be recouped on a pro rata basis. The Director shall establish regulations that specify the conditions and procedures under which termination may take place. The regulations and conditions for termination shall be included in the written service contract for a dental officer multiyear retention bonus under this section.

(e) REFUNDS.—

(1) IN GENERAL.—Prorated refunds shall be required for sums paid under a retention bonus contract under this section if a dental officer who has received the retention bonus fails to complete the total period of service specified in the contract, as conditions and circumstances warrant.

(2) DEBT TO UNITED STATES.—An obligation to reimburse the United States imposed under paragraph (1) is a debt owed to the United States.

(3) NO DISCHARGE IN BANKRUPTCY.—Notwithstanding any other provision of law, a discharge in bankruptcy under title 11, United States Code, that is entered less than 5 years after the termination of a retention bonus contract under this section does not discharge the dental officer who signed such a contract from a debt arising under the contract or under paragraph (1).

#### SEC. 303. DEMONSTRATION PROJECTS TO INCREASE ACCESS TO PEDIATRIC DENTAL SERVICES IN UNDERSERVED AREAS.

(a) AUTHORITY TO CONDUCT PROJECTS.—The Secretary of Health and Human Services, through the Administrator of the Health Resources and Services Administration and the Director of the Indian Health Service, shall establish demonstration projects that are designed to increase access to dental services for children in underserved areas, as determined by the Secretary.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.

#### SEC. 304. TECHNICAL CORRECTION.

Section 340G(b)(1)(B) of the Public Health Service Act (42 U.S.C. 256g(b)(1)(B)) is amended by striking “and” at the end and inserting “or”.

### TITLE IV—IMPROVING ORAL HEALTH PROMOTION AND DISEASE PREVENTION PROGRAMS

#### SEC. 401. ORAL HEALTH INITIATIVE.

(a) ESTABLISHMENT.—The Secretary of Health and Human Services shall establish an oral health initiative to reduce the profound disparities in oral health by improving the health status of vulnerable populations, particularly low-income children and children with developmental disabilities, to the level of health status that is enjoyed by the majority of Americans.

(b) ACTIVITIES.—The Secretary of Health and Human Services shall, through the oral health initiative—

(1) carry out activities to improve intra- and inter-agency collaborations, including activities to identify, engage, and encourage existing Federal and State programs to maximize their potential to address oral health;

(2) carry out activities to encourage public-private partnerships to engage private sector communities of interest (including health professionals, educators, State policymakers, foundations, business, and the public) in partnerships that promote oral health and dental care;

(3) carry out activities to reduce the disease burden in high risk populations through the application of best-science in oral health, including programs such as community water fluoridation and dental sealants; and

(4) carry out activities to improve the oral health literacy of the public through school-based education programs.

(c) COORDINATION.—The Secretary of Health and Human Services shall—

(1) through the Administrator of the Centers for Medicare & Medicaid Services, establish the Chief Dental Officer for the medicare and State children's health insurance programs established under titles XIX and XXI, respectively, of the Social Security Act (42 U.S.C. 1396 et seq. 1397aa et seq.);

(2) through the Administrator of the Health Resources and Services Administration, establish the Chief Dental Office for all oral health programs within the Health Resources and Services Administration;

(3) through the Director of the Centers for Disease Control and Prevention, establish the Chief Dental Officer for all oral health programs within such Centers; and

(4) carry out this section in collaboration with the Administrators and Chief Dental Officers described in paragraphs (1), (2), and (3).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$25,000,000 for fiscal year 2008, and such sums as may be necessary for each subsequent fiscal year.

#### SEC. 402. CDC REPORTS.

(a) COLLECTION OF DATA.—The Director of the Centers for Disease Control and Prevention, in collaboration with other organizations and agencies, shall collect data through State-based oral health surveillance systems describing the dental, craniofacial, and oral health of residents of all 50 States and certain Indian tribes.

(b) REPORTS.—The Director of the Centers for Disease Control and Prevention shall compile and analyze data collection under subsection (a) and annually prepare and submit to the appropriate committees of Congress a report concerning the oral health of States and Indian tribes.

#### SEC. 403. EARLY CHILDHOOD CARIES.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, shall—

(1) expand existing surveillance activities to include the identification of children at

high risk of early childhood caries, including sub-populations such as children with developmental disabilities;

(2) assist State, local, and tribal health agencies and departments in collecting, analyzing and disseminating data on early childhood caries; and

(3) provide for the development of public health nursing programs and public health education programs on early childhood caries prevention.

(b) APPROPRIATENESS OF ACTIVITIES.—The Secretary of Health and Human Services shall carry out programs and activities under subsection (a) in a culturally appropriate manner with respect to populations at risk of early childhood caries.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, such sums as may be necessary for each fiscal year.

#### SEC. 404. SCHOOL-BASED DENTAL SEALANT PROGRAM.

Section 317M(c) of the Public Health Service Act (42 U.S.C. 247b-14(c)) is amended—

(1) in paragraph (1), by inserting “and school-linked” after “school-based”;

(2) in the first sentence of paragraph (2)—

(A) by inserting “and school-linked” after “school-based”; and

(B) by inserting “or Indian tribe” after “State”; and

(3) by striking paragraph (3) and inserting the following:

“(3) ELIGIBILITY.—To be eligible to receive funds under paragraph (1), an entity shall—

“(A) prepare and submit to the State or Indian tribe an application at such time, in such manner and containing such information as the State or Indian tribe may require; and

“(B) be a—

“(i) public elementary or secondary school—

“(I) that is located in an urban area in which more than 50 percent of the student population is participating in Federal or State free or reduced meal programs; or

“(II) that is located in a rural area and, with respect to the school district in which the school is located, the district involved has a median income that is at or below 235 percent of the poverty line, as defined in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)); or

“(ii) public or non-profit organization, including a grantee under section 330 and urban Indian clinics under title V of the Indian Health Care Improvement Act, that is under contract with an elementary or secondary school described in subparagraph (B) to provide dental services to school-age children.”.

#### SEC. 405. BASIC ORAL HEALTH PROMOTION.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention and in consultation with dental organizations (including organizations having expertise in the prevention and treatment of oral disease in underserved pediatric populations), shall award grants to States and Indian tribes to improve the basic capacity of such States and tribes to improve the oral health of children and their families.

(b) REQUIREMENTS.—A State or Indian tribes shall use amounts received under a grant under this section to conduct one or more of the following activities:

(1) Establish an oral health plan, policies, effective prevention programs, and accountability measures and systems.

(2) Establish and guide coalitions, partnerships, and alliances to accomplish the establishment of the plan, policies, programs and systems under paragraph (1).

(3) Monitor changes in oral disease burden, disparities, and the utilization of preventive services by high-risk populations.

(4) Identify, test, establish, support, and evaluate prevention interventions to reduce oral health disparities.

(5) Promote public awareness and education in support of improvements of oral health.

(6) Support training programs for dental and other health professions needed to strengthen oral health prevention programs.

(7) Establish, enhance, or expand oral disease prevention and disparity reduction programs.

(8) Evaluate the progress and effectiveness of the State's oral disease prevention and disparity reduction program.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, such sums as may be necessary for fiscal year 2008 and each subsequent fiscal year.

By Mr. BINGAMAN (for himself and Mr. LUGAR):

S. 740. A bill to establish in the Department of Commerce an Under Secretary for United States Direct Investment, and for other purposes; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, I rise today to introduce the Invest USA Act of 2007 with my colleague from Indiana, Senator LUGAR.

Our legislation creates a United States Direct Investment Administration, USDIA, within the Department of Commerce, to be led by an Under Secretary of Commerce for United States Direct Investment. This new agency will coordinate efforts to attract more foreign direct investment in the United States, thereby making our economy more competitive by encouraging multinational businesses to open new facilities or expand existing operations here, rather than elsewhere.

Specifically, our legislation tasks the new agency with five principal duties. First, USDIA will collect and analyze data concerning direct investment flows into both the United States and other countries.

Second, USDIA will publish an annual direct investment report for Congress. This report sets forth the data that USDIA collects and analyzes in the course of its work, identifying best practices in attracting direct investment at the Federal, State, and regional levels, as well as those used by other advanced industrialized countries.

Third, USDIA will publish an annual direct investment agenda to make strategic policy recommendations based on the direct investment report. It will also act as the lead agency within a broader interagency Direct Investment Promotion Committee, which will advocate and implement USDIA's strategic policy recommendations. For example, as part of this work, it will create and maintain an internet-accessible database of direct investment opportunities in the United States.

Fourth, the legislation requires USDIA to focus on direct investment in critical high-technology industries throughout the course of its work.

The United States continues to be the premier place in the world to locate a business. However, in an increasingly globalized world, where the factors of production can easily migrate from country to country, we can no longer passively rely on our inherent competitive advantages alone. We must actively publicize them.

Many countries, particularly those in Europe, have committed significant resources to recruiting foreign direct investment. For example, in many cases, our competitors maintain offices in the United States, where they regularly meet with American business leaders, encouraging them to consider locating facilities in their country.

Currently, the United States lacks any comparable program to entice multinational businesses to invest and create jobs here. Instead, we relegate direct investment promotion to economic development agencies at the State, regional, and local level. Although these local economic development agencies make valiant efforts to attract direct investment, our lack of a national strategy creates two problems.

First, too often, these local economic development agencies suffer from limited resources, which dwindle even further if the locality is suffering from an economic downturn due to a plant closing or for other reasons. Second, the dominance of State and local agencies creates the impression of an uncoordinated patchwork in the minds of foreign business executives. Consequently, State and local economic development agencies are too often unable to perform their recruitment missions effectively. The Invest USA Act addresses these flaws by creating and funding USDIA, which can act as a one-stop shop for multinational businesses seeking to establish new operations or expand existing ones.

Of course, we need to continue to focus on persuading U.S. businesses to stay in this country. But we also need to launch a concurrent, robust effort to encourage multinational businesses to establish or move facilities to our country. The end result is the same: more jobs for U.S. workers.

According to the Organization for International Investment, direct investment in the U.S. totaled \$128.6 billion in 2005, an increase of 20 percent from the previous year, and according to the latest available Government data, as of December 31, 2004, U.S. subsidiaries of foreign multinationals employed approximately 5.1 million American workers, or 4.7 percent of the workforce. Moreover, according to the latest available Department of Commerce data, average per-worker compensation paid by U.S. subsidiaries of foreign multinationals in 2004 was \$63,428, over 32 percent higher than compensation at U.S. companies as a whole.

Senator LUGAR and I believe that with a proactive, strategically focused effort at the Federal level, we can do

even better at attracting the best jobs to our country. The Invest USA Act of 2007 will allow us to do just that.

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. 740

*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 "Invest USA Act of 2007".

**SEC. 2. DEFINITIONS.**

In this Act:

(1) **ADMINISTRATION.**—The term "Administration" means the United States Direct Investment Administration established under section 4.

(2) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—The term "appropriate congressional committees" means the Committee on Finance and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce and the Committee on Ways and Means of the House of Representatives.

(3) **CRITICAL HIGH-TECHNOLOGY INDUSTRIES.**—The term "critical high-technology industries" means industries involved in technology—

(A) the development of which will—

(i) provide a wide array of economic, environmental, energy, and defense-related returns for the United States; and

(ii) ensure United States economic, environmental, energy, and defense-related welfare; and

(B) in which the United States has an abiding interest in creating or maintaining secure domestic sources.

(4) **DEPARTMENT.**—The term "Department" means the Department of Commerce.

(5) **UNDER SECRETARY.**—The term "Under Secretary" means the Under Secretary of Commerce for United States Direct Investment described in section 4(a).

(6) **UNITED STATES DIRECT INVESTMENT PROMOTION COMMITTEE.**—The term "United States Direct Investment Promotion Committee" means the Interagency United States Direct Investment Promotion Committee established under section 7.

(7) **WTO AGREEMENT.**—The term "WTO Agreement" means the Agreement establishing the World Trade Organization entered into on April 15, 1994.

**SEC. 3. RELATION TO CFIUS.**

The provisions of this Act shall not affect the implementation or application of section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) and the activities of the Committee on Foreign Investment in the United States (or any successor committee).

**SEC. 4. ESTABLISHMENT OF UNITED STATES DIRECT INVESTMENT ADMINISTRATION.**

(a) **IN GENERAL.**—There is established in the Department of Commerce a United States Direct Investment Administration, which shall be headed by an Under Secretary of Commerce for United States Direct Investment. The Under Secretary shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate of pay provided for a position at level III of the Executive Schedule under section 5314 of title 5, United States Code.

(b) **DEPUTY UNDER SECRETARY.**—There shall be in the Administration a Deputy Under Secretary for United States Direct Investment, who shall be appointed by the

President, by and with the advice of the Senate, and shall be compensated at the rate of pay provided for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(c) STAFF.—The Under Secretary may appoint such additional personnel to serve in the Administration as the Under Secretary determines necessary.

(d) DUTIES.—The Under Secretary, in cooperation with the Economics and Statistics Administration and other offices at the Department, shall—

(1) collect and analyze data related to the flow of direct investment in the United States and throughout the world, as described in section 5;

(2) submit to the appropriate congressional committees an annual United States Direct Investment Report, as described in section 6;

(3) develop and publish an annual United States Direct Investment Agenda;

(4) assume responsibility as the lead agency for advocating and implementing strategic policies that will increase direct investment in the United States; and

(5) coordinate with the President regarding implementation of section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) and the activities of the Committee on Foreign Investment in the United States (or any successor committee).

(e) CONFORMING AMENDMENTS.—

(1) Section 5314 of title 5, United States Code, is amended by adding at the end the following: “Under Secretary of Commerce for United States Direct Investment.”

(2) Section 5315 of title 5, United States Code, is amended by adding at the end the following: “Deputy Under Secretary of Commerce for United States Direct Investment.”

#### SEC. 5. ANNUAL DIRECT INVESTMENT REPORT.

(a) ANNUAL DIRECT INVESTMENT REPORT.—Not later than October 1, 2008, and annually thereafter, the Under Secretary shall submit a report on the data identified and the analysis described in subsection (b) for the preceding calendar year (which shall be known as the “Annual Direct Investment Report”). The Report shall be submitted to the President and the appropriate congressional committees.

(b) DATA IDENTIFICATION.—

(1) IN GENERAL.—The data identified and analysis for the Report described in subsection (a) means the data identified and analyzed by the Under Secretary of Commerce, in cooperation with the Economic and Statistics Administration and other offices at the Department and with the assistance of other departments and agencies, including the Office of the United States Trade Representative, for the preceding calendar year regarding the following:

(A) Policies, programs, and practices at the State and regional level designed to attract direct investment.

(B) The amount of direct investment attracted in each such State and region.

(C) Policies, programs, and practices in foreign countries designed to attract direct investment, and the amount of direct investment attracted in each such foreign country.

(D) A comparison of the levels of direct investment attracted in the United States and in foreign countries, including a matrix of inputs affecting the level of direct investment.

(E) Specific sectors in the United States and in foreign countries in which direct investments are being made, including the specific amounts invested in each sector, with particular emphasis on critical high-technology industries.

(F) Trends in direct investment, with particular emphasis on critical high-technology industries.

(G) The best policy and practices at the Federal, State, and regional levels regarding direct investment policy, with specific reference to programs and policies that have the greatest potential to increase direct investment in the United States and enhance United States competitive advantage relative to foreign countries. Particular emphasis should be given to attracting direct investment in critical high-technology industries.

(H) Policies, programs, and practices in foreign countries designed to attract direct investment that are not in compliance with the WTO Agreement and the agreements annexed to that Agreement.

(2) CERTAIN FACTORS TAKEN INTO ACCOUNT IN MAKING ANALYSIS.—In making any analysis under paragraph (1), the Under Secretary shall take into account—

(A) the relative impact of policies, programs, and practices of foreign governments on United States commerce;

(B) the availability of information to document the effect of policies, programs, and practices;

(C) the extent to which such act, policy, or practice is subject to international agreements to which the United States is a party; and

(D) the impact trends in direct investment have had on—

(i) the competitiveness of United States industries in the international economy, with particular emphasis on critical high-technology industries;

(ii) the value of goods and services exported from and imported to the United States;

(iii) employment in the United States, in particular high-wage employment; and

(iv) the provision of health care, pensions, and other benefits provided by companies based in the United States.

(c) ASSISTANCE OF OTHER AGENCIES.—

(1) FURNISHING OF INFORMATION.—The head of each department or agency of the executive branch of the Government, including any independent agency, is authorized and directed to furnish to the Under Secretary, upon request, such data, reports, and other information as is necessary for the Under Secretary to carry out the functions under this Act.

(2) RESTRICTIONS ON RELEASE OR USE OF INFORMATION.—Nothing in this subsection shall authorize the release of information to, or the use of information by, the Under Secretary in a manner inconsistent with law or any procedure established pursuant thereto.

(3) PERSONNEL AND SERVICES.—The head of any department, agency, or instrumentality of the United States may detail such personnel and may furnish such services, with or without reimbursement, as the Under Secretary may request to assist in carrying out the functions of the Under Secretary.

(d) ANNUAL REVISIONS AND UPDATES.—The Under Secretary shall annually revise and update the Report described in subsection (a).

#### SEC. 6. ANNUAL DIRECT INVESTMENT AGENDA.

(a) IN GENERAL.—Not later than October 1, 2008, and annually thereafter, the Under Secretary shall submit an agenda based on the data and analysis described in section 5 for the preceding calendar year, to the President and the appropriate congressional committees. The agenda shall be known as the “Annual Direct Investment Agenda” and shall include—

(1) an evaluation of the research and development program expenditures being made in the United States with particular emphasis to critical high-technology industries considered essential to United States economic security and necessary for long-term United

States economic competitiveness in world markets; and

(2) proposals that identify the policies, programs, and practices in foreign countries and that the United States should pursue that—

(A) encourage direct investment in the United States that will enhance the country’s competitive advantage relative to foreign countries, with particular emphasis on critical high-technology industries;

(B) enhance the viability of the manufacturing sector in the United States;

(C) increase opportunities for high-wage jobs and promote high levels of employment;

(D) encourage economic growth; and

(E) increase opportunities for the provision of health care, pensions, and other benefits provided by companies based in the United States.

(b) SUBMISSION.—To the extent practical, the Under Secretary shall submit the Annual Direct Investment Agenda concurrently with the Annual Direct Investment Report.

(c) CONSULTATION WITH CONGRESS ON ANNUAL DIRECT INVESTMENT AGENDA.—The Under Secretary shall keep the appropriate congressional committees currently informed with respect to the Annual Direct Investment Agenda and implementation of the Agenda. After the submission of the Agenda, the Under Secretary shall also consult periodically with, and take into account the views of, the appropriate congressional committees regarding implementation of the Agenda.

#### SEC. 7. UNITED STATES DIRECT INVESTMENT PROMOTION COMMITTEE.

(a) ESTABLISHMENT.—The President shall establish and the Under Secretary shall assume lead responsibility for an Interagency United States Direct Investment Promotion Committee. The functions of the Committee shall be to—

(1) coordinate all United States Government activities related to the promotion of direct investment in the United States;

(2) advocate and implement strategic policies, programs, and practices that will increase direct investment in the United States;

(3) train United States Government officials to pursue strategic policies, programs, and practices that will increase direct investment in the United States;

(4) consult with business, labor, State, regional, and local government officials on strategic policies, programs, and practices that will increase direct investment in the United States;

(5) develop and publish materials that can be used by Federal, State, regional, and local government officials to increase direct investment in the United States;

(6) create and maintain a database of direct investment opportunities in the United States;

(7) create and maintain an interactive website that can be used to access direct investment opportunities in different sectors and geographical areas of the United States, with particular emphasis on critical high-technology industries;

(8) coordinate direct investment marketing activities with State Economic Development Agencies; and

(9) host regular meetings and discussions with State, regional, and local economic development officials to consider best policy practices to increase direct investment in the United States.

(b) MEMBERS.—The Committee shall be composed of the following:

(1) The Secretary of Commerce.

(2) The United States Trade Representative.

(3) Members of the United States International Trade Commission.

(4) The Secretary of the Treasury.

(5) Members of the National Economic Council.

(6) The Secretary of Agriculture.

(7) Such other officials as the President determines to be necessary.

**SEC. 8. DESIGNATION OF ADDITIONAL RENEWAL COMMUNITIES.**

Section 1400E of the Internal Revenue Code of 1986 (relating to designation of renewal communities) is amended by adding at the end the following new subsection:

“(h) ADDITIONAL DESIGNATIONS PERMITTED.—

“(1) IN GENERAL.—In addition to the areas designated under subsection (a), the Under Secretary of Commerce for United States Direct Investment, after consultation with the Secretary of the Treasury, may designate in the aggregate an additional 10 nominated areas as renewal communities under this section, subject to the availability of eligible nominated areas.

“(2) PERIOD DESIGNATIONS MAY BE MADE AND TAKE EFFECT.—A designation may be made under this subsection after the date of the enactment of this subsection and before the date which is 5 years after such date of enactment. Subject to subparagraphs (B) and (C) of subsection (b)(1), a designation made under this subsection shall remain in effect during the period beginning with such designation and ending on the date which is 8 years after such designation.

“(3) APPLICATION OF RULES.—Except as otherwise provided in paragraph (1), the rules of this section shall apply to designations under this subsection.”.

By Ms. COLLINS:

S. 741. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to establish a grant program to ensure waterfront access for commercial fishermen, and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, all along our Nation's coasts there are harbors that were once full of the hustle and bustle associated with the fishing industry. Unfortunately, there has been an erosion of the vital infrastructure, known as our working waterfronts, that is so critical to our commercial fishing industries. To better preserve these waterfront areas, I have drafted legislation that will help to protect commercial access to our waterfronts and to support the fishing industry's role in our maritime heritage.

When constituents have called asking me to help them in their efforts to stop the loss of their fishing businesses and the communities built around this industry, I realized more needed to be done to preserve and increase waterfront access for the commercial fishing industry. Currently, there is no Federal program to promote and protect the working waterfronts other than identifying some grant programs that might apply. There is an immediate need to protect our working waterfronts since we are losing more of them every week, and quite simply, once lost, these vital economic and community hubs of commercial fishing activity cannot be replaced.

I rise today to re-introduce a bill I originally proposed in the 109th Congress—the Working Waterfront Preser-

vation Act. This legislation would create a program to support our Nation's commercial fishing families and the coastal communities that are at risk of losing their fishing businesses.

I can illustrate the need for such a program by describing the loss of commercial waterfront access occurring in Maine. Only 25 of Maine's 3,500 miles of coastline are devoted to commercial access. We are continually seeing portions of Maine's working waterfront being sold off to the highest bidder—with large vacation homes and condominiums rising in places that our fishing industry used to call home.

The reasons for the loss of Maine's working waterfront are complex. In some cases, burdensome fishing regulations have led to a decrease in landings, hindering the profitability of shore-side infrastructure, like the Portland Fish Exchange. In other cases, soaring land values and rising taxes have made the current use of commercial land unprofitable. Property is being sold and quickly converted into private spaces and second homes that are no longer the center of economic activity.

Maine's lack of commercial waterfront prompted the formation of a “Working Waterfront Coalition.” This coalition is comprised of an impressive number of industry associations, non-profit groups, and state agencies, who came together to preserve Maine's working waterfront. The coalition identified eighteen projects that would increase Maine's available working waterfront. These eighteen sites would create or preserve more than 875 jobs.

I'm pleased to note that the Working Waterfront Coalition has been successful in contributing to the creation of two programs in Maine. The first is a State tax incentive for property owners to keep their land in its current working waterfront condition. The second is a pilot program for grant funding to secure and preserve working waterfront areas. I am proud that the State of Maine has taken positive action to save its waterfront infrastructure and is a model for other States in the country facing this problem.

However, we must press on with this priority. The loss of commercial waterfront access affects the fishing industry throughout all coastal States. Pick up a newspaper in one of our coastal States, and you will read about this struggle. Fishermen in Galilee, RI are being pushed away from the waterfronts as their profitability shrinks and land values soar. The Los Angeles Times ran a story on the disappearance of working waterfronts in Florida. That State has also since enacted a law to protect their working waterfronts. Washington State struggles to balance working waterfronts with increased development pressure. Another region of the country that this bill would benefit is the Gulf Coast. This legislation would assist the victims of Hurricane Katrina in rebuilding their shore-side infrastructure destroyed in the storm.

And modest federal investment could do so much to save these areas. Preservation of the working waterfront is essential to protect a way of life that is unique to our coastal States and is vital to economic development along the coast. This bill targets this problem, as no Federal program exists to assist States like Maine, Florida, Washington, and Louisiana.

The Working Waterfront Preservation Act would assist by providing Federal grant funding to municipal and State governments, non-profit organizations, and fishermen's cooperatives for the purchase of property or easements or for the maintenance of working waterfront facilities. The bill contains a \$50 million authorization for grants that would require a 25 percent local match. Applications for grants would be considered by both the Department of Commerce and state fisheries agencies, which have the local expertise to understand the needs of each coastal State. Grant recipients would agree not to convert coastal properties to noncommercial uses, as a condition of receiving federal assistance.

This legislation also has a tax component included. When properties or easements are purchased, sellers would only be taxed on half of the gain they receive from this sale. Taxing only half of the gain on conservation sales is a proposal that has been advanced by the President in all of his budget proposals. This is a vital aspect of my bill because it would diminish the pressure to quickly sell waterfront property that would then, most likely, be converted to noncommercial uses, and would increase the incentives for sellers to take part in this grant program. This is especially important given that the application process for federal grants does not keep pace with the coastal real estate market.

This legislation is crucial for our Nation's commercial fisheries, which are coming under increasing pressures from many fronts. This new grant program would preserve important commercial infrastructure and promote economic development along our coast. I am committed to creating a Federal mechanism to preserve working waterfronts and will pursue this legislation during the 110th Congress.

By Mr. MCCAIN:

S. 744. A bill to provide greater public safety by making more spectrum available to public safety, to establish the Public Safety Interoperable Communications Working Group to provide standards for public safety spectrum needs, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. MCCAIN. Mr. President, I am pleased to introduce today the Spectrum Availability for Emergency-Response and Law-Enforcement to Improve Vital Emergency Services Act, otherwise known as the SAVE LIVES Act. The bill would provide public safety with the ability to use an additional

30 MHz of radio spectrum for a new nationwide public safety state-of-the-art broadband network. This would allow police, fire, sheriffs, and other medical and emergency professionals the ability to communicate using a modern and reliable broadband network, thereby allowing for interoperable communications between local, State and Federal first responders during emergencies.

The 9/11 Commission's Final Report states that: "Command and control decisions were affected by the lack of knowledge of what was happening 30, 60, 90, and 100 floors above" due to the inability of police and firefighters to communicate using their hand held radios. The Final Report recommended the "expedited and increased assignment of radio spectrum to public safety entities" to resolve the problem. This bill would finally implement fully the recommendation.

Let me be clear: the Federal Government has made many strides in developing a comprehensive, interoperable emergency communications plan, setting equipment standards, funding the purchase of interoperable communications equipment, and belatedly making additional radio spectrum available. But none of this is enough. We will not solve our Nation's interoperability crisis until all emergency personnel involved in responding to an incident are able to communicate seamlessly, and that is what this legislation is intended to accomplish.

I have been working on this issue for many years. Ten years ago, while serving as Chairman of the Senate Commerce Committee, I introduced the Law Enforcement and Public Safety Telecommunications Empowerment Act, which would have provided public safety with 24 MHz in the 700 MHz band and authorized 10 percent of proceeds from an auction of spectrum to commercial companies to be used to fund State and local law enforcement communications. Although my bill did not pass, Congress did require this spectrum to be allocated to public safety in the Balanced Budget Act of 1997.

Unfortunately, this spectrum was encumbered by television broadcasters who refused to move despite broadcasters being given other spectrum in the Telecommunications Act of 1996. The television broadcasters persuaded some members of Congress to slip into the Balanced Budget Act of 1997 a provision that allowed for broadcasters to retain their new spectrum and use the spectrum dedicated to public safety for an indefinite time.

Rightly, public safety fought the broadcasters' "spectrum squatting" and asked Congress to set a firm date for broadcasters to provide public safety spectrum. I was happy to support them in the fight.

During the 108th Congress, I introduced a bill that would have provided public safety with this spectrum by January 1, 2008. The bill was not considered by the Senate. I also introduced

an amendment to the Intelligence Reform and Terrorism Prevention Act of 2004 to set a firm date for the delivery of this spectrum, but it was strongly opposed thanks to the broadcasters.

In October 2005, the Commerce Committee debated a firm date as part of the Budget Reconciliation Act of 2006. I offered an amendment to make the spectrum available by January 2007, but it was shot down by a vote of 17-5. I then took an amendment to the floor which was defeated by a vote of 30-69. Congress did finally set the date of February 17, 2009—date that is too late in my opinion.

I have not only been concerned about public safety not receiving spectrum in a timely manner, but also not receiving enough spectrum. In 2004, I offered an amendment that was included in the Intelligence Reform and Terrorism Prevention Act, which required the Federal Communications Commission (FCC) and the Department of Homeland Security (DHS) to study the short-term and long-term spectrum needs of public safety. In December 2005, the FCC delivered their report. While the report did not contain a specific amount of spectrum necessary to aid public safety interoperability, it did state, ". . . emergency response providers would benefit from the development of an integrated, interoperable nationwide network capable of delivering broadband services throughout the country." DHS has never provided its report to Congress.

The FCC's recommendation became all too apparent during the horrors of Hurricane Katrina. First responders in Louisiana were unable to communicate with each other during their response and recovery efforts because New Orleans and the three nearby parishes all used different radio equipment and frequencies. To make matters worse, Federal officials responding to the area used an entirely different communications system than the local first responders, which hindered relief efforts. New Orleans officials had purchased equipment that would allow some patching between local and Federal radio systems, but that equipment was rendered useless by flooding. Nonetheless, short term solutions to link incompatible systems are not the right approach to this critical problem. A better approach is for this Nation and its representatives to get serious about public safety communications by developing an interoperable communications network for all local, state, regional and Federal first responders that can carry voice and data communications.

I believe the SAVE LIVES bill provides that comprehensive and serious approach. The bill would establish a national policy for public safety spectrum, directing that the 24 MHz allocated by Congress to public safety in 1997 be used for state, local and regional interoperability and that the 30 MHz in the 700 MHz band be available as needed for a national, interoperable

public safety broadband network by local, State, regional and Federal first responders. These two networks would be interoperable, thereby allowing local, State, regional and Federal first responders to communicate. Congress has deemed spectrum in the 700 MHz band "ideal" for public safety communications because it can travel great distances and penetrate thick walls.

The day before our Nation experienced the worst act of terrorism on our soil, the Public Safety Wireless Advisory Committee completed an 850-page study of public safety spectrum requirements and recommended that 97.5 MHz of additional spectrum be made available for public safety. In 1997, Congress set aside 24 MHz of spectrum in the 700 MHz band for public safety use, but due to television broadcasters refusal to relocate from that spectrum, public safety will not have full use of the spectrum until February 2009. However, public safety states that the 24 MHz is not enough. Just last month, Fire Chief Charles Werner of Virginia testified before the Senate Commerce Committee that an additional 70 MHz may be needed by 2011.

The bill also would establish a "Public Safety Interoperable Working Group" (the Working Group) to establish user driven specifications for public safety's use of the 30 MHz and then require the FCC to auction the 30 MHz under a "conditional license" that requires any winning bidder to meet public safety's specifications to operate a national, interoperable public safety broadband network. If there is no winning bidder, then the license to the 30 MHz will revert to public safety, which could then use the spectrum for a national, interoperable public safety broadband network and work with the FCC to auction excess non-emergency capacity.

To ensure public safety is using the spectrum effectively and efficiently, the bill would require the FCC to review public safety's use of the 24 MHz to determine whether it could handle a national interoperable broadband network in addition to local, state and regional networks as technology improves. The bill would also require the FCC, DHS and public safety to review the possibility of moving most public safety communications to the 700 MHz and 800 MHz bands thereby enhancing interoperability.

As required by Congress, the FCC is slated to auction spectrum in the 700 MHz band by January 28, 2008. Except for the 24 MHz allocated to public safety, the remaining spectrum will be auctioned to commercial providers unless Congress dictates otherwise. Therefore any use of the 30 MHz by public safety must be considered quickly by Congress as the FCC would need to begin developing the rules for a conditional license by early fall to ensure that the auction date is not delayed.

Late last year, the FCC stated, "The availability of a nationwide, interoperable, broadband communication network for public safety substantially

could enhance the ability of public safety entities to respond to emergency situations . . . yet only 2.6 MHz is designated for nationwide interoperable communications in the 700 MHz public safety band." This is unacceptable and that is why I believe the SAVE LIVES Act would solve the interoperability crisis that faces our country.

We cannot survive another disaster such as 9/11 or Katrina without reforming our Nation's interoperable communications. I fought for many years to clear the 700 MHz spectrum for first responders and now that there is a firm date for the availability of this spectrum, we should ensure that a sufficient amount of spectrum is being provided to first responders. Again, this spectrum is slated to be auctioned in January 2008 to commercial entities, so if Congress does not act now to ensure that public safety can have some reasonable access to this valuable spectrum, it will be auctioned off without any consideration to our Nation's interoperability crisis and this opportunity will be lost forever.

I know some critics would rather all of this spectrum be auctioned solely for commercial applications, such as wireless Internet surfing, instant messaging and phone services. I can assure you, I do not lay awake at night wondering why my children can't surf the Internet on their cell phone from any location at any time, but I do worry about whether we will be adequately prepared to respond to the next disaster.

I can only imagine how many lives could have been saved during 9/11 had this spectrum been available and I can only imagine how many victims of Hurricane Katrina could have been rescued sooner if only police, fire fighters and other emergency personnel had been able to communicate with each other. But instead of imagining, we have an obligation to act. We can have a national, interoperable communications system available to first responders by 2009 if we act now to make this spectrum available to public safety.

I urge my colleagues to join me in supporting the SAVE LIVES Act.

By Ms. LANDRIEU:

S. 745. A bill to provide for increased export assistance staff in areas in which the President declared a major disaster as a result of Hurricane Katrina of 2005 and Hurricane Rita of 2005; to the Committee on Small Business and Entrepreneurship.

Ms. LANDRIEU. Mr. President, as I come to the floor today to speak, there are countless small businesses in the Gulf Coast, right this moment, that are open for business. The fact that they are open at all is a testament to the hard work and resolve of their owners, along with the focus and commitment of community leaders, state and local officials, as well as Congress and the White House. This is because, as you know, the Gulf Coast was devastated in 2005 by two of the most powerful

storms to ever hit the United States in recorded history—Hurricanes Katrina and Rita.

I strongly believe that we cannot rebuild the Gulf Coast without our small businesses. Small businesses not only create jobs and pay taxes—they provide the innovation and energy that drives our economy. In fact, before Katrina and Rita hit, there were more than 95,000 small businesses in Louisiana, employing about 850,000 people—more than half of my State's workforce. About 39,000 of these businesses have yet to resume normal operations so I intend to do everything I can in the coming months to get them back up and running.

That is why today I am introducing legislation to help provide the necessary staff to help our small businesses in the Gulf recover from the devastating storms of 2005. In particular, this legislation is focused on promoting exports by small businesses Louisiana, Mississippi, and Alabama. Small businesses are important players in international trade, which is reflected in the fact that small businesses represent that 96 percent of all exporters of goods and services in Louisiana, we have about 2,000 declared exporters. However, there are many more businesses in my state who conduct Internet sales overseas, as well as those who focus operations on domestic sales but have some international buyers as well. These businesses are exporters but in many cases they do not even realize it!

Given the importance of these exporters to my State and to the rest of the country, I would like to improve their competitive edge in the international market and give them every resource they need to succeed. As our businesses continue to recover, one of the main issues being faced by our small businesses is accessing capital. They need help accessing export financing to cover export-related costs such as purchasing equipment, purchasing inventory, or financing production costs.

To assist businesses with obtaining export financing, fifteen SBA Finance Specialists operate out of 100 U.S. Export Assistance Centers administered by the Department of Commerce around the country. However, despite the increased need for export financing in the Gulf Coast, there is currently no International Finance Specialist located in any of the hardest hit States of Mississippi, Alabama and Louisiana. Instead there is one specialist in Texas with responsibility for Texas, Oklahoma, Arkansas and Louisiana and one specialist in Georgia responsible for Georgia, Alabama, Kentucky, Tennessee, and Mississippi. Due to the extensive territories they cover and limited travel budgets of the staff, these specialists must divide their time and cannot focus on the needs of Gulf Coast small businesses.

With this in mind, this legislation would provide an SBA International

Finance Specialist to the New Orleans U.S. Export Assistance Center with responsibility for Louisiana, Alabama, and Mississippi. I believe this is a commonsense approach, since this position in New Orleans has remained vacant since 2003 due to retirement and budget issues. So this is not a new position or a new hire, it is simply filling a position that has sat open for far too long.

The Gulf Coast Export Recovery Act of 2007 would also address Commerce staffing issues for our New Orleans U.S. Export Assistance Center. In this office, there is currently four full-time export assistance staff, along with one Foreign Service Officer. This office has had two staffers leave the office since Katrina and I am concerned that when this Foreign Service Officer leaves this fall, that there will be no replacement. This understaffed office is struggling to keep up with the increasing demands from businesses for technical assistance on finding overseas markets for local products, particularly businesses near Baton Rouge and the River parishes. Staff in New Orleans cover south Louisiana as well as the coastal counties in Mississippi. With such a wide area to cover, and so few staff, they are doing a great job in providing services but obviously need additional help to fully service our local businesses. The Small Business International Trade Enhancements Act of 2007 would provide one additional full-time staffer to this office to assist our businesses in the parishes of East Baton Rouge, West Baton Rouge, Iberville, Pointe Coupee, St. Martin, St. Landry and Iberia. Many of our businesses from the New Orleans area are relocating to these parishes so we need adequate staff to keep up with increasing export needs in the area.

In closing, I should note that both of these provisions were included in the Commerce, Justice, Science Appropriations bill that was reported out of committee last Fall. Unfortunately, since that bill was not enacted, these provisions did not become law and our small business exporters have waited an additional 7 months for increased export assistance resources. I do not want them to have to wait another 7 months for this vital assistance. We are only asking for two full-time staffers for an office, but these two staffers would make a world of difference for the businesses, as well as for the understaffed office down there. I believe both the Department of Commerce and the Small Business Administration are supportive of these staffing increases so I look forward to working with them in the coming months to address these staffing needs in New Orleans. I urge my colleagues to support this legislation since it will help our exporters in the Gulf Coast fully recover and will help the country as a whole by increasing exports from the Gulf Coast states.

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. 745

*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 “Gulf Coast Export Recovery Act of 2007”.

**SEC. 2. ADDITIONAL STAFF FOR NEW ORLEANS UNITED STATES EXPORT ASSISTANCE CENTER.**

(a) IN GENERAL.—The Secretary of Commerce shall hire 1 additional full-time international trade specialist, to be located in the New Orleans, Louisiana, United States Export Assistance Center.

(b) RESPONSIBILITIES.—The international trade specialist hired under subsection (a) shall provide service to the parishes of East Baton Rouge, West Baton Rouge, Pointe Coupee, Iberville, St. Martin, St. Landry, and Iberia, Louisiana, and any other parish selected by the Secretary of Commerce.

**SEC. 3. GULF COAST EXPORT ASSISTANCE.**

(a) INCREASE IN SMALL BUSINESS INTERNATIONAL TRADE STAFF.—The Administrator shall hire an additional full-time international finance specialist to the Office of International Trade of the Administration.

(b) LOCATION AND SERVICE AREA.—The international finance specialist hired under subsection (a) shall—

(1) be located in the New Orleans, Louisiana United States Export Assistance Center;

(2) help to carry out the export promotion efforts described in section 22 of the Small Business Act (15 U.S.C. 649); and

(3) provide such services in the States of Louisiana, Mississippi, and Alabama.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to the Administration such sums as are necessary to carry out this section.

(2) AVAILABILITY OF FUNDS.—Amounts made available under this subsection shall remain available until expended.

**SEC. 4. DEFINITIONS.**

For purposes of this Act, the terms “Administration” and “Administrator” mean the Small Business Administration and the Administrator thereof, respectively.

By Mr. BROWNBACK (for himself, Mr. INOUE, Ms. CANTWELL, Mr. DODD, Ms. LANDRIEU, and Mr. CRAPO):

S.J. Res. 4. A joint resolution to acknowledge a long history of official depredations and ill-conceived policies by the United States Government regarding Indian tribes and offer an apology to all Native Peoples on behalf of the United States; to the Committee on Indian Affairs.

S.J. RES. 4

Whereas the ancestors of today’s Native Peoples inhabited the land of the present-day United States since time immemorial and for thousands of years before the arrival of peoples of European descent;

Whereas the Native Peoples have for millennia honored, protected, and stewarded this land we cherish;

Whereas the Native Peoples are spiritual peoples with a deep and abiding belief in the Creator, and for millennia their peoples have maintained a powerful spiritual connection to this land, as is evidenced by their customs and legends;

Whereas the arrival of Europeans in North America opened a new chapter in the histories of the Native Peoples;

Whereas, while establishment of permanent European settlements in North America did stir conflict with nearby Indian tribes, peaceful and mutually beneficial interactions also took place;

Whereas the foundational English settlements in Jamestown, Virginia, and Plymouth, Massachusetts, owed their survival in large measure to the compassion and aid of the Native Peoples in their vicinities;

Whereas in the infancy of the United States, the founders of the Republic expressed their desire for a just relationship with the Indian tribes, as evidenced by the Northwest Ordinance enacted by Congress in 1787, which begins with the phrase, “The utmost good faith shall always be observed toward the Indians”;

Whereas Indian tribes provided great assistance to the fledgling Republic as it strengthened and grew, including invaluable help to Meriwether Lewis and William Clark on their epic journey from St. Louis, Missouri, to the Pacific Coast;

Whereas Native Peoples and non-Native settlers engaged in numerous armed conflicts;

Whereas the United States Government violated many of the treaties ratified by Congress and other diplomatic agreements with Indian tribes;

Whereas this Nation should address the broken treaties and many of the more ill-conceived Federal policies that followed, such as extermination, termination, forced removal and relocation, the outlawing of traditional religions, and the destruction of sacred places;

Whereas the United States forced Indian tribes and their citizens to move away from their traditional homelands and onto federally established and controlled reservations, in accordance with such Acts as the Indian Removal Act of 1830;

Whereas many Native Peoples suffered and perished—

(1) during the execution of the official United States Government policy of forced removal, including the infamous Trail of Tears and Long Walk;

(2) during bloody armed confrontations and massacres, such as the Sand Creek Massacre in 1864 and the Wounded Knee Massacre in 1890; and

(3) on numerous Indian reservations;

Whereas the United States Government condemned the traditions, beliefs, and customs of the Native Peoples and endeavored to assimilate them by such policies as the redistribution of land under the General Allotment Act of 1887 and the forcible removal of Native children from their families to far-away boarding schools where their Native practices and languages were degraded and forbidden;

Whereas officials of the United States Government and private United States citizens harmed Native Peoples by the unlawful acquisition of recognized tribal land and the theft of tribal resources and assets from recognized tribal land;

Whereas the policies of the United States Government toward Indian tribes and the breaking of covenants with Indian tribes have contributed to the severe social ills and economic troubles in many Native communities today;

Whereas, despite the wrongs committed against Native Peoples by the United States, the Native Peoples have remained committed to the protection of this great land, as evidenced by the fact that, on a per capita basis, more Native people have served in the United States Armed Forces and placed themselves in harm’s way in defense of the United States in every major military conflict than any other ethnic group;

Whereas Indian tribes have actively influenced the public life of the United States by continued cooperation with Congress and the Department of the Interior, through the involvement of Native individuals in official United States Government positions, and by leadership of their own sovereign Indian tribes;

Whereas Indian tribes are resilient and determined to preserve, develop, and transmit to future generations their unique cultural identities;

Whereas the National Museum of the American Indian was established within the Smithsonian Institution as a living memorial to the Native Peoples and their traditions; and

Whereas Native Peoples are endowed by their Creator with certain unalienable rights, and that among those are life, liberty, and the pursuit of happiness: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. ACKNOWLEDGMENT AND APOLOGY.**

The United States, acting through Congress—

(1) recognizes the special legal and political relationship the Indian tribes have with the United States and the solemn covenant with the land we share;

(2) commends and honors the Native Peoples for the thousands of years that they have stewarded and protected this land;

(3) recognizes that there have been years of official depredations, ill-conceived policies, and the breaking of covenants by the United States Government regarding Indian tribes;

(4) apologizes on behalf of the people of the United States to all Native Peoples for the many instances of violence, maltreatment, and neglect inflicted on Native Peoples by citizens of the United States;

(5) expresses its regret for the ramifications of former wrongs and its commitment to build on the positive relationships of the past and present to move toward a brighter future where all the people of this land live reconciled as brothers and sisters, and harmoniously steward and protect this land together;

(6) urges the President to acknowledge the wrongs of the United States against Indian tribes in the history of the United States in order to bring healing to this land by providing a proper foundation for reconciliation between the United States and Indian tribes; and

(7) commends the State governments that have begun reconciliation efforts with recognized Indian tribes located in their boundaries and encourages all State governments similarly to work toward reconciling relationships with Indian tribes within their boundaries.

**SEC. 2. DISCLAIMER.**

Nothing in this Joint Resolution—

(1) authorizes or supports any claim against the United States; or

(2) serves as a settlement of any claim against the United States.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 92—CALLING FOR THE IMMEDIATE AND UNCONDITIONAL RELEASE OF SOLDIERS OF ISRAEL HELD CAPTIVE BY HAMAS AND HEZBOLLAH

Mrs. CLINTON (for herself, Mr. VOINOVICH, Ms. MIKULSKI, Mr. BROWNBACK, Mr. LAUTENBERG, Mr.