S. 3659

At the request of Ms. SNOWE, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 3659, a bill to reauthorize and improve the women's small business ownership programs of the Small Business Administration, and for other purposes.

S. 3677

At the request of Mr. BINGAMAN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Massachusetts (Mr. KENNEDY) were added as cosponsors of S. 3677, a bill to amend title XVIII of the Social Security Act to eliminate the in the home restriction for Medicare coverage of mobility devices for individuals with expected long-term needs.

S. CON. RES. 94

At the request of Ms. LANDRIEU, the names of the Senator from Massachusetts (Mr. KERRY) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. Con. Res. 94, a concurrent resolution expressing the sense of Congress that the needs of children and youth affected or displaced by disasters are unique and should be given special consideration in planning, responding, and recovering from such disasters in the United States.

S. CON. RES. 110

At the request of Mr. DEWINE, the names of the Senator from Ohio (Mr. VOINOVICH), the Senator from Iowa (Mr. GRASSLEY) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. Con. Res. 110, a concurrent resolution commemorating the 60th anniversary of the historic 1946 season of Major League Baseball Hall of Fame member Bob Feller and his return from military service to the United States.

S. RES. 405

At the request of Mr. HAGEL, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. Res. 405, a resolution designating August 16, 2006, as ''National Airborne Day''.

S. RES. 508

At the request of Mr. BIDEN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 508, a resolution designating October 20, 2006 as ''National Mammography Day''.

S. RES. 535

At the request of Mr. CONRAD, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. Res. 535, a resolution commending the Patriot Guard Riders for shielding mourning military families from protesters and preserving the memory of fallen service members at funerals.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE:

S. 3697. A bill to amend title XVIII of the Social Security Act to establish Medicare Health Savings Accounts; to the Committee on Finance.

Mr. INHOFE. Mr. President, I rise today to introduce a bill to establish medicare health savings accounts, HSAs. This bill will make HSAs available under Medicare in lieu of Medicare medical savings accounts, MSAs. I have long been dedicated to quality health care and believe that seniors should have the ability to make their own decisions regarding their health care, so they can receive the health care they need and deserve. As a senior myself, I appreciate how imperative it is that we seniors be provided with a wide array of choices.

My desire to see my fellow Oklahomans and all Americans receive the best possible health care is evidenced by my involvement in various health-related issues. I have always been a champion of rural health care providers. In 1997, I was one of the few Republicans to vote against the Balanced Budget Act because of its lack of support for rural hospitals. At that time, I made a commitment to not allow our rural hospitals to be closed and am pleased we finally addressed that important issue in the Medicare Modernization Act of 2003 by providing great benefits for rural health care providers as well as a voluntary prescription drug benefit to seniors. In 2003, I also co-sponsored the Health Care Access and Rural Equity Act, to protect and preserve access of Medicare beneficiaries to health care in rural regions.

In order to assist my State and other States suffering from large reduction in their Federal medical assistance percentage, FMAP, for Medicaid, I introduced S.1754, a bill to apply a State's FMAP from fiscal year 2005 to fiscal years 2006 through 2014 on September 22, 2005. The purpose of this legislation is to prevent drastic reductions in FMAP while revision of the formula itself is considered.

I am a strong advocate of medical liability reform and am an original cosponsor of S. 22, the Medical Care Access Protection Act, and S. 23, the Healthy Mothers and Healthy Babies Access to Care Act. These bills protect patients' access to quality and affordable health care by reducing the effects of excessive liability costs. I am committed to this vital reform that would alleviate the burden placed on physicians and patients by excessive medical malpractice lawsuits.

I have also worked with officials from the Centers for Medicare and Medicaid Services, CMS, to expand access to life-saving implantable cardiac defibrillators and many other numerous regulations that would affect my rural State such as the 250-yard rule for critical access hospitals.

As a supporter of safety and medical research, I have cosponsored legislation to increase the supply of pancreatic islet cells for research and a bill to take the abortion pill RU–486 off the market in the United States.

I also introduced S. 96, the Flu Vaccine Incentive Act, to help prevent any future shortages in flu vaccines in both the 108th and 109th Congresses. My bill removes suffocating price controls from government purchasing of the flu vaccine while encouraging more companies to enter the market. Also, my bill frees American companies to enter the flu vaccine industry by giving them an investment tax credit towards the construction of flu vaccine production facilities.

As a result of my sister's death from cancer and treatment we learned about not accessible in the United States that might have saved her life, Senator SAM BROWNBACK and I introduced S. 1956, the Access, Compassion, Care and Ethics for Seriously-ill Patients Act—ACCESS—on November 3, 2005. This bill would offer a three-tiered approval system for treatments showing efficacy during clinical trials, for use by the seriously ill patient population. Seriously ill patients, who have exhausted all alternatives and are seeking new treatment options, would be offered access to these treatments with the consent of their physician.

On April 4, 2006, my resolution to designate April 8, 2006, as ''National Cushing's Syndrome Awareness Day'' passed by unanimous consent. The intent of this resolution is to raise awareness of Cushing's syndrome, a debilitating disorder that affects an estimated 10 to 15 million people per million. It is an endocrine or hormonal disorder caused by prolonged exposure of the body's tissue to high levels of the hormone cortisol.

Additionally, I have consistently cosponsored yearly resolutions designating a day in October as ''National Mammography Day'' and a week: in August as ''National Health Center Week'' to raise awareness regarding both these issues and have supported passage and enactment of numerous health-care-related bills, such as the Rural Health Care Capital Access Act of 2006, which extends the exemption respecting required patient days for critical access hospitals under the Federal hospital mortgage insurance program.

As the Federal Government invests in improving hospitals and health care initiatives I have fought hard to ensure that Oklahoma gets its fair share. Specifically, over the past 3 years, I have helped to secure $5.2 million in funding for the Oklahoma Medical Research Foundation, the Oklahoma State Department of Health planning initiative for a rural telemedicine system, the INTEGRIS Healthcare System, the University of Oklahoma Health Sciences Center, the Oklahoma Center for the Advancement of Science and

Technology, St. Anthony's Heart Hospital, the Hillcrest Healthcare System, and the Morton Health Center.

As a long supporter of HSAs, I believe all people should have access to them since they provide great flexibility in the health market and allow individuals to have control over their own health care. Medicare MSAs have existed since January 1, 1997, revised in December of 2003, but they have not worked. No insurer whatsoever has yet offered any Medicare MSA under the current law.

To fix this problem, my legislation creates a new HSA program under Medicare that incorporates a high-deductible health plan and an HSA account while dissolving the existing Medicare MSA.

In tandem with my efforts, the Centers for Medicare and Medicaid Services, CMS, are launching an HSA demonstration project that would test allowing health insurance companies to offer Medicare beneficiaries products similar to HSA. This activity points to the administration's support of HSAs and desire to see all seniors receive the best possible coverage.

As the July 13, 2006 edition of The Hill, explains, ''no legislation is pending that would integrate HSAs into the Medicare program . . .'' Thus, my legislation is necessary because real Medicare HSA reform is needed in order for seniors to have true flexibility and freedom of choice in their health care.

Under my bill, beneficiaries who choose the HSA option will receive an annual amount that is equal to 95 percent of the annual Medicare Advantage, MA, capitation rate with respect to the individual's MA payment area. These funds provided through the Medicare HSA program can only be used by the beneficiary for the following purposes: as a contribution into an HSA or for payment of high deductible health plan premiums. However, the individual also has the opportunity to deposit personal funds in to the Medicare HSA.

My bill also guarantees that seniors be notified of the amount they will receive 90 days before receipt to ensure they have time to determine the best and most appropriate HSA to accommodate needs. The bill also allows the Secretary of Health and Human Services to deal with fraud appropriately and requires providers to accept payment by individuals enrolled in a Medicare HSA just as they would with an individual enrolled in traditional Medicare.

Please join me in supporting this important legislation to give our seniors more choices regarding their health care.

By Mr. JEFFORDS (for himself, Mrs. BOXER, Mr. LAUTENBERG, Mr. KENNEDY, Mr. LEAHY, Mr. REED, Mr. AKAKA, Mr. DODD, Mr. SARBANES, and Mr. MENENDEZ):

S. 3698. A bill to mend the Clean Air Act to reduce emissions of carbon dioxide, and for other purposes; to the Committee on Environment and Public Works.

Mr. JEFFORDS. Mr. President, I rise to introduce the Global Warming Pollution Reduction Act of 2006.

One of the most important issues facing mankind is the problem of global warming. Global warming is real and it is already happening. Its effects are being felt across the globe and the longer we delay, the more severe these effects will be. The broad consensus within the scientific community is that global warming has begun, is largely the result of human activity, and is accelerating. Atmospheric greenhouse gas concentrations have risen to 378 parts per million, nearly one-third above preindustrial levels and higher than at any time during the past 400,000 years. Projections indicate that stabilizing concentrations at 450 parts per million would still mean a temperature increase of 2 to 4 degrees Fahrenheit. Such warming will result in more extreme weather, increased flooding and drought, disruption of agricultural and water systems, threats to human health and loss of sensitive species and ecosystems.

In order to prevent and minimize these effects, we must take global actions to address this issue as soon as possible. We owe that to ourselves and to future generations.

The overwhelming majority of Americans support taking some form of action on climate change. I am today introducing the Global Warming Pollution Reduction Act, which I believe responds to that call. I believe this is the most far-reaching and forward-thinking climate change bill ever introduced. It sets a goal of an 80 percent reduction in global warming pollutants by 2050. It provides a roadmap for actions that we will need to take over the next few decades to combat global warming. I believe that if this bill were passed, it would put us on the path to potentially solving the global warming problem. If it were passed, we would reshape our economy to become more energy independent, cleaner, and more economically competitive. If it were passed, we would have a chance of avoiding some of the worst and most dangerous effects of global warming. If it were passed, we would be in a position to negotiate with other countries as part of the global solution.

Some will say that this bill imposes requirements that ask too much of industry. Some will say that this bill contains requirements that we cannot easily meet. I say first of all that the costs of inaction vastly outweigh the costs of action and that we have a responsibility to future generations not to leave the Earth far worse off than when we found it—with a fundamentally altered climate system. Temperature changes, sea level rise, hurricanes, floods, and droughts can affect food production, national security, the spread of disease, and the survival of endangered species. These are not things to trifle with on the basis of industry cost estimates, which have frequently been overstated.

But perhaps more importantly, we can act to reduce global warming. We can reduce emissions to 1990 levels between now and 2020 through a reduction of just 2 percent per year. Energy efficiency alone could play a major part in reaching reductions, and new technologies can help as well. Moreover, additional deployment of existing renewable energy sources, including biofuels, can also help substantially. If we were to take the actions suggested in this bill, we would find that we would enhance our energy independence, and we would become a world leader in clean energy technologies. American innovation can position us as the world leader in clean technologies.

In my final year in the Senate, I have often asked myself, What lasting actions can I take to make the world a better place? I hope that by proposing real action on climate change, and passing the torch to a new generation of those committed to protecting the environment, that I can help make a difference for us all. Global warming is upon us now. The question is, Can we take action now, before it is too late?

We know what we need to do, we know how much we must reduce, and we have the technology to do so. The question for this body is, Do we have the political will? Can we overcome our fears and insecurity and act decisively to combat global warming? That is the opportunity and challenge of the coming years, which my bill on global warming seeks to address. I urge my colleagues to join me in the quest for a better, safer world that is free of the enormous threat posed by dangerous global warming. I urge my colleagues to support this important piece of legislation.

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

S. 3698

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 ''Global Warming Pollution Reduction Act''.

SEC. 2. GLOBAL WARMING POLLUTION EMISSION REDUCTIONS.

The Clean Air Act (42 U.S.C. 7401 et seq.) is amended by adding at the end the following:

''TITLE VII—COMPREHENSIVE GLOBAL WARMING POLLUTION REDUCTIONS

''SEC. 701. FINDINGS.

''Congress finds that—

''(1) global warming poses a significant threat to the national security and economy of the United States, public health and welfare, and the global environment;

''(2) due largely to an increased use of energy from fossil fuels, human activities are primarily responsible for the release of carbon dioxide and other heat-trapping global warming pollutants that are accumulating in the atmosphere and causing surface air and subsurface ocean temperatures to rise;

''(3) as of the date of enactment of this title, atmospheric concentrations of carbon dioxide are 35 percent higher than those concentrations were 150 years ago, at 378 parts per million compared to 280 parts per million;

''(4) the United States emits more global warming pollutants than any other country, and United States carbon dioxide emissions have increased by an average of 1.3 percent annually since 1990;

''(5)(A) during the past 100 years, global temperatures have risen by 1.44 degrees Fahrenheit; and

''(B) from 1970 to the present, those temperatures have risen by almost 1 degree Fahrenheit;

''(6) 8 of the past 10 years (1996 to 2005) are among the 10 warmest years on record;

''(7) average temperatures in the Arctic have increased by 4 to 7 degrees Fahrenheit during the past 50 years;

''(8) global warming has caused—

''(A) ocean temperatures to increase, resulting in rising sea levels, extensive bleaching of coral reefs worldwide, and an increase in the intensity of tropical storms;

''(B) the retreat of Arctic sea ice by an average of 9 percent per decade since 1978;

''(C) the widespread thawing of permafrost in polar, subpolar, and mountainous regions;

''(D) the redistribution and loss of species; and

''(E) the rapid shrinking of glaciers;

''(9) the United States must adopt a comprehensive and effective national program of mandatory limits and incentives to reduce global warming pollution emissions into the atmosphere;

''(10) at the current rate of emission, global warming pollution concentrations in the atmosphere could reach more than 600 parts per million in carbon dioxide equivalent, and global average mean temperature could rise an additional 2.7 to 11 degrees Fahrenheit, by the end of the century;

''(11) although an understanding of all details of the Earth system is not yet complete, present knowledge indicates that potential future temperature increases could result in—

''(A) the further or complete melting of the Antarctic and Greenland ice sheets;

''(B) the disruption of the North-Atlantic Thermohaline Circulation (commonly known as the 'Gulf Stream');

''(C) the extinction of species; and

''(D) large-scale disruptions of the natural systems that support life;

''(12) there exists an array of technological options for use in reducing global warming pollution emissions, and significant reductions can be attained using a portfolio of options that will not adversely impact the economy;

''(13) the ingenuity of the people of the United States will allow the Nation to become a leader in solving global warming; and

''(14) it should be a goal of the United States to achieve a reduction in global warming pollution emissions in the United States—

''(A) to ensure that the average global temperature does not increase by more than 3.6 degrees Fahrenheit (2 degrees Celsius); and

''(B) to facilitate the achievement of an average global atmospheric concentration of global warming pollutants that does not exceed 450 parts per million in carbon dioxide equivalent.

''SEC. 702. PURPOSES.

''The purposes of this title are—

''(1) to achieve a reduction in global warming pollution emissions compatible with ensuring that—

''(A) the average global temperature does not increase by more than 3.6 degrees Fahrenheit (2 degrees Celsius) above the preindustrial average; and

''(B) total average global atmospheric concentrations of global warming pollutants do not exceed 450 parts per million in carbon dioxide equivalent;

''(2) to reduce by calendar year 2050 the aggregate net level of global warming pollution emissions of the United States to a level that is 80 percent below the aggregate net level of global warming pollution emissions for calendar year 1990;

''(3) to allow for an acceleration of reductions in global warming pollution emissions to prevent—

''(A) average global temperature from increasing by more than 3.6 degrees Fahrenheit (2 degrees Celsius) above the preindustrial average; or

''(B) global atmospheric concentrations of global warming pollutants from exceeding 450 parts per million;

''(4) to establish a motor vehicle global warming pollution emission requirement;

''(5) to require electric generation units to meet a global warming pollution emission standard;

''(6) to establish rules for the safe geological sequestration of carbon dioxide;

''(7) to encourage energy efficiency and the use of renewable energy by establishing a renewable portfolio standard and an energy efficiency portfolio standard;

''(8) to provide for research relating to, and development of, the technologies to control global warming pollution emissions;

''(9) to position the United States as the world leader in reducing the risk of the potentially devastating, wide-ranging impacts associated with global warming; and

''(10) to promote, through leadership by the United States, accelerated reductions in global warming pollution from other countries with significant global warming pollution emissions.

''SEC. 703. DEFINITIONS.

''In this title:

''(1) ACADEMY.—The term 'Academy' means the National Academy of Sciences.

''(2) CARBON DIOXIDE EQUIVALENT.—The term 'carbon dioxide equivalent' means, for each global warming pollutant, the quantity of the global warming pollutant that makes the same contribution to global warming as 1 metric ton of carbon dioxide, as determined by the Administrator, taking into account the study and report described in section 705(a).

''(3) FACILITY.—The term 'facility' means all buildings, structures, or installations that are—

''(A) located on 1 or more contiguous or adjacent properties under common control of the same persons; and

''(B) located in the United States.

''(4) GLOBAL WARMING POLLUTANT.—The term 'global warming pollutant' means—

''(A) carbon dioxide;

''(B) methane;

''(C) nitrous oxide;

''(D) hydrofluorocarbons;

''(E) perfluorocarbons;

''(F) sulfur hexafluoride; and

''(G) any other anthropogenically-emitted gas that the Administrator, after notice and comment, determines to contribute to global warming.

''(5) GLOBAL WARMING POLLUTION.—The term 'global warming pollution' means any combination of 1 or more global warming pollutants emitted into the ambient air or atmosphere.

''(6) MARKET-BASED PROGRAM.—The term 'market-based program' means a program that places an absolute limit on the aggregate net global warming pollution emissions of 1 or more sectors of the economy of the United States, while allowing the transfer or sale of global warming pollution emission allowances.

''(7) NAS REPORT.—The term 'NAS report' means a report completed by the Academy under subsection (a) or (b) of section 705.

''SEC. 704. GLOBAL WARMING POLLUTION EMISSION REDUCTIONS.

''(a) EMISSION REDUCTION GOAL.—Congress declares that—

''(1) it shall be the goal of the United States, acting in concert with other countries that emit global warming pollutants, to achieve a reduction in global warming pollution emissions—

''(A) to ensure that the average global temperature does not increase by more than 3.6 degrees Fahrenheit (2 degrees Celsius); and

''(B) to facilitate the achievement of an average global atmospheric concentration of global warming pollutants that does not exceed 450 parts per million in carbon dioxide equivalent; and

''(2) in order to achieve the goal described in paragraph (1), the United States shall reduce the global warming pollution emissions of the United States by a quantity that is proportional to the share of the United States of the reductions that are necessary—

''(A) to ensure that the average global temperature does not increase more than 3.6 degrees Fahrenheit (2 degrees Celsius); and

''(B) to stabilize average global warming pollution concentrations globally at or below 450 parts per million in carbon dioxide equivalent.

''(b) EMISSION REDUCTION MILESTONES FOR 2020.—

''(1) IN GENERAL.—To achieve the goal described in subsection (a)(1), not later than 2 years after the date of enactment of this title, after an opportunity for public notice

and comment, the Administrator shall promulgate any rules that are necessary to reduce, by not later than January 1, 2020, the aggregate net levels of global warming pollution emissions of the United States to the aggregate net level of those global warming pollution emissions during calendar year 1990.

''(2) ACHIEVEMENT OF MILESTONES.—To the maximum extent practicable, the reductions described in paragraph (1) shall be achieved through an annual reduction in the aggregate net level of global warming pollution emissions of the United States of approximately 2 percent for each of calendar years 2010 through 2020.

''(c) EMISSION REDUCTION MILESTONES FOR 2030, 2040, AND 2050.—Except as described in subsection (d), not later than January 1, 2018, after an opportunity for public notice and comment, the Administrator shall promulgate any rules that are necessary to reduce the aggregate net levels of global warming pollution emissions of the United States—

''(1) by calendar year 2030, by ⅓ of 80 percent of the aggregate net level of global warming pollution emissions of the United States during calendar year 1990;

''(2) by calendar year 2040, by ⅔ of 80 percent of the aggregate net level of the global warming pollution emissions of the United States during calendar year 1990; and

''(3) by calendar year 2050, by 80 percent of the aggregate net level of global warming pollution emissions of the United States during calendar year 1990.

''(d) ACCELERATED EMISSION REDUCTION MILESTONES.—If an NAS report determines that any of the events described in section 705(a)(2) have occurred, or are more likely than not to occur in the foreseeable future, not later than 2 years after the date of completion of the NAS report, the Administrator, after an opportunity for public notice and comment and taking into account the new information reported in the NAS report, may adjust the milestones under this section and promulgate any rules that are necessary—

''(1) to reduce the aggregate net levels of global warming pollution emissions from the United States on an accelerated schedule; and

''(2) to minimize the effects of rapid climate change and achieve the goals of this title.

''(e) REPORT ON ACHIEVEMENT OF MILESTONES.—If an NAS report determines that a milestone under paragraph (1) or (2) of subsection (c) cannot be achieved because of technological infeasibility, the Administrator shall submit to Congress a notification of that determination.

''(f) EMISSION REDUCTION POLICIES.—

''(1) IN GENERAL.—In implementing subsections (a) through (e), the Administrator may establish 1 or more market-based programs.

''(2) MARKET-BASED PROGRAM POLICIES.—

''(A) IN GENERAL.—In implementing any market-based program, the Administrator shall allocate to households, communities, and other entities described in section 706(a) any global warming pollution emission allowances that are not allocated to entities covered under the emission limitation.

''(B) RECOGNITION OF EMISSION REDUCTIONS MADE IN COMPLIANCE WITH STATE AND LOCAL LAWS.—A market-based program may recognize reductions of global warming pollution emissions made before the effective date of the market-based program if the Administrator determines that—

''(i)(I) the reductions were made in accordance with a State or local law;

''(II) the State or local law is at least as stringent as the rules established for the market-based program under paragraph (1); and

''(III) the reductions are at least as verifiable as reductions made in accordance with those rules; or

''(ii) for any given entity subject to the market-based program, the entity demonstrates that the entity has made entity-wide reductions of global warming pollution emissions before the effective date of the market-based program, but not earlier than calendar year 1992, that are at least as verifiable as reductions made in accordance with the rules established for the market-based program under paragraph (1).

''(C) PUBLICATION.—If the Administrator determines that it is necessary to establish a market-based program, the Administrator shall publish notice of the determination in the Federal Register.

''(D) LIMITATIONS ON MARKET-BASED PROGRAMS.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ANNUAL ALLOWANCE PRICE.—The term 'annual allowance price' means the average market price of global warming pollution emission allowances for a calendar year.

''(II) DECLINING EMISSIONS CAP WITH A TECHNOLOGY-INDEXED STOP PRICE.—The term 'declining emissions cap with a technology-indexed stop price' means a feature of a market-based program for an industrial sector, or on an economy-wide basis, under which the emissions cap declines by a fixed percentage each calendar year or, during any year in which the annual allowance price exceeds the technology-indexed stop price, the emissions cap remains the same until the occurrence of the earlier of—

''(aa) the date on which the annual allowance price no longer exceeds the technology-indexed stop price; or

''(bb) the date on which a period of 3 years has elapsed during which the emissions cap has remained unchanged.

''(III) EMISSIONS CAP.—The term 'emissions cap' means the total number of global warming pollution emission allowances issued for a calendar year.

''(IV) TECHNOLOGY-INDEXED STOP PRICE.—The term 'technology-indexed stop price' means a price per ton of global warming pollution emissions determined annually by the Administrator that is not less than the technology-specific average cost of preventing the emission of 1 ton of global warming pollutants through commercial deployment of any available zero-carbon or low-carbon technologies. With respect to the electricity sector, those technologies shall consist of—

''(aa) wind-generated electricity;

''(bb) photovoltaic-generated electricity;

''(cc) geothermal energy;

''(dd) solar thermally-generated energy;

''(ee) wave-based forms of energy;

''(ff) any fossil fuel-based electric generating technology emitting less than 250 pounds per megawatt hour; and

''(gg) any zero-carbon-emitting electric generating technology that does not generate radioactive waste.

''(ii) IMPLEMENTATION.—In implementing any market-based program under this Act, for the period prior to January 1, 2020, the Administrator shall consider the impact on the economy of the United States of implementing the program with a declining emissions cap through the use of a technology-indexed stop price.

''(iii) OTHER EMITTING SECTORS.—The Administrator may consider the use of a declining emissions cap with a technology-indexed stop price, or similar approaches, for other emitting sectors based on low-carbon or zero-carbon technologies, including—

''(I) biofuels;

''(II) hydrogen power; and

''(III) other sources of energy and transportation fuel.

''(g) COST-EFFECTIVENESS.—In promulgating regulations under this section, the Administrator shall select the most cost-effective options for global warming pollution control and emission reduction strategies.

''SEC. 705. CONDITIONS FOR ACCELERATED GLOBAL WARMING POLLUTION EMISSION REDUCTION.

''(a) REPORT ON GLOBAL CHANGE EVENTS BY THE ACADEMY.—

''(1) IN GENERAL.—The Administrator shall offer to enter into a contract with the Academy under which the Academy, not later than 2 years after the date of enactment of this title, and every 3 years thereafter, shall submit to Congress and the Administrator a report that describes whether any of the events described in paragraph (2)—

''(A) have occurred or are more likely than not to occur in the foreseeable future; and

''(B) in the judgment of the Academy, are the result of anthropogenic climate change.

''(2) EVENTS.—The events referred to in paragraph (1) are—

''(A) the exceedance of an atmospheric concentration of global warming pollutants of 450 parts per million in carbon dioxide equivalent; and

''(B) an increase of global average temperatures in excess of 3.6 degrees Fahrenheit (2 degrees Celsius) above the preindustrial average.

''(b) TECHNOLOGY REPORTS.—

''(1) DEFINITION OF TECHNOLOGICALLY INFEASIBLE.—In this subsection, the term 'technologically infeasible', with respect to a technology, means that the technology—

''(A) will not be demonstrated beyond laboratory-scale conditions;

''(B) would be unsafe;

''(C) would not reliably reduce global warming pollution emissions; or

''(D) would prevent the activity to which the technology applies from meeting or performing its primary purpose (such as generating electricity or transporting goods or individuals).

''(2) REPORTS.—The Administrator shall offer to enter into a contract with the Academy under which the Academy, not later than 2 years after the date of enactment of this title and every 3 years thereafter, shall submit to Congress and the Administrator a report that describes or analyzes—

''(A) the status of current global warming pollution emission reduction technologies, including—

''(i) technologies for capture and disposal of global warming pollutants;

''(ii) efficiency improvement technologies;

''(iii) zero-global-warming-pollution-emitting energy technologies; and

''(iv) above- and below-ground biological sequestration technologies;

''(B) whether any of the requirements under this title (including regulations promulgated under this title) mandate a level of emission control or reduction that, based on available or expected technology, will be technologically infeasible at the time at which the requirements become effective;

''(C) the projected date on which any technology determined to be technologically infeasible will become technologically feasible;

''(D) whether any technology determined to be technologically infeasible cannot reasonably be expected to become technologically feasible prior to calendar year 2050; and

''(E) the costs of available alternative global warming pollution emission reduction strategies that could be used or pursued in lieu of any technologies that are determined to be technologically infeasible.

''(3) REPORT EVALUATING 2050 MILESTONE.—Not later than December 31, 2037, the Administrator shall offer to enter into a contract with the Academy under which, not later than December 31, 2039, the Academy shall prepare and submit to Congress and the Administrator a report on the appropriateness of the milestone described in section 704(c)(3), taking into consideration—

''(A) information that was not available as of the date of enactment of this title; and

''(B) events that have occurred since that date relating to—

''(i) climate change;

''(ii) climate change technologies; and

''(iii) national and international climate change commitments.

''(c) ADDITIONAL ITEMS IN NAS REPORT.—In addition to the information described in subsection (a)(1) that is required to be included in the NAS report, the Academy shall include in the NAS report—

''(1) an analysis of the trends in annual global warming pollution emissions by the United States and the other countries that collectively account for more than 90 percent of global warming pollution emissions (including country-specific inventories of global warming pollution emissions and facility-specific inventories of global warming pollution emissions in the United States);

''(2) an analysis of the trends in global warming pollution concentrations (including observed atmospheric concentrations of global warming pollutants);

''(3) a description of actual and projected global change impacts that may be caused by anthropogenic global warming pollution emissions, in addition to the events described in subsection (a)(2); and

''(4) such other information as the Academy determines to be appropriate.

''SEC. 706. USE OF ALLOWANCES FOR TRANSITION ASSISTANCE AND OTHER PURPOSES.

''(a) REGULATIONS GOVERNING ALLOCATION OF ALLOWANCES FOR TRANSITION ASSISTANCE TO INDIVIDUALS AND ENTITIES.—

''(1) IN GENERAL.—In implementing any market-based program, the Administrator may promulgate regulations providing for the allocation of global warming pollution emission allowances to the individuals and entities, or for the purposes, specified in subsection (b).

''(2) REQUIREMENTS.—Regulations promulgated under paragraph (1) may, as the Administrator determines to be necessary, provide for the appointment of 1 or more trustees—

''(A) to receive emission allowances for the benefit of households, communities, and other entities described in paragraph (1);

''(B) to sell the emission allowances at fair market value; and

''(C) to distribute the proceeds of any sale of emission allowances to the appropriate beneficiaries.

''(b) ALLOCATION FOR TRANSITION ASSISTANCE.—The Administrator may allocate emission allowances, in accordance with regulations promulgated under subsection (a), to—

''(1) communities, individuals, and companies that have experienced disproportionate adverse impacts as a result of—

''(A) the transition to a lower carbon-emitting economy; or

''(B) global warming;

''(2) owners and operators of highly energy-efficient buildings, including—

''(A) residential users;

''(B) producers of highly energy-efficient products; and

''(C) entities that carry out energy-efficiency improvement projects pursuant to section 712 that result in consumer-side reductions in electricity use;

''(3) entities that will use the allowances for the purpose of carrying out geological sequestration of carbon dioxide produced by an anthropogenic global warming pollution emission source in accordance with requirements established by the Administrator;

''(4) such individuals and entities as the Administrator determines to be appropriate, for use in carrying out projects to reduce net carbon dioxide emissions through above-ground and below-ground biological carbon dioxide sequestration (including sequestration in forests, forest soils, agricultural soils, rangeland, or grassland in the United States);

''(5) such individuals and entities (including fish and wildlife agencies) as the Administrator determines to be appropriate, for use in carrying out projects to protect and restore ecosystems (including fish and wildlife) affected by climate change; and

''(6) manufacturers producing consumer products that result in substantially reduced global warming pollution emissions, for use in funding rebates for purchasers of those products.

''SEC. 707. VEHICLE EMISSION STANDARDS.

''(a) VEHICLES UNDER 10,000 POUNDS.—

''(1) IN GENERAL.—Not later than January 1, 2010, the Administrator shall promulgate regulations requiring each fleet of automobiles sold by a manufacturer in the United States beginning in model year 2016 to meet the standards for global warming pollution emissions described in paragraph (2).

''(2) EMISSION STANDARDS.—The average global warming pollution emissions of a vehicle fleet described in paragraph (1) shall not exceed—

''(A) 205 carbon dioxide equivalent grams per mile for automobiles with—

''(i) a gross vehicle weight of not more than 8,500 pounds; and

''(ii) a loaded vehicle weight of not more than 3,750 pounds;

''(B) 332 carbon dioxide equivalent grams per mile for—

''(i) automobiles with—

''(I) a gross vehicle weight of not more than 8,500 pounds; and

''(II) a loaded vehicle weight of more than 3,750 pounds; and

''(ii) medium-duty passenger vehicles; and

''(C) 405 carbon dioxide equivalent grams per mile for vehicles—

''(i) with a gross vehicle weight of between 8,501 pounds and 10,000 pounds; and

''(ii) that are not medium-duty passenger vehicles.

''(3) HEIGHTENED STANDARDS.—After model year 2016, the Administrator may promulgate regulations that increase the stringency of emission standards described in paragraph (2) as necessary to meet the emission reduction goal described in section 704(e)(3).

''(b) HIGHWAY VEHICLES OVER 10,000 POUNDS.—

''(1) IN GENERAL.—Not later than January 1, 2010, the Administrator shall promulgate regulations requiring each fleet of highway vehicles over 10,000 pounds sold by a manufacturer in the United States beginning in model year 2020 to meet the standards for global warming pollution emissions described in paragraph (2).

''(2) EMISSION STANDARDS.—The average global warming pollution emissions of a vehicle fleet described in paragraph (1) shall not exceed—

''(A) 850 carbon dioxide equivalent grams per mile for highway vehicles with a gross vehicle weight rating between 10,001 pounds and 26,000 pounds; and

''(B) 1,050 carbon dioxide equivalent grams per mile for highway vehicles with a gross vehicle weight rating of more than 26,000 pounds.

''(3) HEIGHTENED STANDARDS.—After model year 2020, the Administrator may promulgate regulations that increase the stringency of emission standards described in paragraph (2) as necessary to meet the emission reduction goal described in section 704(a)(1).

''(c) ADJUSTMENT OF REQUIREMENTS.—Taking into account appropriate lead times for vehicle manufacturers, if the Academy determines, pursuant to an NAS report, that a vehicle emission standard under this section is or will be technologically infeasible as of the effective date of the standard, the Administrator may, by regulation, modify the requirement to take into account the determination of the Academy.

''(d) STUDY.—

''(1) IN GENERAL.—Not later than January 1, 2008, the Administrator shall enter into a contract with the Academy under which the Academy shall conduct a study of, and submit to the Administrator a report on, the potential contribution of the non-highway portion of the transportation sector toward meeting the emission reduction goal described in section 704(a)(1).

''(2) REQUIREMENTS.—The study shall analyze—

''(A) the technological feasibility and cost-effectiveness of global warming pollution reductions from the non-highway sector; and

''(B) the overall potential contribution of that sector in terms of emissions, in meeting the emission reduction goal described in section 704(a)(1).

''SEC. 708. EMISSION STANDARDS FOR ELECTRIC GENERATION UNITS.

''(a) INITIAL STANDARD.—

''(1) IN GENERAL.—Not later than 2 years after the date of enactment of this title, the Administrator shall, by regulation, require each unit that is designed and intended to provide electricity at a unit capacity factor of at least 60 percent and that begins operation after December 31, 2011, to meet the standard described in paragraph (2).

''(2) STANDARD.—Beginning on December 31, 2015, a unit described in paragraph (1) shall meet a global warming pollution emission standard that is not higher than the emission rate of a new combined cycle natural gas generating unit.

''(3) MORE STRINGENT REQUIREMENTS.—For the period beginning on January 1 of the calendar year following the effective date of the regulation described in paragraph (1) and ending on December 31, 2029, the Administrator may increase the stringency of the global warming pollution emission standard described in paragraph (1) with respect to electric generation units described in that paragraph.

''(b) FINAL STANDARD.—Not later than December 31, 2030, the Administrator shall require each electric generation unit, regardless of when the unit began to operate, to

meet the applicable emission standard under subsection (a).

''(c) ADJUSTMENT OF REQUIREMENTS.—If the Academy determines, pursuant to section 705, that a requirement of this section is or will be technologically infeasible at the time at which the requirement becomes effective, the Administrator, may, by regulation, adjust or delay the effective date of the requirement as is necessary to take into consideration the determination of the Academy.

''SEC. 709. LOW-CARBON GENERATION REQUIREMENT.

''(a) DEFINITIONS.—In this section:

''(1) BASE QUANTITY OF ELECTRICITY.—The term 'base quantity of electricity' means the total quantity of electricity produced for sale by a covered generator during the calendar year immediately preceding a compliance year from coal, petroleum coke, lignite, or any combination of those fuels.

''(2) COVERED GENERATOR.—The term 'covered generator' means an electric generating unit that—

''(A) has a rated capacity of 25 megawatts or more; and

''(B) has an annual fuel input at least 50 percent of which is provided by coal, petroleum coke, lignite, or any combination of those fuels.

''(3) LOW-CARBON GENERATION.—The term 'low-carbon generation' means electric energy generated from an electric generating unit at least 50 percent of the annual fuel input of which, in any year—

''(A) is provided by coal, petroleum coke, lignite, biomass, or any combination of those fuels; and

''(B) results in an emission rate into the atmosphere of not more than 250 pounds of carbon dioxide per megawatt-hour (after adjustment for carbon dioxide from the electric generating unit that is geologically sequestered in a geological repository approved by the Administrator pursuant to subsection (e)).

''(4) PROGRAM.—The term 'program' means the low-carbon generation credit trading program established under subsection (d)(1).

''(b) REQUIREMENT.—

''(1) CALENDAR YEARS 2015 THROUGH 2020.—Of the base quantity of electricity produced for sale by a covered generator for a calendar year, the covered generator shall provide a minimum percentage of that base quantity of electricity for the calendar year from low-carbon generation, as specified in the following table:

''Calendar year:	Minimum annual percentage:
2015	0.5
2016	1.0
2017	2.0
2018	3.0
2019	4.0
2020	5.0

''(2) CALENDAR YEARS 2021 THROUGH 2025.—For each of calendar years 2021 through 2025, the Administrator may increase the minimum percentage of the base quantity of electricity from low-carbon generation described in paragraph (1) by up to 2 percentage points from the previous year, as the Administrator determines to be necessary to achieve the emission reduction goal described in section 704(a)(1).

''(3) CALENDAR YEARS 2026 THROUGH 2030.—For each of calendar years 2026 through 2030, the Administrator may increase the minimum percentage of the base quantity of electricity from low-carbon generation described in paragraph (1) by up to 3 percentage points from the previous year, as the Administrator determines to be necessary to achieve the emission reduction goal described in section 704(a)(1).

''(c) MEANS OF COMPLIANCE.—An owner or operator of a covered generator shall comply with subsection (b) by—

''(1) generating electric energy using low-carbon generation;

''(2) purchasing electric energy generated by low-carbon generation;

''(3) purchasing low-carbon generation credits issued under the program; or

''(4) undertaking a combination of the actions described in paragraphs (1) through (3).

''(d) LOW-CARBON GENERATION CREDIT TRADING PROGRAM.—

''(1) IN GENERAL.—Not later than January 1, 2008, the Administrator shall establish, by regulation after notice and opportunity for comment, a low-carbon generation trading program to permit an owner or operator of a covered generator that does not generate or purchase enough electric energy from low-carbon generation to comply with subsection (b) to achieve that compliance by purchasing sufficient low-carbon generation credits.

''(2) REQUIREMENTS.—As part of the program, the Administrator shall—

''(A) issue to producers of low-carbon generation, on a quarterly basis, a single low-carbon generation credit for each kilowatt hour of low-carbon generation sold during the preceding quarter; and

''(B) ensure that a kilowatt hour, including the associated low-carbon generation credit, shall be used only once for purposes of compliance with subsection (b).

''(e) ENFORCEMENT.—An owner or operator of a covered generator that fails to comply with subsection (b) shall be subject to a civil penalty in an amount equal to the product obtained by multiplying—

''(1) the number of kilowatt-hours of electric energy sold to electric consumers in violation of subsection (b); and

''(2) the greater of—

''(A) 2.5 cents (as adjusted under subsection (g)); or

''(B) 200 percent of the average market value of those low-carbon generation credits during the year in which the violation occurred.

''(f) EXEMPTION.—This section shall not apply for any calendar year to an owner or operator of a covered generator that sold less than 40,000 megawatt-hours of electric energy produced from covered generators during the preceding calendar year.

''(g) INFLATION ADJUSTMENT.—Not later than December 31, 2008, and annually thereafter, the Administrator shall adjust the amount of the civil penalty for each kilowatt-hour calculated under subsection (e)(2) to reflect changes for the 12-month period ending on the preceding November 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

''(h) TECHNOLOGICAL INFEASIBILITY.—If the Academy determines, pursuant to section 705, that the schedule for compliance described in subsection (b) is or will be technologically infeasible for covered generators to meet, the Administrator may, by regulation, adjust the schedule as the Administrator determines to be necessary to take into account the consideration of the determination of the Academy.

''(i) TERMINATION OF AUTHORITY.—This section and the authority provided by this section terminate on December 31, 2030.

''SEC. 710. GEOLOGICAL DISPOSAL OF GLOBAL WARMING POLLUTANTS.

''(a) GEOLOGICAL CARBON DIOXIDE DISPOSAL DEPLOYMENT PROJECTS.—

''(1) IN GENERAL.—The Administrator shall establish a competitive grant program to provide grants to 5 entities for the deployment of projects to geologically dispose of carbon dioxide (referred to in this subsection as 'geological disposal deployment projects').

''(2) LOCATION.—Each geological disposal deployment project shall be conducted in a geologically distinct location in order to demonstrate the suitability of a variety of geological structures for carbon dioxide disposal.

''(3) COMPONENTS.—Each geological disposal deployment project shall include an analysis of—

''(A) mechanisms for trapping the carbon dioxide to be geologically disposed;

''(B) techniques for monitoring the geologically disposed carbon dioxide;

''(C) public response to the geological disposal deployment project; and

''(D) the permanency of carbon dioxide storage in geological reservoirs.

''(4) REQUIREMENTS.—

''(A) IN GENERAL.—The Administrator shall establish—

''(i) appropriate conditions for environmental protection with respect to geological disposal deployment projects to protect public health and the environment; and

''(ii) requirements relating to applications for grants under this subsection.

''(B) RULEMAKING.—The establishment of requirements under subparagraph (A) shall not require a rulemaking.

''(C) MINIMUM REQUIREMENTS.—At a minimum, each application for a grant under this subsection shall include—

''(i) a description of the geological disposal deployment project proposed in the application;

''(ii) an estimate of the quantity of carbon dioxide to be geologically disposed over the life of the geological disposal deployment project; and

''(iii) a plan to collect and disseminate data relating to each geological disposal deployment project to be funded by the grant.

''(5) PARTNERS.—An applicant for a grant under this subsection may carry out a geological disposal deployment project under a pilot program in partnership with 1 or more public or private entities.

''(6) SELECTION CRITERIA.—In evaluating applications under this subsection, the Administrator shall—

''(A) consider the previous experience of each applicant with similar projects; and

''(B) give priority consideration to applications for geological disposal deployment projects that—

''(i) offer the greatest geological diversity from other projects that have previously been approved;

''(ii) are located in closest proximity to a source of carbon dioxide;

''(iii) make use of the most affordable source of carbon dioxide;

''(iv) are expected to geologically dispose of the largest quantity of carbon dioxide;

''(v) are combined with demonstrations of advanced coal electricity generation technologies;

''(vi) demonstrate the greatest commitment on the part of the applicant to ensure funding for the proposed demonstration project and the greatest likelihood that the demonstration project will be maintained or expanded after Federal assistance under this subsection is completed; and

''(vii) minimize any adverse environmental effects from the project.

''(7) PERIOD OF GRANTS.—

''(A) IN GENERAL.—A geological disposal deployment project funded by a grant under this subsection shall begin construction not later than 3 years after the date on which the grant is provided.

''(B) TERM.—The Administrator shall not provide grant funds to any applicant under this subsection for a period of more than 5 years.

''(8) TRANSFER OF INFORMATION AND KNOWLEDGE.—The Administrator shall establish mechanisms to ensure that the information and knowledge gained by participants in the program under this subsection are published and disseminated, including to other applicants that submitted applications for a grant under this subsection.

''(9) SCHEDULE.—

''(A) PUBLICATION.—Not later than 180 days after the date of enactment of this title, the Administrator shall publish in the Federal Register, and elsewhere as appropriate, a request for applications to carry out geological disposal deployment projects.

''(B) DATE FOR APPLICATIONS.—An application for a grant under this subsection shall be submitted not later than 180 days after the date of publication of the request under subparagraph (A).

''(C) SELECTION.—After the date by which applications for grants are required to be submitted under subparagraph (B), the Administrator, in a timely manner, shall select, after peer review and based on the criteria under paragraph (6), those geological disposal deployment projects to be provided a grant under this subsection.

''(b) INTERIM STANDARDS.—Not later than 3 years after the date of enactment of this title, the Administrator, in consultation with the Secretary of Energy, shall, by regulation, establish interim geological carbon dioxide disposal standards that address—

''(1) site selection;

''(2) permitting processes;

''(3) monitoring requirements;

''(4) public participation; and

''(5) such other issues as the Administrator and the Secretary of Energy determine to be appropriate.

''(c) FINAL STANDARDS.—Not later than 6 years after the date of enactment of this title, taking into account the results of geological disposal deployment projects carried out under subsection (a), the Administrator shall, by regulation, establish final geological carbon dioxide disposal standards.

''(d) CONSIDERATIONS.—In developing standards under subsections (b) and (c), the Administrator shall consider the experience in the United States in regulating—

''(1) underground injection of waste;

''(2) enhanced oil recovery;

''(3) short-term storage of natural gas; and

''(4) long-term waste storage.

''(e) TERMINATION OF AUTHORITY.—This section and the authority provided by this section terminate on December 31, 2030.

''SEC. 711. RESEARCH AND DEVELOPMENT.

''(a) IN GENERAL.—The Administrator shall carry out a program to perform and support research on global climate change standards and processes, with the goals of—

''(1) providing scientific and technical knowledge applicable to the reduction of global warming pollutants; and

''(2) facilitating implementation of section 704.

''(b) RESEARCH PROGRAM.—

''(1) IN GENERAL.—The Administrator shall carry out, directly or through the use of contracts or grants, a global climate change standards and processes research program.

''(2) RESEARCH.—

''(A) CONTENTS AND PRIORITIES.—The specific contents and priorities of the research program shall be determined in consultation with appropriate Federal agencies, including—

''(i) the National Oceanic and Atmospheric Administration;

''(ii) the National Aeronautics and Space Administration; and

''(iii) the Department of Energy.

''(B) TYPES OF RESEARCH.—The research program shall include the conduct of basic and applied research—

''(i) to develop and provide the enhanced measurements, calibrations, data, models, and reference material standards necessary to enable the monitoring of global warming pollution;

''(ii) to assist in establishing a baseline reference point for future trading in global warming pollutants (including the measurement of progress in emission reductions);

''(iii) for international exchange as scientific or technical information for the stated purpose of developing mutually-recognized measurements, standards, and procedures for reducing global warming pollution; and

''(iv) to assist in developing improved industrial processes designed to reduce or eliminate global warming pollution.

''(3) ABRUPT CLIMATE CHANGE RESEARCH.—

''(A) DEFINITION OF ABRUPT CLIMATE CHANGE.—In this paragraph, the term 'abrupt climate change' means a change in climate that occurs so rapidly or unexpectedly that humans or natural systems may have difficulty adapting to the change.

''(B) RESEARCH.—The Administrator shall carry out a program of scientific research on potential abrupt climate change that is designed—

''(i) to develop a global array of terrestrial and oceanographic indicators of paleoclimate in order to identify and describe past instances of abrupt climate change;

''(ii) to improve understanding of thresholds and nonlinearities in geophysical systems relating to the mechanisms of abrupt climate change;

''(iii) to incorporate those mechanisms into advanced geophysical models of climate change; and

''(iv) to test the output of those models against an improved global array of records of past abrupt climate changes.

''(c) SENSE OF THE SENATE.—It is the sense of the Senate that Federal funds for clean, low-carbon energy research, development, and deployment should be increased by at least 100 percent for each year during the 10-year period beginning on the date of enactment of this title.

''SEC. 712. ENERGY EFFICIENCY PERFORMANCE STANDARD.

''(a) DEFINITIONS.—In this section:

''(1) ELECTRICITY SAVINGS.—

''(A) IN GENERAL.—The term 'electricity savings' means reductions in end-use electricity consumption relative to consumption by the same customer or at the same new or existing facility in a given year, as defined in regulations promulgated by the Administrator under subsection (e).

''(B) INCLUSIONS.—The term 'savings' includes savings achieved as a result of—

''(i) installation of energy-saving technologies and devices; and

''(ii) the use of combined heat and power systems, fuel cells, or any other technology identified by the Administrator that recaptures or generates energy solely for onsite customer use.

''(C) EXCLUSION.—The term 'savings' does not include savings from measures that would likely be adopted in the absence of energy-efficiency programs, as determined by the Administrator.

''(2) RETAIL ELECTRICITY SALES.—The term 'retail electricity sales' means the total quantity of electric energy sold by a retail electricity supplier to retail customers during the most recent calendar year for which that information is available.

''(3) RETAIL ELECTRICITY SUPPLIER.—The term 'retail electricity supplier' means a distribution or integrated utility, or an independent company or entity, that sells electric energy to consumers.

''(b) ENERGY EFFICIENCY PERFORMANCE STANDARD.—Each retail electricity supplier shall implement programs and measures to achieve improvements in energy efficiency and peak load reduction, as verified by the Administrator.

''(c) TARGETS.—For calendar year 2008 and each calendar year thereafter, the Administrator shall ensure that retail electric suppliers annually achieve electricity savings and reduce peak power demand and electricity use by retail customers by a percentage that is not less than the applicable target percentage specified in the following table:

''Calendar Year	Reduction in peak demand	Reduction in electricity use
2008	.25 percent	.25 percent
2009	.75 percent	.75 percent
2010	1.75 percent	1.5 percent
2011	2.75 percent	2.25 percent
2012	3.75 percent	3.0 percent
2013	4.75 percent	3.75 percent
2014	5.75 percent	4.5 percent
2015	6.75 percent	5.25 percent
2016	7.75 percent	6.0 percent
2017	8.75 percent	6.75 percent
2018	9.75 percent	7.5 percent
2019	10.75 percent	8.25 percent
2020 and each calendar year thereafter	11.75 percent	9.0 percent

''(d) BEGINNING DATE.—For the purpose of meeting the targets established under subsection (c), electricity savings shall be calculated based on the sum of—

''(1) savings realized as a result of actions taken by the retail electric supplier during the specified calendar year; and

''(2) cumulative savings realized as a result of electricity savings achieved in all previous calendar years (beginning with calendar year 2006).

''(e) IMPLEMENTING REGULATIONS.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Administrator shall promulgate regulations to implement the targets established under subsection (c).

''(2) REQUIREMENTS.—The regulations shall establish—

''(A) a national credit system permitting credits to be awarded, bought, sold, or traded by and among retail electricity suppliers;

''(B) a fee equivalent to not less than 4 cents per kilowatt hour for retail energy suppliers that do not meet the targets established under subsection (c); and

''(C) standards for monitoring and verification of electricity use and demand savings reported by the retail electricity suppliers.

''(3) CONSIDERATION OF TRANSMISSION AND DISTRIBUTION EFFICIENCY.—In developing regulations under this subsection, the Administrator shall consider whether savings, in whole or part, achieved by retail electricity suppliers by improving the efficiency of electric distribution and use should be eligible for credits established under this section.

''(f) COMPLIANCE WITH STATE LAW.—Nothing in this section shall supersede or otherwise affect any State or local law requiring or otherwise relating to reductions in total annual electricity consumption, or peak power consumption, by electric consumers to the extent that the State or local law requires more stringent reductions than those required under this section.

''(g) VOLUNTARY PARTICIPATION.—The Administrator may—

''(1) pursuant to the regulations promulgated under subsection (e)(1), issue a credit to any entity that is not a retail electric supplier if the entity implements electricity savings; and

''(2) in a case in which an entity described in paragraph (1) is a nonprofit or educational organization, provide to the entity 1 or more grants in lieu of a credit.

''SEC. 713. RENEWABLE PORTFOLIO STANDARD.

''(a) RENEWABLE ENERGY.—

''(1) IN GENERAL.—The Administrator, in consultation with the Secretary of Energy, shall promulgate regulations defining the types and sources of renewable energy generation that may be carried out in accordance with this section.

''(2) INCLUSIONS.—In promulgating regulations under paragraph (1), the Administrator shall include of all types of renewable energy (as defined in section 203(b) of the Energy Policy Act of 2005 (42 U.S.C. 15852(b))) other than energy generated from—

''(A) municipal solid waste;

''(B) wood contaminated with plastics or metals; or

''(C) tires.

''(b) RENEWABLE ENERGY REQUIREMENT.—Of the base quantity of electricity sold by each retail electric supplier to electric consumers during a calendar year, the quantity generated by renewable energy sources shall be not less than the following percentages:

''Calendar year:	Minimum annual percentage:
2008 through 2009	5
2010 through 2014	10
2015 through 2019	15
2020 and subsequent years	20

''(c) RENEWABLE ENERGY CREDIT PROGRAM.—Not later than 1 year after the date of enactment of this title, the Administrator shall establish—

''(1) a program to issue, establish the value of, monitor the sale or exchange of, and track renewable energy credits; and

''(2) penalties for any retail electric supplier that does not comply with this section.

''(d) PROHIBITION ON DOUBLE COUNTING.—A renewable energy credit issued under subsection (c)—

''(1) may be counted toward meeting the requirements of subsection (b) only once; and

''(2) shall vest with the owner of the system or facility that generates the renewable energy that is covered by the renewable energy credit, unless the owner explicitly transfers the renewable energy credit.

''(e) SALE UNDER PURPA CONTRACT.—If the Administrator, after consultation with the Secretary of Energy, determines that a renewable energy generator is selling electricity to comply with this section to a retail electric supplier under a contract subject to section 210 of the Public Utilities Regulatory Policies Act of 1978 (16 U.S.C. 824a–3), the retail electric supplier shall be treated as the generator of the electric energy for the purposes of this title for the duration of the contract.

''(f) STATE PROGRAMS.—Nothing in this section precludes any State from requiring additional renewable energy generation under any State renewable energy program.

''(g) VOLUNTARY PARTICIPATION.—The Administrator may issue a renewable energy credit pursuant to subsection (c) to any entity that is not subject to this section only if the entity applying for the renewable energy credit meets the terms and conditions of this section to the same extent as retail electric suppliers subject to this section.

''SEC. 714. STANDARDS TO ACCOUNT FOR BIOLOGICAL SEQUESTRATION OF CARBON.

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of title, the Secretary of Agriculture, with the concurrence of the Administrator, shall establish standards for accrediting certified reductions in the emission of carbon dioxide through above-ground and below-ground biological sequestration activities.

''(b) REQUIREMENTS.—The standards shall include—

''(1) a national biological carbon storage baseline or inventory; and

''(2) measurement, monitoring, and verification guidelines based on—

''(A) measurement of increases in carbon storage in excess of the carbon storage that would have occurred in the absence of a new management practice designed to achieve biological sequestration of carbon;

''(B) comprehensive carbon accounting that—

''(i) reflects sustained net increases in carbon reservoirs; and

''(ii) takes into account any carbon emissions resulting from disturbance of carbon reservoirs in existence as of the date of commencement of any new management practice designed to achieve biological sequestration of carbon;

''(C) adjustments to account for—

''(i) emissions of carbon that may result at other locations as a result of the impact of the new biological sequestration management practice on timber supplies; or

''(ii) potential displacement of carbon emissions to other land owned by the entity that carries out the new biological sequestration management practice; and

''(D) adjustments to reflect the expected carbon storage over various time periods, taking into account the likely duration of the storage of carbon in a biological reservoir.

''(c) UPDATING OF STANDARDS.—Not later than 3 years after the date of establishment of the standards under subsection (a), and every 3 years thereafter, the Secretary of Agriculture shall update the standards to take into account the most recent scientific information.

''SEC. 715. GLOBAL WARMING POLLUTION REPORTING.

''(a) IN GENERAL.—Not later than 2 years after the date of enactment of this title, and annually thereafter, any entity considered to be a major stationary source (as defined in section 169A(g)) shall submit to the Administrator a report describing the emissions of global warming pollutants from the entity for the preceding calendar year.

''(b) VOLUNTARY REPORTING.—An entity that is not described in subsection (a) may voluntarily report the emissions of global warming pollutants from the entity to the Administrator.

''(c) REQUIREMENTS FOR REPORTS.—

''(1) EXPRESSION OF MEASUREMENTS.—Each global warming pollution report submitted under this section shall express global warming pollution emissions in—

''(A) metric tons of each global warming pollutant; and

''(B) metric tons of the carbon dioxide equivalent of each global warming pollutant.

''(2) ELECTRONIC FORMAT.—The information contained in a report submitted under this section shall be reported electronically to the Administrator in such form and to such extent as may be required by the Administrator.

''(3) DE MINIMIS EXEMPTION.—The Administrator may specify the level of global warming pollution emissions from a source within a facility that shall be considered to be a de minimis exemption from the requirement to comply with this section.

''(d) PUBLIC AVAILABILITY OF INFORMATION.—Not later than March 1 of the year after which the Administrator receives a report under this subsection from an entity, and annually thereafter, the Administrator shall make the information reported under this section available to the public through the Internet.

''(e) PROTOCOLS AND METHODS.—The Administrator shall, by regulation, establish protocols and methods to ensure completeness, consistency, transparency, and accuracy of data on global warming pollution emissions submitted under this section.

''(f) ENFORCEMENT.—Regulations promulgated under this section may be enforced pursuant to section 113 with respect to any person that—

''(1) fails to submit a report under this section; or

''(2) otherwise fails to comply with those regulations.

''SEC. 716. CLEAN ENERGY TECHNOLOGY DEPLOYMENT IN DEVELOPING COUNTRIES.

''(a) DEFINITIONS.—In this section:

''(1) CLEAN ENERGY TECHNOLOGY.—The term 'clean energy technology' means an energy

supply or end-use technology that, over the lifecycle of the technology and compared to a similar technology already in commercial use in any developing country—

''(A) is reliable; and

''(B) results in reduced emissions of global warming pollutants.

''(2) DEVELOPING COUNTRY.—

''(A) IN GENERAL.—The term 'developing country' means any country not listed in Annex I of the United Nations Framework Convention on Climate Change, done at New York on May 9, 1992.

''(B) INCLUSION.—The term 'developing country' may include a country with an economy in transition, as determined by the Secretary.

''(3) TASK FORCE.—The term 'Task Force' means the Task Force on International Clean, Low-Carbon Energy Cooperation established under subsection (b)(1).

''(b) TASK FORCE.—

''(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this title, the President shall establish a task force to be known as the 'Task Force on International Clean, Low Carbon Energy Cooperation'.

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

''(A) the Administrator and the Secretary of State, who shall serve jointly as Co-Chairpersons; and

''(B) representatives, appointed by the head of the respective Federal agency, of—

''(i) the Department of Commerce;

''(ii) the Department of the Treasury;

''(iii) the United States Agency for International Development;

''(iv) the Export-Import Bank;

''(v) the Overseas Private Investment Corporation;

''(vi) the Office of United States Trade Representative; and

''(vii) such other Federal agencies as are determined to be appropriate by the President.

''(c) DUTIES.—

''(1) INITIAL STRATEGY.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this title, the Task Force shall develop and submit to the President an initial strategy—

''(i) to support the development and implementation of programs and policies in developing countries to promote the adoption of clean, low-carbon energy technologies and energy-efficiency technologies and strategies, with an emphasis on those developing countries that are expected to experience the most significant growth in global warming pollution emissions over the 20-year period beginning on the date of enactment of this title; and

''(ii)(I) open and expand clean, low-carbon energy technology markets; and

''(II) facilitate the export of that technology to developing countries.

''(B) SUBMISSION TO CONGRESS.—On receipt of the initial strategy from the Task Force under subparagraph (A), the President shall submit the initial strategy to Congress.

''(2) FINAL STRATEGY.—Not later than 2 years after the date of submission of the initial strategy under paragraph (1), and every 2 years thereafter—

''(A) the Task Force shall—

''(i) review and update the initial strategy; and

''(ii) report the results of the review and update to the President; and

''(B) the President shall submit to Congress a final strategy.

''(3) PERFORMANCE CRITERIA.—The Task Force shall develop and submit to the Administrator performance criteria for use in the provision of assistance under this section.

''(d) PROVISION OF ASSISTANCE.—The Administrator may—

''(1) provide assistance to developing countries for use in carrying out activities that are consistent with the priorities established in the final strategy; and

''(2) establish a pilot program that provides financial assistance for qualifying projects (as determined by the Administrator) in accordance with—

''(A) the final strategy submitted under subsection (c)(2)(B); and

''(B) any performance criteria developed by the Task Force under subsection (c)(3).

''SEC. 717. PARAMOUNT INTEREST WAIVER.

''(a) IN GENERAL.—If the President determines that a national security emergency exists and, in light of information that was not available as of the date of enactment of this title, that it is in the paramount interest of the United States to modify any requirement under this title to minimize the effects of the emergency, the President may, after opportunity for public notice and comment, temporarily adjust, suspend, or waive any regulations promulgated pursuant to this title to achieve that minimization.

''(b) CONSULTATION.—In making an emergency determination under subsection (a), the President shall, to the maximum extent practicable, consult with and take into account any advice received from—

''(1) the Academy;

''(2) the Secretary of Energy; and

''(3) the Administrator.

''(c) JUDICIAL REVIEW.—An emergency determination under subsection (a) shall be subject to judicial review under section 307.

''SEC. 718. EFFECT ON OTHER LAW.

''Nothing in this title—

''(1) affects the ability of a State to take State actions to further limit climate change (except that section 209 shall apply to standards for vehicles); and

''(2) except as expressly provided in this title—

''(A) modifies or otherwise affects any requirement of this Act in effect on the day before the date of enactment of this title; or

''(B) relieves any person of the responsibility to comply with this Act.''.

SEC. 3. RENEWABLE CONTENT OF GASOLINE.

Section 211(o) of the Clean Air Act (as amended by section 1501 of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 1067)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraph (B) as subparagraph (E); and

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

''(B) LOW-CARBON RENEWABLE FUEL.—The term 'low-carbon renewable fuel' means renewable fuel the use of which, on a full fuel cycle, per-mile basis, and as compared with the use of gasoline, achieves a reduction in global warming pollution emissions of 75 percent or more.''; and

(2) in paragraph (2)—

(A) in subparagraph (A)(i), by inserting ''and low-carbon renewable fuel'' after ''renewable fuel''; and

(B) in subparagraph (B)—

(i) in clause (iv), by striking ''(iv) MINIMUM APPLICABLE VOLUME.—For the purpose of subparagraph (A), the applicable volume'' and inserting the following:

''(iv) MINIMUM APPLICABLE VOLUME OF RENEWABLE FUEL.—For the purpose of subparagraph (A), the minimum applicable volume of renewable fuel''; and

(ii) by adding at the end the following:

''(v) MINIMUM APPLICABLE VOLUME OF LOW-CARBON RENEWABLE FUEL.—For the purpose of subparagraph (A), the minimum applicable volume of low-carbon renewable fuel for calendar year 2015 and each calendar year thereafter shall be 5,000,000,000 gallons.''.

SEC. 4. ENFORCEMENT AND JUDICIAL REVIEW.

(a) FEDERAL ENFORCEMENT.—Section 113 of the Clean Air Act (42 U.S.C. 7413) is amended—

(1) in subsection (a)(3), by striking ''or title VI,'' and inserting ''title VI, or title VII,'';

(2) in subsection (b)(2), by striking ''or title VI,'' and inserting ''title VI, or title VII,'';

(3) in subsection (c)—

(A) in the first sentence of paragraph (1), by striking ''or title VI (relating to stratospheric ozone control),'' and inserting ''title VI (relating to stratospheric ozone control), or title VII (relating to global warming pollution emission reductions),''; and

(B) in the first sentence of paragraph (3), by striking ''or VI'' and inserting ''VI, or VII'';

(4) in subsection (d)(1)(B), by striking ''or VI'' and inserting ''VI, or VII''; and

(5) in the first sentence of subsection (f), by striking ''or VI'' and inserting ''VI, or VII''.

(b) ESTABLISHMENT OF STANDARDS.—Section 202 of the Clean Air Act (42 U.S.C. 7521) is amended—

(1) by redesignating the second subsection (f) (as added by section 207(b) of Public Law 101–549 (104 Stat. 2482)) as subsection (n); and

(2) by inserting after subsection (n) (as redesignated by paragraph (1)) the following:

''(o) GLOBAL WARMING POLLUTION EMISSION REDUCTIONS.—

''(1) IN GENERAL.—Not later than January 1, 2010, the Administrator shall promulgate regulations in accordance with subsection (a) and section 707 to require manufacturers of motor vehicles to meet the vehicle emission standards established under subsections (a) and (b) of section 707.

''(2) EFFECTIVE DATE.—The regulations promulgated under paragraph (1) shall take effect with respect to motor vehicles sold by a manufacturer beginning in model year 2016.''.

(c) ADMINISTRATIVE PROCEEDINGS AND JUDICIAL REVIEW.—Section 307 of the Clean Air Act (42 U.S.C. 7607) is amended—

(1) in subsection (b)(1)—

(A) in the first sentence—

(i) by striking ''section 111,,'' and inserting ''section 111,''; and

(ii) by inserting ''any emission standard or requirement issued pursuant to title VII,'' after ''under section 120,''; and

(B) in the second sentence, by striking ''section 112,,'' and inserting ''section 112,''; and

(2) in subsection (d)(1)—

(A) in subparagraph (T), by striking '', and'' at the end;

(B) in subparagraph (U), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(V) the promulgation or revision of any regulation under title VII (relating to global warming pollution).''.

SEC. 5. FEDERAL FLEET FUEL ECONOMY.

Section 32917 of title 49, United States Code, is amended by adding at the end the following:

''(3) NEW VEHICLES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each passenger vehicle purchased, or leased for a period of at least 60 consecutive days, by an Executive agency after the date of enactment of this paragraph shall be as fuel-efficient as practicable.

''(B) WAIVER.—In an emergency situation, an Executive agency may submit to Congress a written request for a waiver of the requirement under paragraph (1).''.

SEC. 6. INTERNATIONAL NEGOTIATIONS AND TRADE RESTRICTIONS.

It is the sense of the Senate that the United States should act to reduce the health, environmental, economic, and national security risks posed by global climate change, and foster sustained economic growth through a new generation of technologies, by—

(1) participating in negotiations under the United Nations Framework Convention on Climate Change, done at New York May 9, 1992, and leading efforts in other international forums, with the objective of securing participation of the United States in agreements that—

(A) advance and protect the economic and national security interests of the United States;

(B) establish mitigation commitments by all countries that are major emitters of global warming pollution, in accordance with the principle of ''common but differentiated responsibilities'';

(C) establish flexible international mechanisms to minimize the cost of efforts by participating countries; and

(D) achieve a significant long-term reduction in global warming pollution emissions; and

(2) establishing a bipartisan Senate observation group, the members of which should be designated by the Chairman and Ranking Member of the Committee on Foreign Relations of the Senate, and which should include the Chairman and Ranking Member of the Committee on Environment and Public Works of the Senate—

(A) to monitor any international negotiations on climate change; and

(B) to ensure that the advice and consent function of the Senate is exercised in a manner to facilitate timely consideration of any applicable treaty submitted to the Senate.

SEC. 7. REPORT ON TRADE AND INNOVATION EFFECTS.

Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretary of Commerce, in consultation with the United States Trade Representative, the Secretary of the Treasury, the Secretary of Agriculture, the Secretary of Energy, and the Administrator of the Environmental Protection Agency (referred to in this section as the ''Secretary''), shall prepare and submit to Congress a report on the trade, economic, and technology innovation effects of the failure of the United States to adopt measures that require or result in a reduction in total global warming pollution emissions in the United States, in accordance with the goals for the United States under the United Nations Framework Convention on Climate Change, done at New York on May 9, 1992.

SEC. 8. CLIMATE CHANGE IN ENVIRONMENTAL IMPACT STATEMENTS.

In any case in which a Federal agency prepares an environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the Federal agency shall consider and evaluate—

(1) the impact that the Federal action or project necessitating the statement or analysis would have in terms of net changes in global warming pollution emissions; and

(2) the ways in which climate changes may affect the action or project in the short term and the long term.

SEC. 9. CORPORATE ENVIRONMENTAL DISCLOSURE OF CLIMATE CHANGE RISKS.

(a) REGULATIONS.—Not later than 2 years after the date of enactment of this Act, the Securities and Exchange Commission (referred to in this section as the ''Commission'') shall promulgate regulations in accordance with section 13 of the Securities Exchange Act of 1934 (15 U.S.C. 78m) directing each issuer of securities under that Act to inform securities investors of the risks relating to—

(1) the financial exposure of the issuer because of the net global warming pollution emissions of the issuer; and

(2) the potential economic impacts of global warming on the interests of the issuer.

(b) UNIFORM FORMAT FOR DISCLOSURE.—In carrying out subsection (a), the Commission shall enter into an agreement with the Financial Accounting Standards Board, or another appropriate organization that establishes voluntary standards, to develop a uniform format for disclosing to securities investors information on the risks described in subsection (a).

(c) INTERIM INTERPRETIVE RELEASE.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Commission shall issue an interpretive release clarifying that under items 101 and 303 of Regulation S-K of the Commission under part 229 of title 17, Code of Federal Regulations (as in effect on the date of enactment of this Act)—

(A) the commitments of the United States to reduce emissions of global warming pollution under the United Nations Framework Convention on Climate Change, done at New York on May 9, 1992, are considered to be a material effect; and

(B) global warming constitutes a known trend.

(2) PERIOD OF EFFECTIVENESS.—The interpretive release issued under paragraph (1) shall remain in effect until the effective date of the final regulations promulgated under subsection (a).

By Mr. SPECTER:

S. 3699. A bill to provide private relief; to the Committee on the Judiciary.

Mr. SPECTER. Mr. President, I seek recognition today to introduce a bill to provide private relief to the survivors of Christopher Kangas of Brookhaven, PA. This is a final attempt to recognize the public service of Christopher Kangas, a junior firefighter of the Brookhaven, PA, fire department, who, on May 4, 2002, was struck by a car and killed while riding his bicycle to the site of a fire emergency.

I characterize the bill I introduce today as a ''final attempt'' to recognize the public service of Christopher Kangas as a fallen firefighter because previous legislative corrections have been blocked while the Kangas family languishes in the lengthy appeals process to overturn the U.S. Department of Justice's, DOJ, denial of public safety officer benefits. During both the 108th and 109th Congresses, I introduced the Christopher Kangas Fallen Firefighter Apprentice Act, S. 2695 and S. 491, respectively, designed to correct a flaw in the current definition of ''firefighter'' under the Public Safety Officer Benefits Act. That legislation would clarify that all firefighters will be recognized as such ''regardless of age, status as an apprentice or trainee, or duty restrictions imposed because of age or status as an apprentice or trainee'' and applies retroactively to the date of Christopher Kangas' death in 2002. However, this legislation has been prevented from moving forward due to objections that expansion of benefits under the program would result in a serious drain on the Treasury when, in fact, the Congressional Budget Office has estimated that this bill would cost approximately $2 million in the first year of enactment and an average of less than $500,000 in each year thereafter.

In addition to a legislative remedy, Christopher Kangas' family has been pursuing the Federal benefit through the U.S. Federal Claims Court. On March 27, 2006, the court ruled in favor of the Kangas family ordering DOJ to pay $250,000. However, on May 26, 2006, DOJ filed a notice of appeal to this decision, further delaying recognition of Christopher Kangas' public service and status as a fallen firefighter.

Under Pennsylvania law, 14- and 15-year-olds such as Christopher are permitted to serve as volunteer junior firefighters. While they are not allowed to operate heavy machinery or enter burning buildings, the law permits them to fill a number of important support roles, such as providing first aid. In addition, the junior firefighter program is an important recruitment tool for fire stations throughout the Commonwealth. In fact, prior to his death Christopher had received 58 hours of training that would have served him well when he graduated from the junior program.

It is clear to me that Christopher Kangas was a firefighter killed in the line of duty. Were it not for his status as a junior firefighter and his prompt response to a fire alarm, Christopher would still be alive today. Indeed, the Brookhaven Fire Department, Brookhaven Borough, and the Commonwealth of Pennsylvania have all recognized Christopher's public service as a fallen public safety officer and provided the appropriate death benefits to his family.

Yet while those closest to the tragedy have recognized Christopher as a fallen firefighter, the Federal Government has not. The Department of Justice determined that Christopher Kangas was not eligible for benefits based on a twofold interpretation of the law. First, because he was deemed as not acting within a narrow range of duties at the time of his death that are the measured criteria to be considered a ''firefighter,'' and therefore, was not a ''public safety officer'' for purposes of the Public Safety Officer Benefits Act. Second, that his death was deemed as

not sustained in the ''line of duty'' because as a junior firefighter he was prohibited from operating a hose on a ladder or entering a burning building. As a result of this determination, Christopher's family cannot receive a Federal line-of-duty benefit. In addition, Christopher is barred from taking his rightful place on the National Fallen Firefighters Memorial in Emmitsburg, MD. For a young man who dreamed of being a firefighter and gave his life rushing to a fire, keeping him off of the memorial is a grave injustice.

Any firefighter will tell you that there are many important roles to play in fighting a fire beyond operating the hoses and ladders. Firefighting is a team effort, and everyone in the Brookhaven Fire Department viewed young Christopher as a full member of their team. As such, I support amending the Public Safety Officer Benefits Act to ensure that the Federal Government will recognize Christopher Kangas and others like him as firefighters. However, considering the significant opposition to that solution, I am offering this private bill in honor of Christopher Kangas to provide his family with the $250,000 as ordered by the Federal Claims Court and to allow his name to be included on the National Fallen Firefighter's Memorial.

I urge my colleagues to support this important legislation.

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

S. 3701. A bill to determine successful methods to provide protection from catastrophic health expenses for individuals who have exceeded health insurance coverage for uninsured individuals, and for other purposes; to the Committee on Finance.

Mr. SMITH. Mr. President, every Congress and a number I have served in since 1997, nearly 10 years ago, Senator WYDEN and I, my colleague from Oregon, have put forward a bipartisan agenda of things we could do as a Republican and Democrat to advance the interests of our Nation and specifically the interests of our State. It has been a genuine pleasure to work with him in achieving much good for Oregon and trying to set a better example of how Republicans and Democrats can function first as Americans and not as partisans.

Today as part of our agenda for the 109th Congress, we introduce what was item No. 1 on our bipartisan agenda. We have entitled it the Catastrophic Health Coverage Promotion Act. It addresses one of the most difficult challenges facing Congress, that of rising health care costs. Getting to a solution on this is daunting. It is not easy to solve. Health care is the ultimate turf battle. But for decades health care costs have increased consistently and little has been done to slow them.

While there are a number of factors driving this growth, the uninsured play a major role in driving those costs up. Last year 46 million Americans reported lacking health insurance coverage. In our State of Oregon, 600,000 individuals, 17 percent of the population, are uninsured. What some fail to realize is that the individuals without health insurance coverage nevertheless get health coverage. They do so through emergency rooms, even when they haven't the money to pay. The result is billions of dollars of uncompensated care incurred by State governments, community providers, physicians, and hospitals.

In 2006 alone, Oregon's hospitals provided a total of $500 million in uncompensated care, a 262-percent increase since 1995. Americans absorb the impact of uncompensated care by having to pay higher prices for health services overall. They are simply passed on in the cost of our insurance policies. Small businesses have been hit hard by rising health care costs as well. Most report they would love to be able to offer health care, but most small businesses are trying to save their economic lives, not cover the health care of their employees. But they would like to.

If we do our work right, Senator WYDEN and I may have come up with a product that may help them to provide some coverage. If a small business had extra protection in the form of a catastrophic policy for their employees, it might be able to extend the most basic kind of care, the kind that says: If you lose your health, you don't lose your home; you don't penalize everyone else in the business.

I know something of this, Mr. President, because having provided health care for hundreds of employees, it was the inexpensive comprehensive package that overlaid those that ultimately was tapped by one or two employees every year that helped us, in a way, to keep health care costs more manageable.

The legislation Senator WYDEN and I have developed will address the issue of catastrophic health costs on all fronts. The Catastrophic Health Coverage Promotion Act creates at least four State-based pilot projects that will provide basic coverage to uninsured, as well as additional protection for individuals with significant out-of-pocket health costs. One of these projects, we hope, will be located in Oregon. Certainly, it can be if it chooses.

Two of the pilots will target the uninsured. States will be given the tools they need to offer hybrid health insurance plans that combine a primary and preventive health care benefit with high-deductible catastrophic coverage. Private insurance providers will market these plans to uninsured individuals and small businesses.

Creating affordable basic coverage options for the uninsured is a much needed step to reduce the impact of uncompensated care on our health system. By doing this, we should be able to stabilize, if not reduce, overall health care costs. To help make this coverage more affordable for low-income workers and families, the bill provides a graduated subsidy to reduce the costs of premiums. Individuals with incomes at or below 200 percent of the Federal poverty level would be eligible for extra help with coverage costs.

Many have asked why Senator WYDEN and I would decide to focus on catastrophic health coverage, considering that similar policy options already exist and are made widely available. While that may be true, the Federal Government is often in a unique position to help to grow existing markets. I believe the targeted funding included in our bill will help make catastrophic coverage more affordable and more attractive to both individuals and small businesses. The solution in this case does not necessarily have to be as big as the problem.

While our proposal may not seem to be the ''silver bullet,'' the kind of reform our system so desperately needs, it is nevertheless a step in the right direction. As is the case with many difficult problems, change is made incrementally. We are hopeful that the four pilot projects created in this bill will provide policymakers with much needed insight on how to better manage catastrophic health costs.

At the end of the day, individuals should not lose their homes just because they lose their health. Anyone—whether they are uninsured or have generous comprehensive coverage—can fall victim to a serious health care problem.

I am pleased that my colleague and I were able to work together in a bipartisan fashion to develop a modest yet workable solution to this longstanding and nagging problem. I urge my colleagues to support the legislation, and I encourage the Senate's leadership to move it quickly through the process.

With that, I yield the floor to my colleague from Oregon, Senator RON WYDEN.

Mr. WYDEN. Mr. President, how much time remains under the Smith unanimous consent request for a half hour?

The PRESIDING OFFICER. Twenty-two and a half minutes.

Mr. WYDEN. Thank you, Mr. President.

Mr. President, I have come to the floor today to join my colleague at this time to discuss the Catastrophic Health Coverage Promotion Act that Senator SMITH and I are introducing today.

Mr. President, first, I want to say how much I appreciate Senator GORDON SMITH. At a time when our citizens all across the land and in our home State of Oregon believe there needs to be more bipartisanship, Senator SMITH

doesn't just talk about it, he is consistently willing to meet me more than halfway on critical issues, and he does that with other colleagues in the Senate.

As we begin our time discussing this legislation, I want to let him know how much I appreciate the chance to cooperate with him once again. As he stated, we did put the issue of catastrophic health coverage at the top of our bipartisan agenda for the Senate session.

What it comes down to, Mr. President, is that Senator SMITH and I believe it is a moral blot on our Nation for a country as good and rich as ours to send millions of its citizens to bed at night fearing they will be wiped out if a serious medical illness hits them. That is the reality. It is the reality for families who have no coverage at all, and it is the reality for families who have some measure of coverage, say, through an employer, but it doesn't stretch far enough.

Senator SMITH and I want, in a bipartisan way, to tackle both of those kinds of concerns. That is why we have put forward the legislation we introduced today. I think now is an ideal time for bipartisanship on the catastrophic health coverage issue.

If you look back over the last few years, Senator KERRY, in the 2004 Presidential campaign, had an excellent proposal with respect to catastrophic coverage, and I said so in the course of that campaign. But I also said at the time that I thought our distinguished majority leader, Senator FRIST, also had a good catastrophic coverage proposal. You could debate the various merits of the Kerry proposal and the Frist proposal—which approach involved a little more government, which approach involved the private sector—but at the end of the day, for the purposes of government work, they were pretty darn similar.

So when Senator SMITH and I sat down after the 2004 election, we said let's finally get this done. Democrats and Republicans have been talking for years about how to make sure that all our citizens have a safety net under them so that they will not get wiped out from medical illness. We settled on this approach, which we thought would give us the opportunity to try some fresh, creative ideas for protecting our citizens.

Let me give an example of what happens in, for example, South Carolina, Oregon, or anywhere else in this country. If you have a small business with six people working there, and one of them gets sick, that essentially blows up the whole health premium structure for all six of the employees.

What we ought to look at is something called reinsurance. Under reinsurance, that employee who gets sick could get a bit of help for their high bills through a modest role for government, and if government steps in, in that kind of instance, you have an opportunity to hold down all of the costs for the entire six-person firm. So we should have been looking at reinsurance years ago, but because Senator SMITH, who chairs the Senate Aging Committee, has been examining these questions and has worked with me, now we are going to have a chance to tackle it in a way that I think is going to give us the opportunity to get the job done.

We are also very concerned about people who have no coverage at all. So what happens if you have no coverage at all is folks walk into a hospital in Oregon or in South Carolina, usually they show up in the emergency room, and the hospital has to absorb those costs. What we would do is give that person who now has no coverage at all the possibility of actually buying some private coverage in the marketplace with a bit of a subsidy in order to be able to have coverage that would pick up at least a portion of those bills that the hospital is now absorbing.

At the end of the day, those are the two principal kinds of instances we are facing—folks who have some coverage through a private employer, but it doesn't stretch far enough, and folks who don't have any coverage at all. Under that approach, we would like to make it possible for them to get into the private insurance market, protect them from catastrophic illness. We think we can do it with a modest subsidy coming from government.

My sense is that we are now looking at health care on two tracks in our country. The first track is a track that suggests we can take steps right now in areas like catastrophic coverage to protect our citizens. There are other ideas I have advanced during this Congress. For example, Senator SNOWE and I have now gotten a majority of Senators to agree with our proposal to lift the restriction so Medicare can bargain and hold down the costs. That, like the question of catastrophic coverage, is a step you can take right now. Let's protect our citizens from the catastrophic illness and let's hold down the costs of medicine. Those are practical, bipartisan approaches that can be taken today. We ought to pursue them and get them done.

I also think there is another track to health care. I noticed that Senator HATCH was on the Senate floor. He and I were the authors of the legislation creating the Citizens' Health Care Working Group that is going to look at opportunities to make sure that all Americans have decent, affordable coverage. We have only been on that issue for more than 60 years—going back to the 81st Congress, in 1945, and Harry Truman. I have said let's also work on that second track that involves getting all Americans under the tent for essential and affordable health care coverage.

That obviously isn't going to get done in the next 15 minutes. But if the Senate, on a bipartisan basis, as Senator SMITH and I have sought to do on the catastrophic issue, and as Senator HATCH and I have sought to do on a broader approach to look at health care that works for all Americans—if we team up and look at health care on those two tracks, I think we can make a great contribution for our country.

There are no costs going up in the United States like medical bills. We spent $1.7 trillion last year on health care. There are 290 million Americans—I guess we are approaching 300 million. When you divide $1.7 trillion by 290 million Americans, it comes to something like $25,000 that could be sent to every family of four in America with the amount of money now being spent on health care.

So while we are spending enough money, my sense is that we are not spending it in the right places. Once again, Senator SMITH has given us an opportunity to think creatively about better ways to approach the use of the health care dollars. I was pleased when Senator SMITH suggested in our legislation that we also make it possible to include a focus on health care prevention. We are not doing enough with health care prevention in this country. The Medicare Program shows that pretty well. Medicare Part A, for example, will pay huge checks for senior citizens' hospital bills, but Medicare Part B pays virtually nothing for prevention to keep people well. That makes no sense. We need a sharper focus on health care prevention, and one of the things that I think is attractive about Senator SMITH's leadership on this issue is that he has said even in the context of looking at catastrophic health care, let's put a sharper focus on prevention. We are going to make it possible in this legislation to do that.

I note we have other colleagues on the floor. I have secured time to focus on the Voting Rights Act legislation later in the afternoon, but I am very pleased to have the opportunity to talk for a few minutes about the Catastrophic Health Coverage Promotion Act Senator SMITH and I are introducing today. We have focused on a number of issues in a bipartisan fashion over our years in the Senate, but this has the potential to be the biggest as it relates to the needs of our citizens at home.

We want to make sure when folks go to bed at night, they don't have to fear they are going to be wiped out financially by a serious medical illness. This legislation moves us one step closer toward the goal. We hope many colleagues on both sides of the aisle will want to support the legislation.

Mr. President, Senator SNOWE and I today are introducing the Medicare Prescription Drug Lifeline Act. This legislation provides a solution for

those seniors falling into the coverage gap, also known as the doughnut hole of the Medicare prescription drug benefit. The doughnut hole occurs when the spending for a senior's drug expenses reaches $2,250: at the point, the senior is on their own until their spending for prescription drugs reaches a total of $5,100, where the benefit picks up again. The Kaiser Family Foundation estimated that nearly 7 million seniors will fall into the coverage gap this year.

Seniors who enter this ''no man's land'' of spending face the same problems seniors faced before the drug benefit even began: they skip doses, they don't take all their medicine to make it stretch, and they are forced to choose between their food and fuel costs and their prescription drug costs.

This legislation would take three steps to deal with this problem: First, the Secretary of HHS would be required to let seniors know they are approaching the coverage gap. Second, it would allow seniors, when they are notified that they are reaching the coverage gap, to switch plans to avoid the gap. Finally, the legislation requires the Government Accountability Office to examine ways in which the benefit could be redesigned to eliminate the gap without increasing Federal spending. Together, these provisions will give seniors a lifeline to coverage.

Senator SNOWE and I both voted for the legislation that created the Medicare prescription drug benefit. When we did so, we pledged that we would continue to work to improve the benefit. Senator SNOWE and I have teamed up together on many occasions to try to reduce the cost of the prescription drug program by giving the Secretary the same power other Government officials have to bargain for better prices. Our legislation has won a majority of votes in the Senate, and we intend to continue to press for that power.

The latest effort is aimed at another shortcoming in the law: finding a way to help seniors avoid falling into the coverage gap. Senator SNOWE and I believe that our legislation will help seniors a straightforward way to avoid the gap.

Congress needs to address both these issues and we will continue our strong commitment to seniors by working to improve the drug benefit.

By Mrs. FEINSTEIN (for herself and Ms. SNOWE):

S. 3702. A bill to provide for the safety of migrant seasonal agricultural workers; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce legislation with Senator SNOWE that will provide our Nation's migrant agricultural and forest workers with a safe ride to work. The Farm and Forestry Worker Transportation Safety Act would require a designated seat and seatbelt for each person riding in a vehicle used to transport these workers.

Today, many migrant workers travel to their jobs in dangerous and unsafe conditions. It is not uncommon for these workers to ride in overcrowded vans and trucks while sitting on benches and buckets with no access to seatbelts.

According to the Bureau of Labor Statistics, 78 agricultural workers lost their lives and 440 were injured in transportation accidents in 2004.

I would like to take a moment to share with you just a few of the accidents that have resulted from the lack of adequate safety regulations for these workers:

In December of 2005, two Guatemalan forest workers were killed when their vehicle crashed driving off icy roads in Washington. Five Guatemalan forest workers were killed in the same manner the previous year.

In June of 2004, 2 migrant workers were killed in Port St. Lucie, FL, when their overcrowded van carrying 11 people rolled over on Interstate 95. Two months later, 9 citrus workers were killed in Fort Pierce when their 15-passenger van rolled over and ejected all 19 passengers.

In September 2002, 14 forestry workers were killed when their van transporting them to work toppled off a bridge in Maine.

In August 1999, 13 tomato field workers were killed when their van slammed into a tractor-trailer in Fresno County, CA. Most of the victims were riding on three benches in the back of the van.

As you can see, this issue does not just affect my home State of California. It is a problem that requires national attention. Congress needs to take action to ensure these workers safe travel to and from their jobs. My bill would seek to provide these workers with a designated seat and operating seatbelt.

This legislation would also address the issue of converted vehicles. The bill would direct the Department of Transportation to develop interim seat and seatbelt safety standards for vehicles that have been converted for the purpose of transporting migrant workers. Owners and operators of these vehicles would have 7 years to make the necessary improvements so that their vehicles would meet the same safety standards as new vehicles.

I hope my colleagues will join me in standing up for the safety of our Nation's migrant workforce.

Mr. President, I request that the text of this legislation appear immediately following this statement in the CONGRESSIONAL RECORD.

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

S. 3702

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 ''Farm and Forestry Worker Transportation Safety Act''.

SEC. 2. SEATS AND SEAT BELTS FOR MIGRANT AND SEASONAL AGRICULTURAL WORKERS.

(a) SEATS.—Except as provided in subsection (d), in promulgating vehicle safety standards under the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1801 et seq.) for the transportation of migrant and seasonal agricultural workers by farm labor contractors, agricultural employers or agricultural associations, the Secretary of Labor shall ensure that each occupant or rider in, or on, any vehicle subject to such standards is provided with a seat that is a designated seating position (as such term is defined for purposes of the Federal motor vehicle safety standards issued under chapter 301 of title 49, United States Code).

(b) SEAT BELTS.—Each seating position required under subsection (a) shall be equipped with an operational seat belt, except that this subsection shall not apply with respect to seating positions in buses that would otherwise not be required to have seat belts under the Federal motor vehicle safety standards.

(c) PERFORMANCE REQUIREMENTS.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of Labor, shall issue minimum performance requirements for the strength of seats and the attachment of seats and seat belts in vehicles that are converted, after being sold for purposes other than resale, for the purpose of transporting migrant or seasonal agricultural workers. The requirements shall provide a level of safety that is as close as practicable to the level of safety provided for in a vehicle that is manufactured or altered for the purpose of transporting such workers before being sold for purposes other than resale.

(2) EXPIRATION.—Effective on the date that is 7 years after the date of enactment of this Act, any vehicle that is or has been converted for the purpose of transporting migrant or seasonal agricultural workers shall provide the same level of safety as a vehicle that is manufactured or altered for such purpose prior to being sold for purposes other than resale.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter or modify the regulations contained in section 500.103, or the provision pertaining to transportation that is primarily on private roads in section 500.104(l), of title 29, Code of Federal Regulations, as in effect on the date of enactment of this Act.

(e) DEFINITIONS.—The definitions contained in section 3 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1802) shall apply to this section.

(f) COMPLIANCE DATE.—Not later than 1 year after such date of enactment, and except as provided in subsection (c)(2), all vehicles subject to this Act shall be in compliance with the requirements of this Act.

By Ms. SNOWE (for herself and Mr. WYDEN):

S. 3703. A bill to provide for a temporary process for individuals entering the Medicare coverage gap to switch to

a plan that provides coverage in the gap; to the Committee on Finance.

Ms. SNOWE. Mr. President, I am pleased to be here today with my colleague and friend, Senator WYDEN, with whom I have worked for many years to achieve affordable prescription drug coverage for our seniors. We have certainly come a long way from back where we were nearly 10 years ago.

Yet much remains to be done. As we have seen, the implementation of the Medicare Part D benefit has been difficult, and there is no doubt we are still on the road to a sustainable benefit which our seniors can easily navigate. The complexity of the benefit is certainly posing a hazard to many of our seniors.

Today we face a crisis as millions of seniors are entering a gap in their prescription drug coverage—the so-called doughnut hole. In fact, when a senior's drug costs exceed $2,250 this year, they will no longer receive benefits until their spending reaches $5,100. That leaves seniors with a full $2,850 of drug costs to absorb before they receive a single cent of coverage. And they must continue to pay premiums. The Kaiser Foundation has reported that an estimated 7 million seniors will be affected by this coverage gap. How will they continue to receive essential medications?

Earlier this year, I offered legislation which would have addressed this issue by allowing every beneficiary to change their plan once this year so that those beneficiaries who realized that they require a more comprehensive plan could choose to change to an appropriate plan. We know that selecting drug coverage was a challenging process for seniors, all the more so as the deadline loomed and they struggled to get assistance.

Many may have made a good decision, but their circumstances may have since changed significantly. How many of us know of a senior who has had a major illness or hospitalization just since January? Most seniors in that situation will have changes in their medications as a result and often will use more prescription drugs and likely more expensive ones as well.

Finally, with coverage available, there is little doubt that physicians were encouraged to prescribe medications that at last their patients could afford—drugs which could prevent serious illness, such as heart disease. Yet now, just as seniors see the possibility of a future with better health, the cost of that critical treatment may be unsustainable. So millions are facing the dilemma we have seen before—cutting doses or even discontinuing medications. This must not occur again.

As many medical experts will tell you, to stop taking essential medications or to begin rationing their use will pose serious safety risks to many of our beneficiaries. That undermines the benefits we should see from Part D—improved health and decreased health expenditures.

So Senator WYDEN and I are here to offer a solution—one which, I might add, both HHS Secretary Michael Leavitt and Dr. Mark McClellan, the Administrator of the Centers for Medicare and Medicaid Services, have previously suggested they would pursue. That solution is a simple one—to allow those facing a coverage gap to change to a plan which would offer continuous coverage. That solution has simply not been employed and that compels us to act today, to protect our seniors.

The bill I rise to introduce today—the Medicare Prescription Drug Lifeline Act—truly gives a second chance to those who most need this coverage. Under this legislation we require that CMS notify those who are approaching the coverage gap and give them an option of making a one-time plan change in order to obtain essential drug coverage. Under our legislation, beneficiaries could change to any plan which would provide continuous coverage. That includes drug plans which provide generic or brand-name drugs as well as Medicare Advantage plans offering comprehensive drug coverage.

In a few States, there is simply not an option which allows a beneficiary to obtain continuous brand-name drug coverage. I note that in my State of Maine, as well as in New Hampshire and Alaska, such coverage simply cannot be obtained. So this legislation directs the Secretary to provide an option for beneficiary enrollment in a plan with brand-name drug coverage outside their region. That is simply fair, and it is essential to ensure that we don't see the doughnut hole threaten the health of our seniors.

We know that this coverage gap is an issue we simply must address. Seniors need to be able to plan and budget and count on a predictable monthly cost for their essentials of life. When the Congress adopted Part D 3 years ago, we said we never wanted to make seniors again choose between buying food and buying essential medicines. Yet without addressing the doughnut hole now, we will put seniors in that exact position again.

So this legislation also asks the GAO to undertake a study of options for eliminating the doughnut hole—looking at ways to level the benefit structure—including how we might do so without increasing federal expenditures. I note that one might be able to accomplish this, without changing the beneficiary's copayment rates appreciably. Obviously, if we saw some improvement in the pricing of drugs, that certainly would help get us there.

Today our most critical need is to avoid the harm this coverage gap poses, and I call on my colleagues to join us in this effort—to preserve drug access for our seniors so both they, ad our Medicare system, realize the benefits of modern medicine.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 3704. A bill to amend title XIX of the Social Security Act to require staff working with developmentally disabled individuals to call emergency services in the event of a life-threatening situation; to the Committee on Finance.

Mr. MENENDEZ. Mr. President, I rise today with my good friend Senator LAUTENBERG to introduce Danielle's Act, an important piece of legislation that I know will save countless lives. I also recognize Representative RUSH HOLT, who has championed the bill in the House and has been a tireless advocate for individuals with disabilities. This bill is named in memory of a young woman from New Jersey, Danielle Gruskowski, whose life was cut tragically short by a failure to call 9–1–1. The great State of New Jersey has already passed Danielle's Law, and it is time for Congress to act as well.

In order to understand the importance of this legislation, I would like to share Danielle's story. She was born December 6, 1969, to Diane and Doug Gruskowski and raised in Carteret, NJ. Danielle was developmentally disabled and diagnosed with Rett Syndrome, a neurological disorder that causes a delay or regression in development, including speech, hand skills, and coordination. While Danielle needed help with daily activities, she managed to lead a full and active life. As a young adult, Danielle moved to a group home to experience the positive benefits of independent living. Tragically, on November 5, 2002, Danielle passed away at the age of 32 because no one in the group home called 9–1–1 when she was clearly in need of emergency medical attention.

So that no other mother would lose her child in such a tragic circumstance, Danielle's mother and her aunt, Robin Turner, developed a strong coalition of supporters and worked with their State representatives to develop and pass what we know as Danielle's Law. Like the New Jersey law, my bill will require staff working with individuals who have a developmental disability or traumatic brain injury to call emergency services in the event of a life-threatening situation. The legislation would raise the standard of care by improving staff training and ensuring that individuals with developmental disabilities get emergency care when they need it.

All Americans deserve an advocate, and today I am speaking for those who often cannot speak for themselves. I am proud to be an advocate for individuals with disabilities, and I am proud to be an advocate for the families in New Jersey who are counting on safe, secure, and healthy independent living environments for their loved ones with

disabilities. I also would like to recognize the hard-working caregivers and staff who help provide for the needs of those with disabilities. They show their compassion every day when they show up for work, performing one of the most difficult but rewarding jobs in our society—caring for someone's mother, father, son, or daughter. These caregivers play such a critical role in our society and their contributions are to be commended. By raising awareness and education about Danielle's Law, my hope is that more caregivers will realize how important it is to call 9–1–1 for all life-threatening situations and that better training and support will be provided to staff across the country.

I am introducing this legislation to remember Danielle and to make sure no other family or community experiences the pain and suffering of losing a loved one to an avoidable death. I hope my colleagues will join me in supporting this important bill.

Mr. President, I ask unanimous consent that 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. 3704

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 ''Danielle's Act''.

SEC. 2. REQUIREMENT OF STAFF WORKING WITH DEVELOPMENTALLY DISABLED INDIVIDUALS TO CALL EMERGENCY SERVICES IN THE EVENT OF A LIFE-THREATENING SITUATION.

(a) REQUIREMENT.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended—

(1) in paragraph (69), by striking ''and'' at the end;

(2) in paragraph (70), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (70) the following new paragraph:

''(71) provide, in accordance with regulations of the Secretary, that direct care staff providing health-related services to a individual with a developmental disability or traumatic brain injury are required to call the 911 emergency telephone service or equivalent emergency management service for assistance in the event of a life-threatening emergency to such individual and to report such call to the appropriate State agency or department.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) take effect on January 1, 2007.

By Mr. KENNEDY (for himself, Mr. HARKIN Mr. JEFFORDS, Mr. BINGAMAN, Mrs. CLINTON, Mrs. MURRAY, Mr. REED, Mr. DODD, Ms. MIKULSKI, Mr. DAYTON, Ms. STABENOW, and Mr. SCHUMER):

S. 3705. A bill to amend title XIX of the Social Security Act to improve requirements under the Medicaid program for items and services furnished in or through an educational program or setting to children, including children with developmental, physical, or mental health needs, and for other purposes; to the Committee on Finance.

Mr. KENNEDY. Mr. President, it is a privilege to join my Senate and House colleagues in introducing the Protecting Children's Health in Schools Act of 2006. This bill will ensure that the Nation's 7 million school children with disabilities will have continued access to health care in school.

In 1975, the Nation made a commitment to guarantee children with disabilities equal access to education. For these children to learn and thrive in schools, the integration of education with health care is of paramount importance. Coordination with Medicaid makes an immense difference to schools in meeting the needs of these children.

This year, however, the Bush administration has declared its intent to end Medicaid reimbursements to schools for the support services they need in order to provide medical and health-related services to disabled children. The administration is saying ''NO'' to any further financial help to Medicaid-covered disabled children who need specialized transportation to obtain their health services at school. It is saying ''NO'' to any legitimate reimbursement to the school for costs incurred for administrative duties related to Medicaid services.

It's bad enough that Congress and the administration have not kept the commitment to ''glide-path'' funding of IDEA needs in 2004. Now the administration proposes to deny funding to schools under the federal program that supports the health needs of disabled children. It makes no sense to make it so difficult for disabled children to achieve in school—both under IDEA and the No Child Left Behind.

At stake is an estimated $3.6 billion in Medicaid funds over the next 5 years. Such funding is essential to help identify disabled children and connect them to services that can meet their special health and learning needs during the school day.

This decision by the administration follows years of resisting Medicaid reimbursements to schools that provide these services, without clear guidance on how schools should appropriately seek reimbursement.

The ''Protecting Children's Health in Schools Act'' recognizes the importance of schools as a site of delivery of health care. It ensures that children with disabilities can continue to obtain health services during the school day. The bill also provides for clear and consistent guidelines to be established, so that schools can be held accountable and seek appropriate reimbursement.

The legislation has the support of over 60 groups, including parents, teachers, principals, school boards, and health care providers—people who work with children with disabilities every day and know what is needed to facilitate their growth, development, and long-term success.

I urge all of our colleagues to join us in supporting these children across the Nation, by providing the realistic support their schools need in order to meet these basic health care requirements of their students.

I ask unanimous consent that the attached bill be printed into the RECORD.

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

S. 3705

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 ''Protecting Children's Health in Schools Act of 2006''.

SEC. 2. REQUIREMENTS UNDER THE MEDICAID PROGRAM FOR ITEMS AND SERVICES FURNISHED IN OR THROUGH AN EDUCATIONAL PROGRAM OR SETTING TO CHILDREN, INCLUDING CHILDREN WITH DEVELOPMENTAL, PHYSICAL, OR MENTAL HEALTH NEEDS.

(a) REQUIREMENTS FOR PAYMENTS.—Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended—

(1) in subsection (i)—

(A) in paragraph (22), by striking the period at the end and inserting ''; or''; and

(B) by inserting after paragraph (22), the following new paragraphs:

''(23) with respect to any amount expended by, or on behalf of, the State (including by a local educational agency in the State or the lead agency in the State with responsibility for administering part C of the Individuals with Disabilities Education Act) for an item or service provided under the State plan in or through an educational program or setting, or for any administrative cost incurred to carry out the State plan in or through such a program or setting, or for a transportation service for an individual who has not attained age 21, unless the requirements of subsection (y) are met; or

''(24) with respect to any amount expended for an item or service provided under the State plan in or through an educational program or setting, or for any administrative cost incurred to carry out the plan in or through such a program or setting by, or on behalf of, the State through an agency that is not the State agency with responsibility for administering the State plan (including a local educational agency in the State or the lead agency in the State with responsibility for administering part C of the Individuals with Disabilities Education Act) and that enters into a contract or other arrangement with a person or entity for or in connection with the collection or submission of claims for such an expenditure or cost, unless the agency—

''(A) if not a public agency operating a consortium with other public agencies, uses a competitive bidding process or otherwise to contract with such person or entity at a reasonable rate commensurate with the services performed by the person or entity; and

''(B) requires that any fees (including any administrative fees) to be paid to the person or entity for the collection or submission of such claims are identified as a non-contingent, specified dollar amount in the contract.''; and

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

''(y) REQUIREMENTS FOR FEDERAL FINANCIAL PARTICIPATION FOR FURNISHING MEDICAL ASSISTANCE (INCLUDING MEDICALLY NEEDED TRANSPORTATION) IN OR THROUGH AN EDUCATIONAL PROGRAM OR SETTING.—For purposes of subsection (i)(23), the requirements of this subsection are the following:

''(1) APPROVED METHODOLOGY FOR EXPENDITURES FOR BUNDLED ITEMS, SERVICES, AND ADMINISTRATIVE COSTS.—

''(A) IN GENERAL.—In the case of any amount expended by, or on behalf of, the State for a bundle of individual items, services, and administrative costs under the State plan that are furnished in or through an educational program or setting, the expenditure must be made in accordance with a methodology approved by the Secretary which—

''(i) provides for an itemization to the Secretary in a manner that ensures accountability of the cost of the bundled items, services, and administrative costs and includes payment rates and the methodologies underlying the establishment of such rates;

''(ii) has a sound basis for determining such payment rates and methodologies; and

''(iii) matches payments for the bundled items, services, and administrative costs with corresponding items and services provided and administrative costs incurred under the State plan.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed as—

''(i) requiring a State to establish and apply such a methodology through a State plan amendment;

''(ii) requiring a State with such an approved methodology to obtain the approval of the Secretary for any increase in rates of reimbursement that are established consistent with such methodology; or

''(iii) prohibiting the Secretary from reviewing a State's costs for the individual items, services, and administrative costs that make up a proposed bundle of items, services, and costs as a condition of approval of the methodology that the State will establish to determine the rate of reimbursement for such bundle of items, services, and costs.

''(2) APPLICATION OF MARKET RATE FOR INDIVIDUAL ITEMS, SERVICES, ADMINISTRATIVE COSTS.—In the case of an amount expended by, or on behalf of, the State for an individual item, service, or administrative cost under the State plan that is furnished in or through an educational program or setting, the State must establish that the amount expended—

''(A) does not exceed the amount that would have been paid for the item, service, or administrative cost if the item or service was provided or the cost was incurred by an entity in or through a program or setting other than an educational program or setting; or

''(B) if the amount expended for the item, service, or administrative cost is higher than the amount described in subparagraph (A), was necessary.

''(3) TRANSPORTATION SERVICES.—

''(A) IN GENERAL.—In the case of an amount expended by, or on behalf of, the State for furnishing in or through an educational program or setting a transportation service for an individual who has not attained age 21 and who is eligible for medical assistance under the State plan, the State mush establish that—

''(i) a medical need for transportation is specifically listed in the individualized education program for the individual established pursuant to part B of the Individuals with Disabilities Education Act or, in the case of an infant or a toddler with a disability, in the individualized family service plan established for such infant or toddler pursuant to part C of such Act, or is furnished to the individual pursuant to section 504 of the Rehabilitation Act of 1973;

''(ii) the vehicle used to furnish such transportation service is specially equipped or staffed to accommodate individuals who have not attained age 21 with developmental, physical, or mental health needs; and

''(iii) payment for such service is made only for costs directly attributable to costs associated with transporting individuals who have not attained age 21 and whose developmental, physical, or mental health needs require transport in such a vehicle in order to receive the services for which medical assistance is provided under the State plan.

''(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed as modifying the obligation of a State to ensure that an individual who has not attained age 21 and who is eligible for medical assistance under the State plan receives necessary transportation services to and from a provider of medical assistance in or through a program or setting other than an educational program or setting.''.

(b) REQUIREMENTS FOR THE PROVISION OF ITEMS AND SERVICES THROUGH MEDICAID MANAGED CARE ORGANIZATIONS.—

(1) CONTRACTUAL REQUIREMENTS.—Section 1903(m)(2) of the Social Security Act (42 U.S.C. 1396b(m)(2)) is amended—

(A) in subparagraph (A), by inserting after clause (i) the following new clause:

''(ii) the contract with the entity satisfies the requirements of subparagraph (C) (relating to payment for, and coverage of, such services under an individual's education program, an individualized family service plan, or when furnished in or through an educational program or setting);''; and

(B) by inserting after subparagraph (B), the following new subparagraph:

''(C) For purposes of clause (ii) of subparagraph (A), the requirements of this subparagraph are the following:

''(i) The contract with the entity specifies the coverage and payment responsibilities of the entity in relation to medical assistance for items and services that are covered under the State plan and included in the contract, when such items and services are furnished in or through an educational program or setting.

''(ii) In any case in which the entity is obligated under the contract to pay for items and services covered under the State plan, the contract with the entity requires the entity to—

''(I) enter into a provider network service agreement with the qualified provider or providers furnishing such items or services in or through an educational program or setting;

''(II) promptly pay such providers at a rate that is at least equal to the rate that would be paid to a provider furnishing the same service in a non-educational program or setting; and

''(III) treat as final and binding determinations by State licensed providers or providers eligible for reimbursement under the State plan working in an educational program or setting regarding the medical necessity of an item or service.

''(iii) The contract with the entity specifies the obligation of the entity to ensure that providers of items or services that are furnished in or through an educational program or setting refer children furnished such items or services to the entity and its provider network for additional services that are not available in or through such program or setting but that are covered under the State plan and included in the entity's contract with the State.

''(iv) The contract with the entity requires, with respect to payment for, and coverage of, services for which the entity is responsible for, that the entity must demonstrate that the entity has established procedures to—

''(I) ensure coordination between the State, a local educational agency and the lead agency in the State with responsibility for administering part C of the Individuals with Disabilities Education Act with respect to those services for an individual who has not attained age 21 and who is eligible for medical assistance under the State plan (including an individual who has an individualized education program established pursuant to part B of the Individuals with Disabilities Education Act or otherwise or an infant or toddler with a disability who has an individualized family service plan established pursuant to part C of such Act) which are required for the individual under the individual's education program or the individualized family service plan, or are furnished to the individual pursuant to section 504 of the Rehabilitation Act of 1973 and which are not specifically included in the services required under the contract, but are the responsibility of the State, a local educational agency, or the lead agency in the State with responsibility for administering part C of the Individuals with Disabilities Education Act; and

''(II) prevent duplication of services and payments under this title with respect to items and services covered under the State plan that are furnished in or through an educational program or setting to such individuals enrolled under the contract.''.

(2) PROHIBITION ON DUPLICATIVE PAYMENTS.—

(A) IN GENERAL.—Section 1903(i) of the Social Security Act (42 U.S.C. 1396b(i)), as amended by subsection (a), is amended—

(i) in paragraph (24)(B), by striking the period and inserting ''; or''; and

(ii) by inserting after paragraph (24) the following new paragraph:

''(25) with respect to any amount expended under the State plan for an item, service, or administrative cost for which payment is or may be made directly to a person or entity (including a State, local educational agency, or the lead agency in the State with responsibility for administering part C of the Individuals with Disabilities Education Act) under the State plan if payment for such item, service, or administrative cost was included in the determination of a prepaid capitation or other risk-based rate of payment to an entity under a contract pursuant to section 1903(m).''.

(B) CONFORMING AMENDMENT.—The third sentence of section 1903(i) of such Act (42 U.S.C. 1396b(i)), as amended by subsection (a)(1)(C), is amended by striking ''and (24)'' and inserting ''(24), and (25)''.

(c) ALLOWABLE SHARE OF FFP WITH RESPECT TO PAYMENT FOR SERVICES FURNISHED IN OR THROUGH AN EDUCATIONAL PROGRAM OR SETTING.—Section 1903(w)(6) of the Social Security Act (42 U.S.C. 1396b(w)(6)) is amended—

(1) in subparagraph (A), by inserting ''subject to subparagraph (C),'' after ''subsection,''; and

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

''(C) In the case of any Federal financial participation paid under subsection (a) with

respect to an expenditure for an item or service provided under the plan, or for any administrative cost incurred to carry out the plan, that is furnished in or through an educational program or setting, the State shall provide that—

''(i) if 0 percent of the expenditure was made or the cost was incurred directly by the State, the State shall pay the local educational agency in the State or the lead agency in the State with responsibility for administering part C of the Individuals with Disabilities Education Act that made the expenditure or incurred the cost (and, if applicable, any consortium of public agencies that incurred costs in connection with the collection or submission of claims for such expenditures or costs), 100 percent (divided, as appropriate, between such agencies and such a consortium, if applicable) of the amount of the Federal financial participation; and

''(ii) if 100 or any lesser percent of the expenditure was made or the cost was directly incurred by the State, the State shall retain only such percentage of the Federal financial participation paid for the expenditure or cost as does not exceed the percentage of such expenditure or cost that was funded by State revenues that are dedicated solely for the provision of such medical assistance (and shall pay out of any remaining percentage of such Federal financial participation, the percentage due to the local educational agency in the State or the lead agency in the State with responsibility for administering part C of the Individuals with Disabilities Education Act that made or incurred the remaining percentage of such expenditure or cost (and, if applicable, any consortium of public agencies that incurred costs in connection with the collection or submission of claims for such expenditures or costs)).''.

(d) ASSURANCE OF REIMBURSEMENT FOR ADMINISTRATIVE, ENROLLMENT, AND OUTREACH ACTIVITIES CONDUCTED BY LOCAL EDUCATIONAL AGENCIES.—

(1) MEDICAID.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended by inserting after subsection (j) the following new subsection:

''(k) Nothing in this title shall be construed as authorizing the Secretary to prohibit the State agency with responsibility for the administration or supervision of the administration of the State plan from entering into interagency agreements with local educational agencies under which such local educational agencies shall be reimbursed for the Federal share of amounts expended for administrative, enrollment, and outreach activities for which payment is made to the State under section 1903(a)(7), including with respect to such activities as are conducted for purposes of satisfying the requirements of subsection (a)(43).''.

(2) SCHIP.—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 new subparagraph:

''(B) Section 1902(k) (relating to interagency agreements with local educational agencies for reimbursement for expenditures for administrative, enrollment, and outreach activities).''.

(e) CLARIFICATION OF COVERAGE OF EPSDT AND ITEMS AND SERVICES FURNISHED TO A DISABLED CHILD PURSUANT TO SECTION 504 OF THE REHABILITATION ACT OF 1973; DEFINITION OF ''EDUCATIONAL PROGRAM OR SETTING''.—Section 1903(c) of the Social Security Act (42 U.S.C. 1396b(c)) is amended—

(1) by inserting ''(1)'' after ''(c)'';

(2) by striking ''Education Act or'' and inserting ''Education Act,'';

(3) by inserting '', or furnished to a child with a disability pursuant to section 504 of the Rehabilitation Act of 1973'' before the period; and

(4) by adding at the end the following new paragraphs:

''(2) Nothing in this title shall be construed as prohibiting or restricting, or authorizing the Secretary to prohibit or restrict, payment under subsection (a) for the following items or services furnished in or through an educational program or setting, or costs incurred with respect to the furnishing of such items or services:

''(A) Medical assistance for items or services described in section 1905(a)(4)(B) (relating to early and periodic screening, diagnostic, and treatment services defined in section 1905(r)) and costs incurred for providing such items or services in accordance with the requirements of section 1902(a)(43).

''(B) Costs incurred for providing services related to the administration of the State plan, including providing information regarding the availability of, and eligibility for, medical assistance under the plan, and assistance with determinations of eligibility and enrollment and redeterminations of eligibility under the plan.

''(3) Nothing in this title shall be construed as prohibiting or restricting, or authorizing the Secretary to prohibit or restrict, payment under subsection (a) for medical assistance furnished in or through an educational program or setting or costs described in paragraph (2)(B) solely because—

''(A) the State utilizes an all-inclusive payment arrangement in making payments for medical assistance described in subsections (a) or (r) of section 1905; or

''(B) the State utilizes a cost allocation system that meets Federal requirements when paying for the cost of services described in section 1902(a)(43) or other administrative services directly related to the administration of the State plan.

''(4)(A) For purposes of this title, the term 'educational program or setting' means any location in which the items or services included in a child's individualized education plan established pursuant to part B of the Individuals with Disabilities Education Act or otherwise, or in an infant's or toddler's individualized family service plan established pursuant to part C of such Act, are delivered, including the home, child care setting, or school of the child, infant, or toddler.

''(B) Such term includes—

''(i) any location in which an evaluation or assessment is conducted, in accordance with the requirements of section 1902(a)(43) and subsections (a)(4)(B) and (r) of section 1905, to determine if a child is a child with a disability under section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414) who requires an individualized education program (IEP) under section 614(d) of such Act (20 U.S.C. 1414(d)) or if an infant or toddler is an infant or toddler with a disability under section 635(a)(3) of such Act (20 U.S.C. 1435(a)(3)) who requires an individualized family service plan under section 636 of such Act (20 U.S.C. 1436) and any location in which a reevaluation or reassessment of such a determination is conducted; and

''(ii) for purposes of subsection (m)(2)(C), any location in which items or services described in section 1905(a)(4)(B) (relating to early and periodic screening, diagnostic, and treatment services defined in section 1905(r)) are delivered and costs are incurred for providing such items or services in accordance with the requirements of section 1902(a)(43).''.

(f) ASSURANCE OF COMPLIANCE WITH FEDERAL AND STATE REQUIREMENTS.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)) is amended—

(1) in paragraph (69), by striking ''and'' at the end;

(2) in paragraph (70)(B)(iv), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (70), the following new paragraph:

''(71) provide that—

''(A) the State will establish procedures to ensure that—

''(i) any provider of an item or service covered under the plan that is furnished in or through an educational program or setting complies with all Federal and State requirements applicable to providers of such items or services under the plan; and

''(ii) any educational entity that is engaged in the provision of an activity described in paragraph (43) or any other activity that is directly related to the administration of the plan complies with all Federal and State requirements applicable for payment for such activity; and

''(B) the State will not furnish medical assistance for an item or service covered under the plan in or through an educational program or setting, or undertake any activity described in paragraph (43) or any other activity that is directly related to the administration of the plan in or through such a program or setting, unless the entity responsible for providing the item or service, or undertaking such an activity, in or through the educational program or setting will be paid under the State plan for the costs related to the furnishing of such item or service or the undertaking of such activity.''.

(g) UNIFORM METHODOLOGY FOR EDUCATIONAL PROGRAM OR SETTING-BASED CLAIMS.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of Health and Human Services and the Secretary of Education, acting jointly and in consultation with State medicaid directors, State educational agencies, local educational agencies, and State agencies with responsibility for administering part C of the Individuals with Disabilities Education Act, shall develop and implement a uniform methodology for claims for payment of medical assistance and related administrative costs furnished under title XIX of the Social Security Act in an educational program or setting.

(2) REQUIREMENTS.—The methodology developed under paragraph (1)—

(A) shall not prohibit or restrict payment for medical assistance and administrative activities that are provided or conducted in accordance with section 1903(c) of the Social Security Act (42 U.S.C. 1396b(c)); and

(B) with respect to administrative costs, shall be based on—

(i) standards related to time studies and population estimates; and

(ii) a national standard for determining payment for such costs.

(h) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act and shall apply to items and services provided and expenditures made on or after such date, without regard to whether implementing regulations are in effect.

By Mr. MARTINEZ (for himself, Mrs. FEINSTEIN, Mr. NELSON of Florida, Mrs. HUTCHISON, Mr. SESSIONS, Mr. BINGAMAN, and Mr. CORNYN):

S. 3706. A bill to amend the Internal Revenue Code of 1986 to treat spaceports like airports under the exempt facility bond rules; to the Committee on Finance.

Mr. MARTINEZ. Mr. President, today I rise with my colleagues, Senators FEINSTEIN, NELSON of Florida, HUTCHISON, and BINGAMAN, on the 37th anniversary of the lunar landing when American astronauts Neil Armstrong and Edwin Aldrin set foot on the Moon, to introduce the Spaceport Equity Act of 2006—a bill to help bring additional investment to the space transportation industry.

On June 18th, the Washington Post reported on the launching of Kazakhstan's first satellite and their catapult into the space transportation industry. Home to the world's largest space center, the Baikonur Consmodrome, this ex-Soviet state is joining the list of rivals to the U.S. space industry. America's competitive edge is declining and will continue to do so unless we act now. My colleagues and I recognize this, and that is why we are introducing this most important legislation.

U.S. satellite manufacturers face increasing pressure to consider the use of foreign launch vehicles and launch sites, due to the lack of a sufficient domestic launch capability. The United States once dominated the commercial satellite-manufacturing field with an average market share of 83 percent; however, that market share has since declined to 50 percent. An even smaller share of U.S.-manufactured satellites is actually launched from U.S. spaceports. This comes at an estimated loss of $1.5 to $3.0 billion to the U.S. economy.

The space economy is made up infrastructure of manufacturers, service providers, and technologists in both the Government and private sector that deploy and operate launch vehicles, satellites, and space platforms. Many everyday goods and services rely on space infrastructure, including broadcast, cable, and satellite television, global internet services, satellite radio, cellular and international phone calls, etc.

Satellites are also used for global positioning systems, known as GPS, which enable us to have hands-on directions in our cars and vehicles. GPS is also influential in the trucking, aviation, and maritime industries for day-to-day operations and for our Nation's military operations. Thousands of gas stations use inexpensive small satellite dishes to connect to credit card networks so customers can pay instantly at the pump. Satellites also generate 90 percent of the weather forecasting data in the United States and are used to track hurricanes, tsunamis, and other weather phenomenon.

These satellites are launched vertically atop of rockets, propelling them into orbit in space. Because most U.S. space-launch facilities are operated by NASA, priority for launches at these facilities is given to Government projects. This means our commercial satellite needs take a back seat to Government operations. This often leaves U.S. commercial satellite ventures without reliable launch availability. This in turn has forced many companies seeking manufacturing and launch services toward our international competitors.

Spaceports are subdivisions of State governments that provide additional launch infrastructure than that available at Federal facilities. They attract and promote the U.S. commercial space transportation industry. Spaceport authorities function much like airport and port authorities by providing economic and transportation incentives to the industry, which in turn benefits the surrounding communities. Many States are forming space authorities to pursue ways of developing space transportation infrastructure.

The Florida Space Authority was the first such entity, which was created as a subdivision of the Florida State government by Florida's Governor and State legislature in 1989. Florida Space Authority is focused on leading the State's space industry in new directions through partnering with the commercial space industry to improve space transportation and provide innovative, forward-thinking solutions to the challenges facing this evolving industry.

The last few years have begun a new phase in space exploration. Spaceports presently operate in Florida, California, Virginia, and Alaska, but efforts are underway to establish 13 additional commercial spaceports in Alabama, California, Montana, Nevada, Oklahoma, South Dakota, Texas, Utah, Washington, and Wisconsin.

The commercial space transportation industry includes not only spaceports themselves but also companies that develop the needed infrastructure for testing and servicing launch vehicles. When including these industry partners with spaceports, at least 23 States are directly impacted by the commercial space transportation industry. Both spaceports and industry partners face increasing pressure from government-sponsored or subsidized competitors in Europe, China, Japan, India, Australia, Russia, and now Kazakhstan.

Commercial space transportation is a growing part of the U.S. economy. In 2004, this industry alone generated a total of nearly $98.1 billion dollars in economic activity, over $25 billion in earnings, and over 550,000 jobs; and $56.5 billion, more than half of this economic activity, was from satellite services. A 2004 Gallup poll shows overwhelming public support for space exploration. Roughly 80 percent of Americans agree that ''America's space program helps give America the scientific and technological edge it needs to compete in the international marketplace.'' And 76 percent agree that our space program ''benefits the nation's economy'' and inspires ''students to pursue careers in technical fields.''

The space industry has also led to a number of ''spin-off'' technologies—those influenced by space technology research and development. Home roof insulation and air filtration, antilock brakes, athletic shoes, vehicle protective airbags, cellular phones, and lasik surgery all owe thanks to NASA and space-based research. The list of space ''spin-off' technologies is estimated to exceed 40,000. These related technologies have helped employ tens of millions of Americans. Encouraging commercial investment in the space industry and increasing U.S. marketshare in this industry will certainly lead to additional innovation and technology that will impact other fields.

As you can see, this once government-dominated industry is now becoming a diverse mix of government and commercial entities—also leading way into future avenues of commercial space transportation, such as space tourism.

The increase in recent commercial launches includes the debut of the first commercial crewed suborbital launches of SpaceShipOne—leading the way to public space travel. ''Space tourism,'' as public space travel is now referred, has the potential to become a major growth industry. Recent market studies have shown space tourism has the potential to become a billion-dollar industry within 20 years.

Even though the average American may not be able to participate in public space travel, its potential impact on our economy and international competitiveness is something to be appreciated. Space tourism industry players expect there to be a market demand of at least 15,000 Americans per year to travel into suborbit and orbital flights. This would require an estimated 665 launches per year by 2010. If the United States continues as is, we will only be able to capture 10 percent market share, at best, of this emerging industry. If needed infrastructure is added, however, the United States is expected to pick up 60 to 70 percent of space flight demand by 2010. Every launch that we do not provide for in the United States means a loss to our economy and a gain for our international competitors. The Federal Aviation Administration's Commercial Space Transportation Division expects a $3 billion dollar loss to our economy if we do not meet the rising demand for space tourism.

Currently, U.S. launch facilities are few and most are owned and operated by the Federal Government, putting commercial users in direct competition with the U.S. military, NASA, and other Government entities, which get priority over commercial projects. If the United States is to remain competitive in the commercial space industry, added and improved infrastructure will be needed to support this growing industry.

On a more local note, my own State of Florida could stand to gain much by way of economic development from increased investment in spaceport infrastructure. According to recent studies by the Florida Space Authority, increase spaceport infrastructure and activity in Florida could mean as much as $29.7 million in additional economic activity by the year 2015—this does not include the economic activity generated from impacted tourism, secondary contracts, and spinoff technologies.

Other modes of transportation—highways, airports, and seaports—currently enjoy a tax incentive for meeting their infrastructure needs, so why not spaceports?

This Spaceport Equity Act of 2006 would provide spaceports with the same treatment provided for airports, seaports, rail, and other transit projects under the exempt facility bond rules. With international competition on the rise, our Nation's spaceports are a vital component of the infrastructure needed to expand and enhance the U.S. role in the international space arena. The Spaceport Equity Act is an important step to increasing our competitiveness in this field because it will stimulate investment in expanding and modernizing our space launch facilities and lower the costs of financing spaceport projects.

Since 1968, tax-exempt bonds have played a crucial role in meeting airport investment needs, with 50 percent or more of major airport projects being financed through municipal tax-exempt bonds. By extending this favorable tax treatment to spaceports, this bill will help meet spaceport needs and increase our Nation's ability to compete with expanded international interests in space exploration and technology. Similar legislation has been considered since the 1980s, and we cannot afford to wait any longer to address the needs of this important sector.

This proposal does not provide direct Federal spending for our commercial space transportation industry but, rather, creates the conditions necessary to stimulate private capital investment in industry infrastructure. By issuing tax-free bonds to finance spaceport infrastructure, space authorities could provide site-specific and vehicle-specific tailoring to promote the competition and innovation necessary to maintain the U.S. competitive edge in the space transportation industry.

This is an efficient means for achieving our space transportation needs, and I urge my colleagues in the Senate to join us in this most important effort by cosponsoring this bill.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

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

S. 3706

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 ''Spaceport Equality Act of 2006''.

SEC. 2. SPACEPORTS TREATED LIKE AIRPORTS UNDER EXEMPT FACILITY BOND RULES.

(a) IN GENERAL.—Paragraph (1) of section 142(a) of the Internal Revenue Code of 1986 (relating to exempt facility bonds) is amended to read as follows:

''(1) airports and spaceports,''.

(b) TREATMENT OF GROUND LEASES.—Paragraph (1) of section 142(b) of the Internal Revenue Code of 1986 (relating to certain facilities must be governmentally owned) is amended by adding at the end the following new subparagraph:

''(C) SPECIAL RULE FOR SPACEPORT GROUND LEASES.—For purposes of subparagraph (A), spaceport property which is located on land owned by the United States and which is used by a governmental unit pursuant to a lease (as defined in section 168(h)(7)) from the United States shall be treated as owned by such unit if—

''(i) the lease term (within the meaning of section 168(i)(3)) is at least 15 years, and

''(ii) such unit would be treated as owning such property if such lease term were equal to the useful life of such property.''.

(c) DEFINITION OF SPACEPORT.—Section 142 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

''(n) SPACEPORT.—

''(1) IN GENERAL.—For purposes of subsection (a)(1), the term 'spaceport' means—

''(A) any facility directly related and essential to servicing spacecraft, enabling spacecraft to launch or reenter, or transferring passengers or space cargo to or from spacecraft, but only if such facility is located at, or in close proximity to, the launch site or reentry site, and

''(B) any other functionally related and subordinate facility at or adjacent to the launch site or reentry site at which launch services or reentry services are provided, including a launch control center, repair shop, maintenance or overhaul facility, and rocket assembly facility.

''(2) ADDITIONAL TERMS.—For purposes of paragraph (1)—

''(A) SPACE CARGO.—The term 'space cargo' includes satellites, scientific experiments, other property transported into space, and any other type of payload, whether or not such property returns from space.

''(B) SPACECRAFT.—The term 'spacecraft' means a launch vehicle or a reentry vehicle.

''(C) OTHER TERMS.—The terms 'launch', 'launch site', 'launch services', 'launch vehicle', 'payload', 'reenter', 'reentry services', 'reentry site', and 'reentry vehicle' shall have the respective meanings given to such terms by section 70102 of title 49, United States Code (as in effect on the date of enactment of this subsection).''.

(d) EXCEPTION FROM FEDERALLY GUARANTEED BOND PROHIBITION.—Paragraph (3) of section 149(b) of the Internal Revenue Code of 1986 (relating to exceptions) is amended by adding at the end the following new subparagraph:

''(E) EXCEPTION FOR SPACEPORTS.—Paragraph (1) shall not apply to any exempt facility bond issued as part of an issue described in paragraph (1) of section 142(a) to provide a spaceport in situations where—

''(i) the guarantee of the United States (or an agency or instrumentality thereof) is the result of payment of rent, user fees, or other charges by the United States (or any agency or instrumentality thereof), and

''(ii) the payment of the rent, user fees, or other charges is for, and conditioned upon, the use of the spaceport by the United States (or any agency or instrumentality thereof).''.

(e) CONFORMING AMENDMENT.—The heading for section 142(c) of the Internal Revenue Code of 1986 is amended by inserting ''SPACEPORTS,'' after ''AIRPORTS,''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after the date of the enactment of this Act.

By Mr. KENNEDY:

S. 3710. A bill to amend the Elementary and Secondary Education Act of 1965 to improve retention of public elementary and secondary school teachers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, today I am introducing the Teacher Center Act of 2006, to help establish and fund teacher centers across the Nation. Its goal is to provide more effective and relevant professional development for teachers, and create a network of support for them to share best practices, improve classroom training, and improve working conditions in their schools. It's a privilege to join my distinguished colleague, Congressman GEORGE MILLER, who is introducing companion legislation for teacher centers in the House of Representatives.

As research makes clear, good teachers are the single most important factor in achieving the success of students, both academically and developmentally. Students who receive good instruction can reach new heights through the hard work, vision, and energy of their teachers. Good teaching can also overcome the harmful effects of poverty and other disadvantages on student learning.

In 2002, with the No Child Left Behind Act, we made a commitment to put a first-rate teacher in every classroom to help all students succeed in school and in life. But to reach that goal, we need to recruit, train, retain, and support our teachers. Today, about half of all teachers who enter the profession leave the classroom within five years. That's an unacceptable loss—the 5-year mark is just the time when teachers have mastered their work and are consistently able to improve the education of their students.

Too often, teachers lack the training and support needed to do well in the classroom. Eliminating this deficit can make all the difference in their decision to remain in the profession. Teacher centers can help see that teachers have the professional development, mentoring, and support they need in order to succeed. Developing and expanding these centers is an important step toward enriching teachers' lives, enhancing their knowledge and skills, and encouraging them to stay in the profession and succeed in the classroom.

The teacher centers model grew out of an innovative approach to supporting the professional development of teachers in England. That model enables teachers to become leaders and decision-makers in their own professional growth and in the environments in which they work. It enables them to collaboratively plan and implement staff development and reform that can be shared with their colleagues, as a means for reflection and improvement in their teaching practice.

Since the initial creation of teacher centers in the United States in the late 1970s, we have seen how effective they can be in supporting teachers, so that they can respond more effectively to student needs and help them reach the high standards now required by the No Child Left Behind Act.

Teacher centers offer valuable programs for educators when aligned with State standards and school district curriculums. The centers support new teachers during their first years in the profession, and their peer-to-peer networks facilitate communication and collaboration among teachers to improve instruction. The centers also help teachers incorporate new research into their daily routines, and support the use of technology and proven strategies to keep students engaged and help them do well in school.

Most important, teacher centers are essential to the development of teacher capability and leadership. The training provided is aimed at building the capability of teachers to reach all of their students through differentiated instruction—a goal central to the promise of leaving no child behind. And by taking advantage of the support provided by teacher centers, educators can have a more active role in their own professional growth and eventually hold leadership positions in their schools and communities.

As we know, teachers are on the front lines in the Nation's schools and in our efforts to improve public education. We cannot expect the quality of our classrooms to improve without investing more in the quality of our teachers. Teacher centers ensure that the nation's educators have the time, resources, and support they need to work and learn with one another.

I urge my colleagues to join in supporting this bill, and 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. 3710

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 ''Teacher Center Act of 2006''.

SEC. 2. FINDINGS.

Congress finds as follows:

(1) There are not enough qualified teachers in the Nation's classrooms, and an unprecedented number of teachers will retire over the next 5 years. Over the next decade, the Nation will need to bring 2,000,000 new teachers into public schools.

(2) Too many teachers do not receive adequate preparation for their jobs.

(3) More than one-third of children in grades 7 through 12 are taught by a teacher who lacks both a college major and certification in the subject being taught. Rates of ''out-of-field teaching'' are especially high in high-poverty schools.

(4) Teacher turnover is a serious problem, particularly in urban and rural areas. Over one-third of new teachers leave the profession within their first 3 years of teaching, and 14 percent of new teachers leave the field within the first year. After 5 years—the average time it takes for teachers to maximize students' learning—half of all new teachers will have exited the profession. Rates of teacher attrition are highest in high-poverty schools. Between 2000 and 2001, 1 out of 5 teachers in the Nation's high-poverty schools either left to teach in another school or dropped out of teaching altogether.

(5) African-American, Latino, and low-income students are much less likely than other students to have highly-qualified teachers.

(6) Research shows that individual teachers have a great impact on how well their students learn. The most effective teachers have been shown to be able to boost their pupils' learning by a full grade level relative to students taught by less effective teachers.

(7) Only 16 States finance new teacher induction programs, and fewer still require inductees to be matched with mentors who teach the same subject.

(8) Large-scale studies of effective professional development have documented that student achievement and teacher learning increases when professional development is teacher-led, ongoing, and collaborative.

(9) Research shows that the characteristics of successful professional development include a focus on concrete classroom applications and practice, and opportunities for teacher observation, critique, reflection, group support, and collaboration.

(10) Data on school reform shows that teachers are attracted to and continue to teach in academically challenged schools when appropriate supports are in place to help them succeed. Appropriate supports include high-quality induction programs, job-embedded professional development, and small classes which allow teachers to tailor instruction to meet the needs of individual students.

SEC. 3. IMPROVING RETENTION OF AND PROFESSIONAL DEVELOPMENT FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOL TEACHERS.

(a) IN GENERAL.—Title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) is amended by adding at the end the following:

''PART E—TEACHER RETENTION

''SEC. 2501. IMPROVING PROFESSIONAL DEVELOPMENT OPPORTUNITIES THROUGH TEACHER CENTERS.

''(a) GRANTS.—The Secretary may make grants to eligible entities for the establishment and operation of new teacher centers or the support of existing teacher centers.

''(b) SPECIAL CONSIDERATION.—In making grants under this section, the Secretary shall give special consideration to any application submitted by an eligible entity that is—

''(1) a high-need local educational agency; or

''(2) a consortium that includes at least one high-need local educational agency.

''(c) DURATION.—Each grant under this section shall be for a period of 3 years.

''(d) REQUIRED ACTIVITIES.—A teacher center receiving assistance under this section shall carry out each of the following activities:

''(1) Providing high-quality professional development to teachers to assist the teachers in improving their knowledge, skills, and teaching practices in order to help students to improve the students' achievement and meet State academic standards.

''(2) Providing teachers with information on developments in curricula, assessments, and educational research, including the manner in which the research and data can be used to improve teaching skills and practice.

''(3) Providing training and support for new teachers.

''(e) PERMISSIBLE ACTIVITIES.—A teacher center may use assistance under this section for any of the following:

''(1) Assessing the professional development needs of the teachers and other instructional school employees, such as librarians, counselors, and paraprofessionals, to be served by the center.

''(2) Providing intensive support to staff to improve instruction in literacy, mathematics, science, and other curricular areas necessary to provide a well-rounded education to students.

''(3) Providing support to mentors working with new teachers.

''(4) Providing training in effective instructional services and classroom management strategies for mainstream teachers serving students with disabilities and students with limited English proficiency.

''(5) Enabling teachers to engage in study groups and other collaborative activities and collegial interactions regarding instruction.

''(6) Paying for release time and substitute teachers in order to enable teachers to participate in the activities of the teacher center.

''(7) Creating libraries of professional materials and educational technology.

''(8) Providing high-quality professional development for other instructional staff, such as paraprofessionals, librarians, and counselors.

''(9) Assisting teachers to become highly qualified and paraprofessionals to become teachers.

''(10) Assisting paraprofessionals to meet the requirements of section 1119.

''(11) Developing curricula.

''(12) Incorporating additional on-line professional development resources for participants.

''(13) Providing funding for individual- or group-initiated classroom projects.

''(14) Developing partnerships with businesses and community-based organizations.

''(15) Establishing a teacher center site.

''(f) TEACHER CENTER POLICY BOARD.—

''(1) IN GENERAL.—A teacher center receiving assistance under this section shall be operated under the supervision of a teacher center policy board.

''(2) MEMBERSHIP.—

''(A) TEACHER REPRESENTATIVES.—The majority of the members of a teacher center policy board shall be representatives of, and selected by, the elementary and secondary school teachers to be served by the teacher center. Such representatives shall be selected through the teacher organization, or if there is no teacher organization, by the teachers directly.

''(B) OTHER REPRESENTATIVES.—The members of a teacher center policy board—

''(i) shall include at least 2 members who are representatives of, or designated by, the school board of the local educational agency to be served by the teacher center;

''(ii) shall include at least 1 member who is a representative of, and is designated by, the institutions of higher education (with departments or schools of education) located in the area; and

''(iii) may include paraprofessionals.

''(g) APPLICATION.—

''(1) IN GENERAL.—To seek a grant under this section, an eligible entity shall submit an application at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(2) ASSURANCE OF COMPLIANCE.—An application under paragraph (1) shall include an assurance that the eligible entity will require any teacher center receiving assistance through the grant to comply with the requirements of this section.

''(3) TEACHER CENTER POLICY BOARD.—An application under paragraph (1) shall include the following:

''(A) An assurance that—

''(i) the eligible entity has established a teacher center policy board;

''(ii) the board participated fully in the preparation of the application; and

''(iii) the board approved the application as submitted.

''(B) A description of the membership of the board and the method of selection of the membership.

''(h) DEFINITIONS.—In this section:

''(1) The term 'eligible entity' means a local educational agency or a consortium of 2 or more local educational agencies.

''(2) The term 'high-need' means, with respect to an elementary school or a secondary school, a school—

''(A) that serves an eligible school attendance area (as defined in section 1113) in which not less than 65 percent of the children are from low-income families, based on the number of children eligible for free and reduced priced lunches under the Richard B. Russell National School Lunch Act; or

''(B) in which not less than 65 percent of the children enrolled are from such families.

''(3) The term 'high-need local educational agency' means a local educational agency—

''(A) that serves not fewer than 10,000 children from families with incomes below the poverty line, or for which not less than 20 percent of the children served by the agency are from families with incomes below the poverty line; and

''(B) that is having or expected to have difficulty filling teacher vacancies or hiring new teachers who are highly qualified.

''(4) The term 'teacher center policy board' means a teacher center policy board described in subsection (f).

''(i) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated $100,000,000 for fiscal year 2007 and such sums as may be necessary for each of the 5 succeeding fiscal years.''.

(b) CONFORMING AMENDMENT.—The table of contents at section 2 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) is amended by inserting after the item relating to section 2441 of such Act the following new items:

''PART E—TEACHER RETENTION

''Sec. 2501. Improving professional development opportunities.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 536—COMMENDING THE 25TH YEAR OF SERVICE IN THE FEDERAL JUDICIARY BY WILLIAM W. WILKINS, CHIEF JUDGE OF THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

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

S. RES. 536

Whereas Chief Judge William W. Wilkins entered public service in 1967 as an officer in the United States Army, eventually earning the rank of Colonel in the United States Army Reserves;

Whereas Chief Judge Wilkins served as the elected Solicitor in South Carolina and earned the reputation as a fearless prosecuting attorney;

Whereas, in 1981, newly-elected President Ronald Reagan appointed Chief Judge Wilkins as his first appointment as President to the position of United States District Judge for the District of South Carolina;

Whereas, in 1985, President Reagan appointed Chief Judge Wilkins to be the first Chair of the United States Sentencing Commission;

Whereas, under the determined leadership of Chief Judge Wilkins, the Sentencing Commission achieved major positive changes in the Federal criminal justice system;

Whereas, in 1986, President Reagan appointed Chief Judge Wilkins to the position of Circuit Judge for the United States Court of Appeals for the Fourth Circuit;

Whereas, in 2003, Chief Judge Wilkins was elevated to the position of Chief Judge of the United States Court of Appeals for the Fourth Circuit;

Whereas Chief Judge Wilkins has served as the Chair of the Criminal Law Committee of the Judicial Conference of the United States and, as of the date of approval of this resolution, serves as a member of this Conference; and

Whereas Chief Judge Wilkins is a nationally recognized jurist and is known for his scholarship, sharp wit, and unyielding allegiance to supporting and adhering to the rule of law: Now, therefore, be it

Resolved, That the Senate commends the 25th year of service in the Federal judiciary and a lifetime of dedicated public service by William W. Wilkins, Chief Judge of the United States Court of Appeals for the Fourth Circuit.

SENATE RESOLUTION 537—SUPPORTING THE NATIONAL SEXUAL ASSAULT HOTLINE AND COMMENDING THE HOTLINE FOR COUNSELING AND SUPPORTING MORE THAN 1,000,000 CALLERS

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

S. RES. 537

Whereas it is estimated that a sexual assault occurs every 2.5 minutes in the United States and more than 200,000 people in the United States each year are victims of sexual assault;

Whereas 1 of every 6 women and 1 of every 33 men in the United States have been victims of rape or attempted rape, according to the Department of Justice;

Whereas the Uniform Crime Reports of the Federal Bureau of Investigation rank rape second only to murder in the hierarchy of violent crimes;

Whereas research suggests that sexual assault victims who receive counseling are more likely to report the assault to the police and to participate in the prosecution of the offender;

Whereas, in June 2006, the National Sexual Assault Hotline (referred to in this preamble as ''Hotline'') helped its 1,000,000th caller;

Whereas the Hotline operates 24 hours per day, 365 days per year, offering important, free, and confidential crisis intervention, support, information, and referrals for victims of sexual assault and their friends and families;

Whereas the Hotline was created by the Rape, Abuse & Incest National Network (referred to in this preamble as ''RAINN''), a non-profit corporation, the headquarters of which are located in Washington, D.C.;

Whereas the Hotline answered its first call on July 27, 1994, and operated solely with private funds for the first 10 years the Hotline was in existence;

Whereas RAINN continues to operate the Hotline today, in partnership with 1,100 local rape crisis centers in the 50 States and the District of Columbia and with over 10,000 trained volunteers and staff, and in collaboration with coalitions against sexual assault in each of the 50 States;

Whereas the Hotline helps an average of 11,000 people each month and in 2005 helped 137,039 women, men, and children across the Nation;

Whereas the public education and outreach undertaken by RAINN and local rape crisis centers have increased public awareness of sexual violence and contributed to a 58-percent decline in crimes of sexual violence since 1993;

Whereas the Hotline has experienced a significant increase in call volume as public awareness of sexual violence has grown, with calls to the Hotline increasing by 43 percent since 2003;

Whereas millions of Americans have learned of the services available through the Hotline, thanks to the public service promotion contributed by every national broadcast television network, a dozen cable networks, and more than 1,000 radio stations, newspapers, and magazines; and

Whereas the Hotline serves as an outstanding example of a successful partnership between the Federal Government, the private sector, and individuals: Now, therefore, be it

Resolved, That the Senate—