AMENDMENT NO. 4234

At the request of Mr. SANTORUM, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of amendment No. 4234 proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4243

At the request of Mr. BIDEN, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of amendment No. 4243 intended to be proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 4252

At the request of Mr. REID, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of amendment No. 4252 proposed to S. 2766, an original bill to authorize appropriations for fiscal year 2007 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (for himself, Ms. SNOWE, Mr. COCHRAN, Ms. CANTWELL, Mr. DOMENICI, Mrs. LINCOLN, Mr. JEFFORDS, Ms. COLLINS, Mrs. MURRAY, Mr. HARKIN, Ms. LANDRIEU, Mr. OBAMA, Mr. SALAZAR, and Mr. SESSIONS):

S. 3516. A bill to amend title XVIII of the Social Security Act to permanently extend the floor on the Medicare work geographic adjustment under the fee schedule for physicians' services; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, I am introducing legislation today with Senators SNOWE, COCHRAN, CANTWELL, DOMENICI, LINCOLN, JEFFORDS, COLLINS, MURRAY, HARKIN, LANDRIEU, OBAMA, SALAZAR, and SESSIONS entitled the ''Rural Equity Payment Index Reform Extension Act of 2006.'' The legislation would extend a provision that was included as part of the Medicare Modernization Act of 2003 and came from my original legislation, S. 881 in the 108th Congress, with Congressman DOUG BEREUTER of Nebraska to ensure that the work component of the Medicare physician payment formula is set to ensure that no geographic region is paid less than the national average.

The Medicare physician payment formula, known as the Medicare Resource-Based Relative Value Scale, or RBRVS, is based on three components of each service: work, practice expense, and professional liability insurance. The relative value of each service is then multiplied by a geographic adjuster for each Medicare locality, which is known as the Geographic Practice Cost Indices, or GPCIs.

Prior to the enactment of this provision as part of the Medicare Modernization Act of 2003, the physicians in States that have the worst workforce shortages were being paid far less than their counterparts in States with adequate or even an oversupply of physicians due to the GPCI adjustment. For the ''work component'' in particular, which accounts for about 55 percent of the total Medicare physician payment, an adjustment based on geographic adjustments made little sense. An office visit to a rural physician is no different in time, effort, or workload compared to an office visit to an urban physician.

As National Rural Health Association president Dr. Wayne Myers said on January 7, 2003, prior to the legislation's passage, ''An office visit to a rural physician is no different than an office visit to an urban physician. The idea that physicians are reimbursed for their work and their skills at a lower rate simply on the basis that they choose to practice in a rural area and serve our rural communities is completely ludicrous.''

In addition, since Medicare beneficiaries pay the same premium for all Part B services, inequitable physician fee payments result in substantial cross-subsidization from people living in low payment States to people living in higher payment States.

Congress determined that such extensive geographic disparities were unfair and, as part of the Medicare Modernization Act of 2003, language from my bill was included that brought all geographic areas up to the national average for the calculation of this piece of the Medicare physician payment formula.

It is important to highlight that the importance of this formula extends well beyond Medicare. According to the American Academy of Pediatrics in its February 8, 2006, update on the Medicare payment formula, ''. . . over 74 percent of public and private payors, including state Medicaid programs, have adopted components of the Medicare RBRVS to reimburse physicians, while many other payors are exploring its implementation.''

Furthermore, Medicare Advantage plan payments are based in large part on fee-for-service payments made in various geographic locations. Disparities in Medicare Advantage payments are also caused, in part, by such geographic adjustments made to physician payments.

Unfortunately, these disparities will increase if the ''work component'' in the physician payment rate is allowed to once again fully adjust based on geography. The provision bringing payment levels up to the national average for every geographic area was in effect for 2004–2006 and is set to expire at the end of this calendar year. As a result, physicians, who already face a potential reduction in their overall Medicare payment rate, might also see their payment rates further reduced unless this legislative extension is passed.

According to the November 21, 2005, Federal Register notice, if payment rates were not brought up to the national average, there would be reductions in physician payments to the following States: Alabama, Arizona, Arkansas, Colorado, Florida, Georgia outside of Atlanta, Idaho, parts of Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland outside of Baltimore region, Michigan outside of Detroit, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Hampshire, New Mexico, most of New York outside of New York City and suburbs, North Carolina, North Dakota, Ohio, Oklahoma, Oregon outside of Portland, Pennsylvania outside of Philadelphia, Puerto Rico, South Carolina, South Dakota, Tennessee, Texas outside of Houston, Dallas, and Brazoria, Utah, Vermont, Virginia, Washington outside of Seattle, West Virginia, Wisconsin, and Wyoming.

Lack of equitable reimbursement is a critical factor leading to the shortage of physicians in many rural areas, including the State of New Mexico. The extension of the Rural Equity Payment Index Reform Extension Act of 2006 will ensure that the disparity in physician payments between states such as New Mexico and other geographic areas does not once again widen.

I urge prompt passage of this important legislation and 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. 3516

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 ''Rural Equity Payment Index Reform Extension Act of 2006''.

SEC. 2. PERMANENT EXTENSION OF FLOOR ON MEDICARE WORK GEOGRAPHIC ADJUSTMENT.

Section 1848(e)(1)(E) of the Social Security Act (42 U.S.C. 1395w–4(e)(1)(E)) is amended by striking ''and before January 1, 2007,''.

By Mrs. CLINTON:

S. 3517. A bill to enhance the services available to members of the Armed Forces returning from deployment in Operation Iraqi Freedom and Operation Enduring Freedom to assist such members in transitioning to civilian life, and for other purposes; to the Committee on Armed Services.

Mrs. CLINTON. Mr. President, I am pleased today to introduce the Heroes

at Home Act of 2006. This legislation would take several important steps toward assisting our brave men and women in uniform in transitioning back home to their families, workplaces, and communities after deployment in Iraq and Afghanistan.

Hundreds of thousands of troops have rotated through Iraq and Afghanistan as part of Operation Iraqi Freedom, OIF, and Operation Enduring Freedom, OEF, including thousands of courageous men and women from New York. More military service members than ever are surviving these conflicts because of better body armor and helmets and improved battlefield medicine.

But surviving these wars and transitioning home can be an uphill battle. Many OIF and OEF service members, including the unprecedented number of National Guard and Reserve members, face readjustment challenges after war, such as medical, mental health, relationship, and work problems. Family members also are affected by the transition as they struggle to reconnect with their war heroes, some who may be deployed two, three, if not more times.

As I meet with returning service members and their families around the State of New York and the country, I hear about the real hardships they battle after deployment—just how difficult it can be to adjust back to life at home.

Several articles and reports have highlighted these struggles. According to a March 2006 study, 19 percent of Iraq veterans and 11 percent of Afghanistan veterans reported mental health problems. Among the OIF and OEF veterans seeking care at Department of Veterans Affairs, VA, hospitals, nearly a third have been diagnosed with mental disorders, with over 40 percent of those posttraumatic stress disorder, PTSD. Another report found that 10 to 30 percent of National Guard members come home from Iraq searching for work. Others return to civilian jobs dissatisfied with old tasks that pale in comparison to wartime responsibilities.

In addition to these challenges, a large number of service members are coming home from Iraq and Afghanistan with life-threatening brain injuries from roadside blasts that can cause brain damage. It is estimated that traumatic brain injuries, TBI, affect more than 25 percent of bomb blast survivors—a percentage thought to be higher than in any other past U.S. conflict, making TBI the ''signature'' injury of Iraq. The diffuse but debilitating symptoms of TBI can leave service members with cognitive and emotional problems, including the inability to adapt to civilian life. However, TBI frequently goes undiagnosed because returning troops may show no visible wounds or may not realize they suffered a concussion.

Lessons from past wars have taught us that identifying and dealing with problems like PTSD and TBI right away is vital for overcoming them. Yet just last month, a GAO report found that only 22 percent of OIF and OEF service members who may have been at risk for developing PTSD based on post deployment screenings were referred on for further mental health evaluations. In another report from May 2005, the GAO identified that, despite DOD efforts, the needs of demobilizing Reserve and National Guard members for transition assistance were still unmet.

We must do more today to reach out and help our newest generation of war heroes as they transition home after serving bravely in Iraq and Afghanistan. And we must do more to shore up their families, who have courageously maintained family life on the home front during their deployment. That is why I am introducing this legislation today. The Heroes at Home Act would help address returning service members' readjustment to work, PTSD, TBI, and other problems, as well as provide support to their family members.

This bill would involve partnerships with employers and community organizations because—despite more services and resources offered at DOD facilities, VA hospitals, and Vet Centers—returning service members are often reluctant to go to traditional mental health clinics due to stigma and concerns about confidentiality and their military careers. Only 29 percent of the approximately 500,000 separated OIF and OEF veterans have sought VA health care services, including mental health services.

This legislation would identify ways to better assist National Guard and Reserve members in returning to civilian jobs, who are often hurled from civilian life into combat with less preparation and are then expected to reenter the civilian workforce. It would develop an assistance center for employers, employee assistance programs, and other organizations to provide them with best practices and education for ensuring the success of Guard and Reserve members in resuming civilian work after deployment, a win for our businesses, our employers, and our troops.

Under this legislation, demonstration grants would be awarded to organizations in community setting for providing mental health education and assistance to National Guard and Reserve members and their families. Since many of these troops return to local communities scattered across the country far away from military bases and VA hospitals, these pilot projects would help reach them and their loved ones in more convenient places like community colleges, public schools, community mental health clinics, and family support organizations.

With more and more troops injured by improvised explosive devices, IEDs, and bombs in Iraq, we must do more to understand the effects of these blasts on those impacted by them. That is why this legislation also calls for a study on the long-term physical and mental health consequences and rehabilitation needs of traumatic brain injured service members of OIF and OEF. This study would examine ways to help prevent future generations of service members from sustaining such injuries while assessing what types of programs and services are available to treat those who have already been injured in the years ahead.

To further assist the mushrooming number of traumatic brain injured service members and their families, this legislation would establish a TBI family caregiver training curricula. Health professionals at DOD and VA hospitals would use this training to teach family members how to care for traumatic brain injured service members after they leave the hospital. It is crucial that we give family members the tools they need to effectively assist their loved ones at home in their communities.

Those who have proudly served our Nation in OIF and OEF have made extraordinary sacrifices in the battlefield in defense of democracy and freedom. Back home, these heroes deserve our best resources and support to make sure they once again are vibrant and welcomed members in our neighborhoods, our towns, and our cities, at our work sites, and in our families. None of our returning service members should suffer alone in silence. Nor should their families. We all must do our part. I look forward to working with all of my colleagues to ensure passage of this bill that champions the successful transition of our newly returning heroes to their families, workplaces and communities.

Mr. President, 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. 3517

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 ''Heroes at Home Act of 2006''.

SEC. 2. RESPONSIBILITIES OF TASK FORCE ON MENTAL HEALTH ON TRANSITION TO CIVILIAN LIFE OF MEMBERS OF THE NATIONAL GUARD AND RESERVE RETURNING FROM DEPLOYMENT IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) IN GENERAL.—Section 723 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3348) is amended—

(1) by redesignating subsections (d), (e), (f), and (g) as subsections (e), (f), (g), and (h), respectively; and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) ASSESSMENT AND RECOMMENDATIONS ON TRANSITION TO CIVILIAN LIFE OF MEMBERS OF NATIONAL GUARD AND RESERVE RETURNING FROM DEPLOYMENT IN OPERATION IRAQI FREEDOM AND ENDURING FREEDOM.—

''(1) IN GENERAL.—In addition to the activities required under subsection (c), the task force shall, not later than 12 months after the date of the enactment of the Heroes at Home Act of 2006, submit to the Secretary a report containing an assessment of, and recommendations for improving, assistance to members of the National Guard and Reserve returning from deployment in Operation Iraqi Freedom or Operation Enduring Freedom, and their families, in transitioning to civilian employment upon their return from such deployment, including—

''(A) members who were self-employed before deployment and seek to return to such employment after deployment;

''(B) members who were students before deployment and seek to return to school or commence employment after deployment;

''(C) members who have experienced multiple recent deployments; and

''(D) members who have been wounded or injured during deployment.

''(2) WORKING GROUP.—In conducting the assessment and making the recommendations required by paragraph (1), the task force shall utilize the assistance of a working group that consists of individuals selected by the task force from among individuals as follows:

''(A) With the concurrence of the Administrator of the Small Business Administration, personnel of the Small Business Administration.

''(B) Representatives of employers who employ members of the National Guard and Reserve described in paragraph (1) on their return to civilian life as described in that paragraph.

''(C) Representatives of employee assistance organizations.

''(D) Representatives of associations of employers.

''(E) Representatives of organizations that assist wounded or injured members of the National Guard and Reserves in finding or sustaining employment.

''(F) Representatives of such other public or private organizations and entities as the co-chairs of the task force, in consultation with the members of the task force, consider appropriate.

''(3) REPORT ELEMENTS.—The report required by paragraph (1) shall include recommendations on the following:

''(A) The provision of outreach and training to employers, employment assistance organizations, and associations of employers on the employment, readjustment, and mental health needs of members of the National Guard and Reserve described in paragraph (1) upon their return from deployment as described in that paragraph.

''(B) The provision of outreach and training to employers, employment assistance organizations, and associations of employers on the needs of family members of such members.

''(C) The improvement of collaboration between the pubic and private sectors in order to ensure the successful transition of such members into civilian employment upon their return from such deployment.

''(4) OTHER DUTIES.—In the period between the submittal of the report required by paragraph (1) and the termination of the task force under subsection (h), the task force (including the working group established under paragraph (2)) shall serve as an advisor to the Assistance Center for Employers and Employment Assistance Organizations established under section 3 of the Heroes at Home Act of 2006.

''(5) EMPLOYMENT ASSISTANCE ORGANIZATION DEFINED.—In this subsection, the term 'employment assistance organization' means an organization or entity, whether public or private, that provides assistance to individuals in finding or retaining employment, including organizations and entities under military career support programs.''.

(b) REPORT.—Subsection (f) of such section, as redesignated by subsection (a)(1) of this section, is further amended—

(1) in the subsection heading, by striking ''REPORT'' and inserting ''REPORTS'';

(2) by striking paragraph (1) and inserting the following new paragraph (1):

''(1) IN GENERAL.—The report submitted to the Secretary under each of subsections (c) and (d) shall include—

''(A) a description of the activities of the task force under such subsection;

''(B) the assessment and recommendations required by such subsection; and

''(C) such other matters relating to the activities of the task force under such subsection as the task force considers appropriate.''; and

(3) in paragraph (2)—

(A) by striking ''the report under paragraph (1)'' and inserting ''a report under paragraph (1)''; and

(B) by striking ''the report as'' and inserting ''such report as''.

(c) PLAN MATTERS.—Subsection (g) of such section, as redesignated by subsection (a)(1) of this section, is further amended—

(1) by striking ''the report from the task force under subsection (e)(1)'' and inserting ''a report from the task force under subsection (f)(1)''; and

(2) by inserting ''contained in such report'' after ''the task force'' the second place it appears.

(d) TERMINATION.—Subsection (h) of such section, as redesignated by subsection (a)(1) of this section, is further amended—

(1) by inserting ''with respect to the assessment and recommendations required by subsection (d)'' after ''the task force''; and

(2) by striking ''subsection (e)(2)'' and inserting ''subsection (f)(2)''.

SEC. 3. ASSISTANCE CENTER FOR EMPLOYERS AND EMPLOYMENT ASSISTANCE ORGANIZATIONS.

(a) ESTABLISHMENT OF CENTER.—

(1) IN GENERAL.—The Secretary of Defense shall establish an office to assist employers, employment assistance organizations, and associations of employers in facilitating the successful transition to civilian employment of members of the National Guard and Reserve returning from deployment in Operation Iraqi Freedom or Operation Enduring Freedom.

(2) DESIGNATION.—The office established under this subsection shall be known as the ''Assistance Center for Employers and Employment Assistance Organizations'' (in this section referred to as the ''Center'').

(3) HEAD.—The Secretary shall designate an individual to act as the head of the Center.

(4) INTEGRATION.—In establishing the Center, the Secretary shall ensure close communication between the Center and the military departments, including the commands of the reserve components of the Armed Forces.

(b) FUNCTIONS.—The Center shall have the following functions:

(1) To provide education and technical assistance to employers, employment assistance organizations, and associations of employers to assist them in facilitating the successful transition to civilian employment of members of the National Guard and Reserve described in subsection (a) on their return from deployment as described in that subsection.

(2) To provide education and technical assistance to employers, employment assistance organizations, and associations of employers to assist them in facilitating the successful adjustment of family members of the National Guard and Reserve to the deployment and return from deployment of members of the National Guard and Reserve as described in that subsection.

(c) RESOURCES TO BE PROVIDED.—

(1) IN GENERAL.—In carrying out the functions specified in subsection (b), the Center shall provide employers, employment assistance organizations, and associations of employers resources, services, and assistance that include the following:

(A) Guidelines on best practices and effective strategies.

(B) Education on the physical and mental health difficulties that can and may be experienced by members of the National Guard and Reserve described in subsection (a) on their return from deployment as described in that subsection in transitioning to civilian employment, including difficulties arising from Post Traumatic Stress Disorder (PTSD) and traumatic brain injury (TBI), including education on—

(i) the detection of warning signs of such difficulties;

(ii) the medical, mental health, and employment services available to such members, including materials on services offered by the Department of Defense, the Department of Veterans Affairs (including through the vet center program under section 1712A of title 38, United States Code), the Department of Labor, military support programs, and community mental health clinics; and

(iii) the mechanisms for referring such members for services described in clause (ii) and for other medical and mental health screening and care when appropriate.

(C) Education on the range and types of potential physical and mental health effects of deployment and post-deployment adjustment on family members of members of the National Guard and Reserve described in subsection (a), including education on—

(i) the detection of warning signs on such effects on family members of members of the National Guard and Reserves;

(ii) the medical, mental health, and employment services available to such family members, including materials on such services as described in subparagraph (B)(ii); and

(iii) mechanisms for referring such family members for services described in clause (ii) and for medical and mental health screening and care when appropriate.

(D) Education on mechanisms, strategies, and resources for accommodating and employing wounded or injured members of the National Guard and Reserves in work settings.

(2) PROVISION OF RESOURCES.—The Center shall make resources, services, and assistance available under this subsection through such mechanisms as the head of the Center considers appropriate, including the Internet, video conferencing, telephone services, workshops, trainings, presentations, group forums, and other mechanisms.

(d) PERSONNEL AND OTHER RESOURCES.—The Secretary of Defense shall assign to the Center such personnel, funding, and other resources as are required to ensure the effective discharge by the Center of the functions under subsection (b).

(e) REPORTS ON ACTIVITIES.—

(1) ANNUAL REPORT BY CENTER.—Not later than one year after the establishment of the Center, and annually thereafter, the head of the Center, in consultation with the Department of Defense Task Force on Mental Health (while in effect), shall submit to the Secretary of Defense a written report on the progress and outcomes of the Center during the one-year period ending on the date of such report.

(2) TRANSMITTAL TO CONGRESS.—Not later than 60 days after receipt of a report under paragraph (1), the Secretary shall transmit

such report to the Committees on Armed Services of the Senate and the House of Representatives, together with—

(A) such comments on such report, and such assessment of the effectiveness of the Center, as the Secretary considers appropriate; and

(B) such recommendations on means of improving the effectiveness of the Center as the Secretary considers appropriate.

(3) AVAILABILITY TO PUBLIC.—The Secretary shall take appropriate actions to make each report under paragraph (2) available to the public, including through the Internet website of the Center.

(f) DEFINITIONS.—In this section:

(1) EMPLOYMENT ASSISTANCE ORGANIZATION.—The term ''employment assistance organization'' means an organization or entity, whether public or private, that provides assistance to individuals in finding or retaining employment, including organizations and entities under military career support programs.

(2) DEPARTMENT OF DEFENSE TASK FORCE ON MENTAL HEALTH.—The term ''Department of Defense Task Force on Mental Health'' means the Department of Defense Task Force on Mental Health established under section 723 of the National Defense Authorization Act for Fiscal Year 2006, as amended by section 2 of this Act.

(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Defense to carry out this section amounts as follows:

(1) For fiscal year 2007, $5,000,000.

(2) For each of fiscal years 2008 through 2011, such sums as may be necessary.

SEC. 4. GRANTS ON ASSISTANCE IN COMMUNITY-BASED SETTINGS FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE AND THEIR FAMILIES AFTER DEPLOYMENT IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) IN GENERAL.—The Secretary of Defense may award grants to eligible entities to carry out demonstration projects to assess the feasibility and advisability of utilizing community-based settings for the provision of assistance to members of the National Guard and Reserve who serve in Operation Iraqi Freedom or Operation Enduring Freedom, and their families, after the return of such members from deployment in Operation Iraqi Freedom or Operation Enduring Freedom, as the case may be, including—

(1) services to improve the reuniting of such members of the National Guard and Reserve and their families;

(2) education to increase awareness of the physical and mental health difficulties that members of the National Guard and Reserve can and may experience on their return from such deployment, including education on—

(A) Post Traumatic Stress Disorder (PTSD) and traumatic brain injury (TBI); and

(B) mechanisms for the referral of such members of the National Guard and Reserve for medical and mental health screening and care when necessary; and

(3) education to increase awareness of the physical and mental health difficulties that family members of such members of the National Guard and Reserve can and may experience on the return of such members from such deployment, including education on—

(A) depression, anxiety, and relationship problems; and

(B) mechanisms for medical and mental health screening and care when appropriate.

(b) ELIGIBLE ENTITIES.—An entity eligible for the award of a grant under this section is any public or private non-profit organization, such as a community mental health clinic, family support organization, military support organization, law enforcement agency, community college, or public school.

(c) APPLICATION.—An eligible entity seeking a grant under this section shall submit to the Secretary of Defense an application therefor in such manner, and containing such information, as the Secretary may require for purposes of this section, including a description of how such entity will work with the Department of Defense, the Department of Veterans Affairs, State health agencies, other appropriate Federal, State, and local agencies, family support organizations, and other community organization in undertaking activities described in subsection (a).

(d) ANNUAL REPORTS BY GRANT RECIPIENTS.—An entity awarded a grant under this section shall submit to the Secretary of Defense on an annual basis a report on the activities undertaken by such entity during the preceding year utilizing amounts under the grant. Each report shall include such information as the Secretary shall specify for purposes of this subsection.

(e) ANNUAL REPORTS TO CONGRESS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to Congress a report on activities undertaken under the grants awarded under this section. The report shall include recommendations for legislative, programmatic, or administrative action to improve or enhance activities under the grants awarded under this section.

(2) AVAILABILITY TO PUBLIC.—The Secretary shall take appropriate actions to make each report under this subsection available to the public.

SEC. 5. LONGITUDINAL STUDY ON TRAUMATIC BRAIN INJURY INCURRED BY MEMBERS OF THE ARMED FORCES IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) STUDY REQUIRED.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, provide for a longitudinal study on the effects of traumatic brain injury incurred by members of the Armed Forces in Operation Iraqi Freedom or Operation Enduring Freedom. The duration of the longitudinal study shall be 15 years.

(b) SELECTION OF ENTITY FOR CONDUCT OF STUDY.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, select an entity to conduct the study required by subsection (a) from among private organizations or entities qualified to conduct the study.

(c) ELEMENTS.—The study required by subsection (a) shall address the following:

(1) The long-term effects of traumatic brain injury on the overall readiness of the Armed Forces.

(2) Mechanisms for improving body armor and helmets in order to protect members of the Armed Forces from sustaining traumatic brain injuries.

(3) The long-term physical and mental health consequences of traumatic brain injuries incurred by members of the Armed Forces during service in Operation Iraqi Freedom or Operation Enduring Freedom.

(4) The health care, mental health care, and rehabilitation needs of such members for such injuries after the completion of inpatient treatment through the Department of Defense, the Department of Veterans Affairs, or both.

(5) The type and availability of long-term care rehabilitation programs and services within and outside the Department of Defense and the Department of Veterans Affairs for such members for such injuries, including community-based programs and services and in-home programs and services.

(d) REPORTS.—

(1) PERIODIC AND FINAL REPORTS.—After the third, seventh, eleventh, and fifteenth years of the study required by subsection (a), the Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, submit to the appropriate elements of the Department of Defense and the Department of Veterans Affairs, and to Congress, a comprehensive report on the results of the study during the preceding years. Each report shall include the following:

(A) Current information on the cumulative outcomes of the study.

(B) In the case of a report to elements of the Department of Defense—

(i) such recommendations as the Secretary of Defense considers appropriate for programmatic and administrative action to improve body armor and helmets to protect members of the Armed Forces from sustaining traumatic brain injuries; and

(ii) such other recommendations as the Secretary considers appropriate based on the outcomes of the study.

(C) In the case of a report to elements of the Department of Veterans Affairs—

(i) such recommendations as the Secretary of Veterans Affairs considers appropriate for programmatic and administrative action to improve long-term care and rehabilitative programs and services for members of the Armed Forces with traumatic brain injury; and

(ii) such other recommendations as the Secretary considers appropriate based on the outcomes of the study.

(D) In the case of a report to Congress—

(i) such recommendations as the Secretary of Defense considers appropriate for legislative action to improve body armor and helmets to protect members of the Armed Forces from sustaining traumatic brain injuries;

(ii) such recommendations as the Secretary of Veterans Affairs considers appropriate for legislative action to improve long-term care and rehabilitative programs and services for members of the Armed Forces with traumatic brain injury; and

(iii) such other recommendations as the Secretary of Defense and the Secretary of Veterans Affairs jointly consider appropriate based on the outcomes of the study.

(2) AVAILABILITY TO PUBLIC.—The Secretary of Defense and the Secretary of Veterans Affairs shall jointly take appropriate actions to make each report under this subsection available to the public.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Defense to carry out this section amounts as follows:

(1) For fiscal year 2007, $5,000,000.

(2) For each of fiscal years 2008 through 2013, such sums as may be necessary.

SEC. 6. TRAINING CURRICULA FOR FAMILY CAREGIVERS ON CARE AND ASSISTANCE FOR MEMBERS AND FORMER MEMBERS OF THE ARMED FORCES WITH TRAUMATIC BRAIN INJURY INCURRED IN OPERATION IRAQI FREEDOM AND OPERATION ENDURING FREEDOM.

(a) TRAUMATIC BRAIN INJURY FAMILY CAREGIVER PANEL.—

(1) ESTABLISHMENT.—The Secretary of Defense shall, in consultation with the Secretary of Veterans Affairs, establish within the Department of Defense a panel to develop coordinated, uniform, and consistent training curricula to be used in training family members in the provision of care and assistance to members and former members of the Armed Forces for traumatic brain injuries incurred during service in the Armed Forces in Operation Iraqi Freedom or Operation Enduring Freedom.

(2) DESIGNATION OF PANEL.—The panel established under paragraph (1) shall be known as the ''Traumatic Brain Injury Family Caregiver Panel''.

(3) MEMBERS.—The Traumatic Brain Injury Family Caregiver Panel established under paragraph (1) shall consist of 15 members appointed by the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, equally represented from among—

(A) physicians, nurses, rehabilitation therapists, and other individuals with an expertise in caring for and assisting individuals with traumatic brain injury, including those who specialize in caring for and assisting individuals with traumatic brain injury incurred in war;

(B) representatives of family caregivers or family caregiver associations;

(C) Department of Defense and Department of Veterans Affairs health and medical personnel with expertise in traumatic brain injury, and Department of Defense personnel and readiness representatives with expertise in traumatic brain injury;

(D) representatives of military service organizations who specialize in matters relating to disabled veterans;

(E) representatives of veterans service organizations who specialize in matters relating to disabled veterans;

(F) psychologists or other individuals with expertise in the mental health treatment and care of individuals with traumatic brain injury;

(G) experts in the development of training curricula;

(H) researchers and academicians who study traumatic brain injury; and

(I) any other individuals the Secretary considers appropriate.

(4) MEETINGS.—The Traumatic Brain Injury Family Caregiver Panel shall meet not less than monthly.

(b) DEVELOPMENT OF CURRICULA.—

(1) IN GENERAL.—The Traumatic Brain Injury Family Caregiver Panel shall develop training curricula to be utilized during the provision of training to family members of members and former members of the Armed Forces described in subsection (a) on techniques, strategies, and skills for care and assistance for such members and former members with the traumatic brain injuries described in that subsection.

(2) SCOPE OF CURRICULA.—The curricula shall—

(A) be based on empirical research and validated techniques; and

(B) shall provide for training that permits recipients to tailor caregiving to the unique circumstances of the member or former member of the Armed Forces receiving care.

(3) PARTICULAR REQUIREMENTS.—In developing the curricula, the Traumatic Brain Injury Family Caregiver Panel shall—

(A) specify appropriate training commensurate with the severity of traumatic brain injury; and

(B) identify appropriate care and assistance to be provided for the degree of severity of traumatic brain injury for caregivers of various levels of skill and capability.

(4) USE OF EXISTING MATERIALS.—In developing the curricula, the Traumatic Brain Injury Family Caregiver Panel shall utilize and enhance any existing training curricular, materials, and resources applicable to such curricula as the Panel considers appropriate.

(5) CONSULTATION.—In developing the curricula, the Traumatic Brain Injury Family Caregiver Panel shall consult with the Army Reserve Forces Policy Committee, as appropriate.

(6) DEADLINE FOR DEVELOPMENT.—The Traumatic Brain Injury Family Caregiver Panel shall develop the curricula not later than one year after the date of the enactment of this Act.

(c) DISSEMINATION OF CURRICULA.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Traumatic Brain Injury Family Caregiver Panel, develop mechanisms for the dissemination of the curricula developed under subsection (b) to health care professionals referred to in paragraph (2) who treat or otherwise work with members and former members of the Armed Forces with traumatic brain injury incurred in Operation Iraqi Freedom or Operation Enduring Freedom. In developing such mechanisms, the Secretary may utilize and enhance existing mechanisms, including the Military Severely Injured Center.

(2) HEALTH CARE PROFESSIONALS.—The health care professionals referred to in this paragraph are the following:

(A) Personnel at military medical treatment facilities.

(B) Personnel at the polytrauma centers of the Department of Veterans Affairs.

(C) Personnel and care managers at the Military Severely Injured Center.

(D) Such other health care professionals of the Department of Defense as the Secretary considers appropriate.

(E) Such other health care professionals of the Department of Veterans Affairs as the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, considers appropriate.

(3) SCOPE.—The mechanisms developed under paragraph (1) shall include the provision of refresher training in the curricula developed under subsection (a) for the health care professional referred to in paragraph (2) not less often than once every six months.

(4) PROVISION OF TRAINING TO FAMILY CAREGIVERS.—

(A) IN GENERAL.—Health care professionals referred to in paragraph (2) who are trained in the curricula developed under subsection (b) shall provide training to family members of members and former members of the Armed Forces who incur traumatic brain injuries during service in the Operation Iraqi Freedom or Operation Enduring Freedom in the care and assistance to be provided for such injuries.

(B) TIMING OF TRAINING.—Training under this paragraph shall, to the extent practicable, be provided to family members while the member or former member concerned is undergoing treatment at a facility of the Department of Defense or Department of Veterans Affairs, as applicable, in order to ensure that such family members receive practice on the provision of such care and assistance under the guidance of qualified health professionals.

(C) PARTICULARIZED TRAINING.—Training provided under this paragraph to family members of a particular member or former member shall be tailored to the particular care needs of such member or former member and the particular caregiving needs of such family members.

(5) QUALITY ASSURANCE.—The Secretary shall develop mechanisms to ensure quality in the provision of training under this section to health care professionals referred to in paragraph (2) and in the provision of such training under paragraph (4) by such health care professionals.

(6) REPORT.—Not later than one year after the development of the curricula required by subsection (b), and annually thereafter, the Traumatic Brain Injury Family Caregiver Training Panel shall submit to the Secretary of Defense and the Secretary of Veterans Affairs, and to Congress, a report on the following:

(A) The actions undertaken under this subsection.

(B) The results of the tracking of outcomes based on training developed and provided under this section.

(C) Recommendations for the improvement of training developed and provided under this section.

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of Defense to carry out this section amounts as follows:

(1) For fiscal year 2007, $5,000,000.

(2) For each of fiscal years 2008 through 2011, such sums as may be necessary.

By Mr. BENNETT:

S. 3518. A bill to amend the Credit Repair Organizations Act to establish a new disclosure statement; to the Committee on Banking, Housing, and Urban Affairs.

Mr. BENNETT. Mr. President, I rise today to introduce legislation to amend the Credit Repair Organizations Act, CROA, to stop abusive class action lawsuits against companies offering legitimate credit file monitoring products. The following is a summary of why we need to pass this legislation.

Credit-monitoring products are offered by consumer reporting agencies, their affiliates, and resellers. These products help consumers access their consumer report information and credit scores on a regular basis. They include credit alert features when derogatory information appears in the consumer's file or someone obtains the consumer's report. The products give consumers a front-line defense against identity theft, and are routinely made available to victims of security breaches. Credit-monitoring products also educate consumers about their credit scores and credit histories. The market is highly competitive. Banks and other creditors also provide these products to their customers.

These products are threatened by abusive class action lawsuits, based on CROA's language. CROA was to combat the assault on the integrity of accurate credit file data by credit repair organizations and by consumers acting on their advice. Under CROA, a credit repair organization is subject to a number of appropriately harsh and specific requirements. The most significant of these is a prohibition on collecting fees before completion of performance of the promised services. CROA also mandates that consumers be given a written warning that the services cannot result in the change or deletion of negative but accurate data. This ''warning'' would be confusing and inappropriate if given to a consumer of credit monitoring products or services.

CROA was enacted before credit monitoring products were created. The CROA definition of ''credit repair organization'' is intentionally broad in order to prevent circumvention of its coverage. Among other things, the definition includes an entity that implies its activities or services can ''improve'' a consumer's credit record, credit history or credit rating. The breadth of the definition has been used by plaintiffs' lawyers an attempt to obtain statutory damages against consumer reporting agencies and their resellers solely for offering these monitoring

products. The class action lawsuits threaten the viability of the credit-monitoring industry.

This result can be prevented through the enactment of a technical amendment to CROA that clarifies the definition of ''credit repair organization'' as it includes ''improving'' a consumer's credit record, etc. The amendment can explain that ''improving'' a consumer's credit record does not include credit monitoring, notifications, analysis, evaluation, or explanations.

Because this is a clarifying amendment, it will not affect the CROA's essential operation or Federal agency enforcement. The Federal Trade Commission has stated that it does not think credit-monitoring products should be subject to CROA. If this amendment is enacted, consumers will continue to enjoy CROA's important rights and protections, including the right to bring private lawsuits against credit repair organizations for violations of the act. The amendment to CROA will also assure the continued availability of credit monitoring products and services for consumers.

I encourage my colleagues to join with me in passing this important legislation.

By Mr. HATCH (for himself, Mr. CONRAD, and Mr. KOHL):

S. 3519. A bill to reform the State inspection of meat and poultry in the United States, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. HATCH. Mr. President, today I rise to introduce the Agriculture Small Business Opportunity and Enhancement Act of 2006. Currently, 28 States, including my home State of Utah, have State meat inspection programs. But, outdated Federal laws prohibit the interstate shipment of certain meats inspected under these programs. My legislation would remove that unfair ban.

Let me provide some background on why this legislation is necessary. A 1906 law, the Federal Meat Inspection Act, requires the U.S. Department of Agriculture, USDA, to inspect all cattle, sheep, swine, goats, and horses slaughtered for human consumption. An amendment in 1957, the Poultry Products Inspection Act, added poultry to that list. While the Federal Meat Inspection Act and the 1968 Poultry Products Inspection Act recognized State inspection programs separate from the Federal program, these laws also prohibit certain meats inspected under State programs from being sold in interstate commerce. That ban applies to beef, poultry, pork, lamb, and goat products, but not to specialty meats such as venison, pheasant, quail, rabbit, and numerous others that are typically inspected under State programs.

It is important to point out that this ban is unique. State-inspected beef, poultry, pork, lamb, and goat products are the only food commodities that are banned from interstate shipment. Many perishable products, including milk and other dairy items, fruit, vegetables, and fish, which are inspected under State programs, are shipped freely across State lines.

There is no legitimate reason for the ban on the interstate shipment of State-inspected meats to continue. The State programs are equal or superior to the Federal program. In fact, the 1967 and 1968 Meat and Poultry Inspection Acts require State inspection programs to be ''at least equal to'' the Federal program. Since 1967, USDA has conducted comprehensive reviews of each individual State inspection program to verify whether or not the program meets the statutory requirement to be ''at least equal to'' the Federal program. In the nearly 30 years that USDA has been conducting these reviews, the agency has never unilaterally found that a State inspection program should be discontinued due to an inability to meet Federal food safety standards.

Further, the 2002 farm bill required USDA to conduct an additional comprehensive review of State inspection programs. After a 2-year study, USDA issued an interim report which found that State inspection programs are indeed ''at least equal to'' the Federal inspection program. In addition, three USDA Advisory Committees have recommended that the ban on interstate shipment be lifted.

In short, there is no distinction between the Federal and State inspection programs. Without exception, State inspection programs meet or exceed Federal food-safety requirements, and USDA has verified the safety of these programs for decades.

In Utah, we have 32 establishments that inspect meat under a State's inspection program. These establishments, like the nearly 2,000 similar plants nationwide, are, for the most part, small businesses. And, generally speaking, these establishments cater to the needs of small, family-run farms and ranches. The outdated ban on interstate shipment of State-inspected meats clearly disrupts the free flow of trade, restricts market access for countless small businesses, and creates an unfair advantage for big businesses.

But it gets worse. Current regulations also favor foreign meat producers over small businesses in our Nation. In fact, meat inspected in 34 foreign countries can be shipped anywhere in the U.S. because the USDA has certified that the inspection programs in these foreign countries are equivalent to the Federal program. As I have pointed out, State inspection programs must meet the same Federal equivalency standard. In fact, USDA supervision of State inspection programs is far more frequent and thorough than its oversight of foreign inspection programs.

In my view, it is absurd that meat inspected in 34 foreign countries can be shipped anywhere in the United States without restriction, but small businesses in 28 States are prohibited from shipping their products across State lines, even though these small businesses meet the same Federal food safety requirements as their foreign competitors.

A ban on interstate shipment of State-inspected meat unfairly hinders our Nation's economy. My legislation would remove the outdated, unnecessary, unjust ban that puts our small businesses at such a disadvantage. Removing this prohibition will increase competition and innovation. It will provide farmers and ranchers with increased opportunities to sell their products at a better price. It will not do anything more than level the playing field and ensure that our small businesses have the opportunity to economically compete in the market.

I urge my colleagues to join me in defending America's small businesses by supporting this important legislation.

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

S. 3520. A bill to amend the International Claims Settlement Act of 1949 to allow for certain claims of nationals of the United States against Turkey, and for other purposes; to the Committee on Foreign Relations.

Ms. SNOWE. Mr. President, as you know, Turkey invaded the northern area of the Republic of Cyprus in the summer of 1974. At that time, less than 20 percent of the private real property in this area was owned by Turkish Cypriots, with the rest owned by Greek Cypriots and foreigners. Turkey's invasion and subsequent occupation of northern Cyprus displaced people who are to this day prevented by the Turkish armed forces from returning to and repossessing their homes and properties.

A large proportion of these properties were distributed to, and are currently being used by, the 120,000 Turkish settlers brought into the occupied area by Turkey. It is estimated that 7,000 to 10,000 U.S. nationals today claim an interest in such property.

Adding urgency to the plight of Greek-Cypriots and Americans who lost property in the wake of the invasion is a recent property development boom in the Turkish-occupied north of Cyprus. As an ever-increasing number of disputed properties are transferred or developed, the rightful owners' prospects for recovering their property or being compensated worsen.

In 1998, the European Court of Human Rights found that Turkey had unlawfully deprived Greek Cypriot refugees of the use of their properties in the north of the island. The Court ruled that the Government of Turkey was obliged to compensate the refugees for such deprivation, and to allow them to return home.

It is to provide similar redress to the American victims of Turkey's invasion and occupation of Cyprus that my colleague Senator MENENDEZ and I today introduce the American-Owned Property in Occupied Cyprus Claims Act. A substantively identical bill has been

proposed in the House of Representatives by Representative PALLONE and 32 of his Republican and Democratic colleagues.

This act would direct the U.S. Government's independent Foreign Claims Settlement Commission to receive, evaluate, and determine awards with respect to the claims of U.S. citizens and businesses that lost property as a result of Turkey's invasion and continued occupation of northern Cyprus. To provide funds from which these awards would be paid, the act would urge the President to authorize the Secretary of State to negotiate an agreement for settlement of such claims with the Government of Turkey.

The act would further grant U.S. Federal courts jurisdiction over suits by U.S. nationals against any private persons—other than Turkey—occupying or otherwise using the U.S. national's property in the Turkish-occupied portion of Cyprus. Lastly, the act would expressly waive Turkey's sovereign immunity against claims brought by U.S. nationals in U.S. courts relating to property occupied by the Government of Turkey and used by Turkey in connection with a commercial activity carried out in the United States.

This bill represents an important step toward righting the internationally recognized wrong of the expropriation of property, including American property, in northern Cyprus in the wake of the 1974 invasion by the Turkish Army. I strongly urge my colleagues to promptly consider and pass this critical piece of legislation.

By Mr. GREGG (for himself, Mr. FRIST, Mr. ALLARD, Mr. ENZI, Mr. SESSIONS, Mr. CRAPO, Mr. ENSIGN, Mr. CORNYN, Mr. ALEXANDER, Mr. GRAHAM, Mr. KYL, Mr. THOMAS, Mr. CRAIG, Mr. BROWNBACK, Mr. ISAKSON, Mr. DEMINT, Mr. MCCAIN, Mr. VITTER, Mr. THUNE, Mr. CHAMBLISS, Mr. MCCONNELL, Mr. BUNNING, and Mr. DOMENICI):

S. 3521. A bill to establish a new budget process to create a comprehensive plan to rein in spending, reduce the deficit, and regain control of the Federal budget process; to the Committee on the Budget.

Mr. GREGG. Mr. President, I rise to introduce a bill which is sponsored by myself and 20 other Members of the Senate.

The purpose of this bill is to put some control over spending—or at least put procedures in—to allow us as a Congress to begin to control spending.

I think we all recognize that in the short run we are headed toward a budget that looks like it may actually move toward balance. We have seen some very significant, positive gains. A deficit that was supposed to be about $425 billion this year is down to about $300 billion, and it may well go below that. That does not solve our problem even though we have gotten things moving the right way because in the outyears we face a fiscal crisis. That is reflected in this chart.

The fact is, there is facing this country a situation where we have a generation known as the baby boom generation which is such a large generation that it has basically overwhelmed the systems of America at each point in its evolution. It started out in the early 1950s and late 1940s. It overwhelmed the school systems it was so big. As it moved forward in the 1960s, it created the civil rights movement, and in the 1980s and 1990s it created the greatest prosperity in the history of our country as a result of its size and productivity.

But now that generation is beginning to retire. It will start to retire in the year 2008. It will be fully retired by the year 2020. It will be the largest retired generation in the history of our Nation by a factor of two. There will essentially be 70 million people retiring during that period.

What are the implications? The implications are rather severe for our Nation's fiscal policy, and especially for our children. All of our retirement systems in this Nation—Social Security, Medicare, Medicaid—all our major safety nets were built around the concept created by FDR, Franklin Delano Roosevelt, that there would always be many more people working than retiring.

In fact, in the early 1950s there were about 12 people working and paying into the Social Security system for every one person taking it out of Social Security. Today there are about three and a half people working for every one person who is retired. By the years 2020 to 2025, there will only be two people working for every one person taking out of the system. That means this pyramid concept goes to a rectangle, and our children and our grandchildren who will then be the working people in America will not be able to support the benefit structure which is in place for the retired.

This chart reflects the dramatic effect of this situation rather starkly. The blue line represents what percent of gross national product the Federal Government usually spends. Historically, since World War II, the Federal Government has spent about 20 percent of the gross national product. The red line represents three programs in the Federal process: Social Security, Medicare, and Medicaid. The red line grows dramatically beginning in about the year 2008 and proceeds at an exponential rate of growth, so that by the years 2025 to 2028 those three programs alone will actually cost more than 20 percent of the gross national product of America.

What does that mean? It means if we were to spend the historic amount we have spent on the Federal Government, those three programs would use up all that money and there would be no money available for education, for national defense, for laying out roads, for health care for everyone else, other than those who are retired, or for anything else the Federal Government is supposed to do. Everything would have to be spent on Social Security, Medicare, and Medicaid. It does not stop there. It continues up at a rather dramatic movement.

The point, of course, is that our children will have to pay the cost. They will find themselves confronted with a dramatic increase in tax burden unless we address the cost of those programs from the spending side.

The point, also, is we really cannot tax our way out of this problem. We cannot possibly raise taxes high enough to keep up with the cost of these programs and still have a viable country. If we did that, we would eliminate the ability of our children to buy a new home, to send their kids to college, to even buy cars. The lifestyle of an American, our children and our grandchildren, would be dramatically reduced—their quality of life—were we to raise taxes to try to keep up with this rate of growth of spending.

Again, it is not a revenue problem; it is a spending problem. That is important to stress. In fact, if you look at the revenues over the last few years, this reinforces this point. Revenues dropped precipitously at the beginning of this President's term for two reasons. One, we had the largest bubble in the history of the world, the Internet bubble, back in the late 1990s, where we were essentially producing false income, paper returns through the issuance of stock which wasn't backed up by productive companies. This bubble burst, and it was the biggest bubble in history, bigger than the tulip or south seas bubble. And the effect of it was to cause our economy to retrench.

Then we had the attack of September 11, which dramatically impacted our psyche as a nation. Obviously, it had a horrific effect in the area of loss of lives, but it had a dramatic effect on our economy. Those two back-to-back events basically forced a significant drop in revenues.

So President Bush came in and said: Let's try to get out of this recession—and it was a shallow recession but would have headed a lot deeper—by cutting taxes and giving people an incentive to be more productive. We have heard a lot from the other side about how it is terrible we cut taxes at the beginning of this administration. But what those tax cuts did was create an atmosphere where people who wanted to be entrepreneurial, who wanted to go out and take risks, who were willing to put their own personal efforts and their dollars behind an effort to be productive, and, thus, create jobs, did exactly that.

Then the economy started to recover. We had 39 straight months of recovery. We had one of the largest expansions of the post-World-War II period. The practical effect of that is that we have created more economic activity, created

more jobs, and created more revenue to the Federal Government. So in the last 2 years, the revenue to the Federal Government has actually jumped greater in a 2-year period than at any time in the post-World-War II period. Each of the last 2 years has had historic increases of revenues for the Federal Government.

We are at a point where revenues are essentially at the same place they would be over history as a percent of gross national product. We are essentially generating about the same amount of revenue we have always generated to the Federal Government.

The other side of the aisle says: Let's raise taxes some more. That is not going to help because we are already generating as much revenue as we usually generate. We are doing it the right way, with a fair tax system, telling entrepreneurs to make jobs and create risks. We have created jobs and given revenues to the Federal Government.

The real issue is, you have to be willing to address spending, which is what the chart shows. A group on our side of the aisle said: How do you do this? Probably the way to do it is to put in place a series of processes in the Senate and in the House, which basically forced the Congress to address the public policy issues of reducing the rate of growth and spending for the Federal Government. This is very difficult for an elected body. We know it is a natural tendency of an elected body to spend more money because people come to you and say: We need this for that. Usually the stories are compelling and the purposes are good.

The simple fact is, we cannot afford to spend all the money that people want to spend, and we need to have some mechanisms around here which energize an atmosphere of producing fiscal responsibility, delivering government that is efficient, delivering government that is effective, delivering government that people get what they expect, and, also, get their dollars used efficiently and effectively to produce a government that works.

So we are suggesting a program that basically renews, redesigns; it reforms, it rebuilds the Federal system relative to how we are going to spend money and makes sure we spend it effectively so we give people an affordable government, something that delivers the type of services they need but does it in a way that can be afforded. That is our goal. Our goal, essentially, is to contain spending so that we are able to deliver quality government and still pass on to our children a government that is affordable, a tax burden they can afford that won't overwhelm them and will give them the opportunity to have as good a life as we have had.

The proposal we have come up with has a variety of different elements to accomplish this. First, we follow the ideas put forward by the President, which has eight basic elements. It is a very extensive reform package, renewal package, redesign package, rebuilding package.

The first element is what I call fast-track rescission. I suppose that is too technical. The President calls it the line-item veto. But it says the President has the opportunity to look at bills we have passed in the Senate and say: Listen, we do not need to spend money on that item. That is really an item of earmark, or maybe you might call it pork, or it is just simply not what we need. It is not what the American people have to have their dollars spent on. He gets to put together a package of items, and he sends them to us. He says: These are the items I don't think we need. We think the American people don't need them. We don't think the Government can afford them, and you, the Congress, can take another look at them and vote them up or down. Fast-track rescission. We have to take the vote. It is an opportunity for the executive branch to have a say and for the legislative branch to take a second look. We have done it in a way so neither branch is prejudiced as to our constitutional role which is very important.

The second thing we have done is we have reinstated statutory caps. What is that? It means that we say every year how much the Federal Government is going to spend and we lock it down so that if we spend over that amount we have to go back and cut somewhere else to bring us down to that number.

What has happened around here, we have said we are going to spend X dollars. That is called a cap. But we have not had any enforcement mechanism behind the cap. Those lapsed in 2002. So when we exceed the cap, you get 60 votes and people say: Fine, we will spend the money anyway, even though we said we were not going to spend that much money, and it is ignored. This puts in place a system where we have to be responsible to the number we set out as to what the Federal Government should spend. It is basically truth in budgeting and forces budgeting to be effective and responsive.

The third item we put in, we reduce the deficit so it will move to zero by 2012. This is done by saying essentially this: The deficit today is X percent of gross national product. We are going to say that the deficit should be dropped as a percent of gross national product every year until we get to about 2012 where we expect it to be basically no deficit. If we exceed those numbers—in other words, if the deficit exceeds that percent of gross national product which we set out in the bill—and these numbers are historical numbers and they are obtainable numbers.

In fact, in the first 2 years, the numbers we have set out are basically above where the actual deficit looks like it will hit, and it is about the third and fourth year we may have some issues to keep the deficit moving down—but if the deficit is not moving down, we put in place a process called reconciliation, directed at entitlement spending.

The problem we have as a Federal Government isn't the discretionary side of the ledger. That is spending that occurs every year. Every year you have to spend X dollars on defense, X dollars on education, and you can make a choice regarding how much you will spend here, how much you spend there. Nondefense spending in those accounts has been flat for the last few years, essentially flat if you factor in inflation. The real growth of the Federal Government has been in these accounts that are entitlement accounts, mandatory accounts which I had on the first chart, three of the major ones. They represent, along with the Federal debt, about 60 percent of Federal spending.

What this bill says is that essentially you have to go back and take a look at those accounts if we are not meeting our deficit targets and bring them into line so we will meet those deficit targets.

Now, in order to help accomplish this, this proposal also includes an entitlement commission. There have been a lot of commissions around here and everyone is a little tired of commissions. This commission is different. This commission says take a look at the entitlement accounts of the Federal Government, report back to the Congress, and Congress must act on your proposal. We actually put in place a policy procedure to try to correct the entitlement issue. Then we put in place a budgeting procedure which allows us to legislate changes if the entitlement improvements are not accomplishing our goals.

The purpose is to make these entitlement programs affordable for our children while they still maintain a quality lifestyle for those who are retired. That can be and should be able to be accomplished. But it takes a Congress being willing to step up to the plate and doing it. So far, we have not been willing to do that. We have been burying our head in the sand on that issue.

Another element in this proposal is a BRAC commission, a proposal from Senator BROWNBACK, which essentially looks at the whole Government, independent of the Defense Department, which was looked at under its own BRAC commission. And if you recall, it looked at the entire Defense Department and decided what the Defense Department needed and didn't need and set up a package and we voted on it as a package.

This is a ''BRAC Commission'' for the Government with very strong, thoughtful people being appointed to the Commission, the same way the BRAC Commission was set up relative to the Defense Department. We will be able to take a look at functions of the Government which maybe should be eliminated or reduced or significantly changed.

It is a good proposal. It is also a proposal that includes biennial budgeting—an idea that is strongly supported by the Senator from Alabama, Mr. SESSIONS, who is managing the bill on the floor right now, and the Senator

from New Mexico—so we can have a budget process where we are not always looking at the budget every year and everybody spinning their wheels around the budget but, rather, having a year where we develop a budget and a year where we do a lot more oversight. That is the theory behind that, so we can become more efficient.

Finally, it has reforms to what is known as the reconciliation process. The reconciliation process is the teeth under which we accomplish savings in the budget process. But it can also, unfortunately, be used for expanding spending if it is not handled properly. So these reforms make it clear that reconciliation is primarily for the purposes of controlling spending, not of expanding spending.

So the goal is simple. The goal is to put in place a package which will allow us as a Congress to step up and address the issue of overspending. That is why we call it SOS, ''stop overspending.'' The purpose of that goal is to be able to pass on to our children a government that is affordable, that continues to deliver the services people expect, continues to give high-quality services but does it in an affordable way so our children's quality of life is not overwhelmed by the burden of a government that is trying to support a retired generation that is huge.

Again, I must stress, that you cannot do this on the tax side. You cannot solve the issues of the deficit, you cannot solve the issues of entitlement concerns on the tax side. There is simply too much programmatic commitment in the pipeline to accomplish that.

Let me give you a couple numbers to highlight that fact. The General Accounting Office—the comptroller of the Government—has told us there is presently pending relative to entitlement responsibility for retired people an obligation which we don't know how we are going to pay for—that is called an unfunded liability—of $46 trillion; and that is ''trillion'' with a ''T.'' So that is $46 trillion of responsibility that we have put on the books in costs that we don't really know how we are going to pay for.

I don't know what $1 trillion is. It is very hard to comprehend $1 trillion. But just to put it in some sort of context, since the beginning of this country, since our Revolution, we have paid something like $43 trillion in taxes. So all the taxes paid since this country started would not pay for the bills we have on the books for our upcoming retired generation. Or to put it in another context, if you took all the assets owned in America today—all the cars, all the homes, all the stock, all the small businesses, all the big businesses—and totaled them up, their total is about $47 trillion in net value. So we have on the books a liability that is essentially the same as the net worth of our Nation. That is a serious problem, and you cannot deal with that problem by simply raising taxes.

The other side of the aisle has not put forward any substantive ideas in this area relative to spending. They have suggested a proposal called pay-go, which is a stalking-horse for tax increases. Fine. That is their position: We should raise taxes to address all problems. But we know from the numbers that are now coming in at the Treasury that we are already taxing Americans at a level which is at our historic level, our traditional level, and that revenues to the Federal Government are jumping significantly because of the good tax policies we have in place, the fair tax policies we have in place.

So we know you cannot solve this problem by continuing to raise taxes on the American people. The total tax burden to the American people today, including State, local, and Federal, is almost at a historic high. How much higher can you put that tax burden on the American people? No, you cannot do it on that side of the ledger. In fact, what we have proven is you generate more revenues by giving people an incentive to be productive and to go out and create jobs by having a fair and reasonable tax rate rather than jumping tax rates to the point where people have a disincentive to be productive and thus start to reduce revenues to the Federal Government.

That was proven by John Kennedy, confirmed by Ronald Reagan, and now confirmed again by George W. Bush. It should be accepted policy around here, but it is rejected by the other side of the aisle, which still subscribes to this 1930s philosophy of governance, which is that you can always raise taxes to meet any problem. No. The problem is that we need to be willing to step up and address spending.

This package, if it were to pass in its entirety—I hope the other side will not obstruct it coming to the floor. We hope to mark it up in Budget next week and report it out, and hope the other side will let us take it up. Let's have a free-flowing debate out here on the floor about how you address this issue.

The outyear threat to our children—which is a function of the fact there is a baby boom generation floating around here that is huge—is not going to go away and is going to demand significant services which will cost a dramatic amount of money.

Our proposal is comprehensive and extensive. It is a rebuilding, retooling approach toward how we manage this Congress and especially our budgets. It is a constructive approach, one that is committed toward delivering an affordable and effective government and a government that does not overburden our children and our grandchildren with taxes. So it will lead to a balanced budget, and it will lead to a government that is affordable.

I thank all my colleagues who have joined me in this effort, and I do hope we can move it forward.

Mr. SESSIONS. Mr. President, will the Senator yield for a question?

Mr. GREGG. Mr. President, I yield to the Senator from Alabama.

Mr. SESSIONS. First, I wish to say to any Americans listening and all our colleagues, when Chairman GREGG speaks about long-term financial challenges facing this Nation, we ought to listen. ''E.F. Hutton'' speaks. So our ''E.F. Hutton'' is speaking, and I could not be more proud of the package he has proposed because all of those proposals, in my view, are not only workable but they will work.

What we tend to do around here a lot is we propose packages and ideas, and the ones that pass will not actually work.

I say to Chairman GREGG, you had a chart that showed a declining deficit. Would you put that up? I just want to raise one point about it because it, perhaps, raises a misconception. It shows a reduction of the deficit and, in effect, a zero deficit. But you do not mean by that that to achieve that huge reduction in our current deficit, we have to cut spending; is that correct?

Mr. GREGG. No.

Mr. SESSIONS. Is it necessary we actually cut the current rate of spending to achieve that?

Mr. GREGG. Absolutely not. In fact, under most scenarios, the current rate of spending on almost all of these major programs—such as Medicare, Social Security, and Medicaid—would rise significantly; they just would not rise as fast. Medicare, for example, would probably, over this 5-year period, rise by about 40 percent, instead of 43 percent—something like that. Those are numbers off the top of my head, but those are the types of numbers we are talking about. You are talking about increased spending but at a slower rate and affordable.

Mr. SESSIONS. And even with this long-term 20-, 30-, 60-year projection of larger deficits, if we just contain the growth in the entitlement programs by a realistic amount, we could have a great impact on reducing those projected deficits; isn't that correct?

Mr. GREGG. Mr. President, the Senator from Alabama is absolutely right. We do not have to cut anywhere. All we have to do is slow the rate of growth so it is an affordable rate of growth because the compounding effect of slowing these rates of growth is huge.

Mr. SESSIONS. That is such an important answer.

Let me ask the Senator this.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Mr. President, I ask unanimous consent for 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SESSIONS. With regard to the growth of revenue to our Government—and you had a chart which showed that—as I recall, last year we showed over 14 percent growth, and with this year almost half gone, we are looking at in excess of 11 percent growth. That is after taxes have been cut. Is that correct?

Mr. GREGG. Mr. President, the Senator from Alabama is correct. The rate

of growth of revenues to the Federal Government last year was about 14 percent. This year, through the first 6 months, it was about 11 percent and continues to grow dramatically. That is a function of the fact that we now have a tax policy which encourages people to go out and take risks and create jobs, which creates revenue.

Mr. SESSIONS. I thank the Senator because he has given us optimism and hope that we can reduce this deficit, and he has shown us we can do this without slashing our social programs or any other spending but just contain the growth.

BY Mr. WYDEN (for himself, Mr. SMITH, Mr. CRAIG, and Mrs. MURRAY):

S. 3522. A bill to amend the Bonneville Power Administration portions of the Fisheries Restoration and Irrigation Mitigation Act of 2000 to authorize appropriations for fiscal years 2006 through 2012, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, I am pleased to be joined today by Senator GORDON SMITH, Senator LARRY CRAIG and Senator PATTY MURRAY in introducing the Fisheries Restoration and Irrigation Mitigation Act of 2006—or FRIMA. Our legislation extends a homegrown, commonsense program that has a proven track record in helping restore Northwestern salmon runs. Dollar-for-dollar, the fish screening and fish passage facilities funded by our legislation are among the most cost-effective uses of public and private restoration dollars. These projects protect fish while producing significant benefits. That is why it is important that this program be reauthorized and funding be appropriated now.

Since 2001, when the original Fisheries Restoration and Irrigation Mitigation Act of 2000, FRIMA, was enacted, more than $9 million in Federal funds has leveraged nearly $20 million in private, local funding. This money has been used to protect, enhance, and restore more than 550 river miles of important fish habitat and species throughout Oregon, Washington, Idaho, and western Montana. For decades, State, tribal and Federal fishery agencies in the Pacific Northwest have identified the screening of irrigation and other water diversions, and improved fish passage, as critically important for the survival of salmon and other fish populations.

This program is very popular and has the support of a wide range of constituents, including community leaders, environmental organizations, and agricultural producers. Senator SMITH and I are proud of the successful collaborative projects that irrigators and members of the Oregon Water Resources Congress have completed while putting this program to work in our home State. Our program also has the support of Oregon Governor Ted Kulongoski, irrigators throughout the Northwestern States, Oregon Trout, American Rivers and the National Audubon Society.

FRIMA authorizes the Secretary of the Interior to establish a program to plan, design, and construct fish screens, fish passage devices, and related features. It also authorizes inventories to provide the information needed for planning and making decisions about the survival and propagation of all Northwestern fish species. The program is currently carried out by the U.S. Fish and Wildlife Service on behalf of the Interior Secretary.

FRIMA provides benefits by: keeping fish out of places where they should not be—such as in an irrigation system; easing upstream and downstream fish passage; improving the protection, survival, and restoration of native fish species; helping avoid new endangered species listings by protecting and enhancing the fish populations not yet listed; making progress toward the delisting of listed species; utilizing a positive, win/win, public-private partnership; and, assisting in achieving both sustainable agriculture and fisheries. Since FRIMA's enactment in 2001, 103 projects have been installed. This is a true partnership and fine example of how our fisheries and farmers can work together to protect fish species throughout the Northwest.

While he was Governor of Idaho, Interior Secretary Dirk Kempthorne said, ''. . . the FRIMA program serves as an excellent example of government and private land owners working together to promote conservation. The screening of irrigation diversions plays a key role in Idaho's efforts to restore salmon populations while protecting rural economies.'' [from ''Fisheries Restoration and Irrigation Mitigation Programs, FY 2002–2004'', U.S. Fish & Wildlife Service, Washington, D.C., July, 2005, p. 13]

The bill that we are introducing today specifically extends the authorization for this program through 2012; gives priority to projects costing less than $2.5 million—a reduction in a targeted project's cost from $5,000,000 to $2,500,000; clarifies that projects funded under the act are viewed as recipients of a ''pass through program'' and not a ''grant'' program; that any Bonneville Power Administration, BPA, funds provided either directly or through a grant to another entity shall be considered non-Federal matching funds—because BPA's funding comes from ratepayers; requires an inventory report describing funded projects and their benefits; and changes the administrative expenses formula used by the Fish & Wildlife Service and the States of Oregon, Washington, Montana and Idaho, so that administrative costs are scaled in proportion to the amount of funds appropriated for the program each year.

Ultimately, it will take the combined efforts of all interests in our region to recover our salmon. State, Tribal and local governments, local watershed councils, private landowners and the Federal Government need to continue working together. Initiatives such as the bill I am introducing today help to sustain the partnerships upon which successful salmon recovery will be based.

I look forward to working with my colleagues to see this legislation pass.

I ask unanimous consent that the text of the bill and a letter of support from Oregon Governor Kulongoski 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. 3522

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 ''Fisheries Restoration and Irrigation Mitigation Act of 2006''.

SEC. 2. PRIORITY PROJECTS; PARTICIPATION IN PROGRAM.

The Fisheries Restoration and Irrigation Mitigation Act of 2000 (16 U.S.C. 777 note; Public Law 106–502) is amended—

(1) in section 3—

(A) in subsection (a), by inserting ''as a pass-through program'' before ''within the Department''; and

(B) in subsection (c)(3), by striking ''$5,000,000'' and inserting ''$2,500,000''; and

(2) in section 4, by striking subsection (b) and inserting the following:

''(b) NONREIMBURSABLE FEDERAL AND TRIBAL EXPENDITURES.—Development and implementation of projects under the Program on land or facilities owned by the United States or an Indian tribe shall be nonreimbursable expenditures.''.

SEC. 3. COST SHARING.

Section 7(c) of Fisheries Restoration and Irrigation Mitigation Act of 2000 (16 U.S.C. 777 note; Public Law 106–502) is amended—

(1) by striking ''The value'' and inserting the following:

''(1) IN GENERAL.—The value''; and

(2) by adding at the end the following:

''(2) BONNEVILLE POWER ADMINISTRATION.—Any amounts provided by the Bonneville Power Administration directly or through a grant to another entity for a project carried under the Program shall be credited toward the non-Federal share of the costs of the project.''.

SEC. 4. REPORT.

Section 9 of the Fisheries Restoration and Irrigation Mitigation Act of 2000 (16 U.S.C. 777 note; Public Law 106–502) is amended—

(1) by inserting ''any'' before ''amounts are made''; and

(2) by inserting after ''Secretary shall'' the following: '', after partnering with local governmental entities and the States in the Pacific Ocean drainage area,''.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

Section 10 of the Fisheries Restoration and Irrigation Mitigation Act of 2000 (16 U.S.C. 777 note; Public Law 106–502) is amended—

(1) in subsection (a), by striking ''2001 through 2005'' and inserting ''2006 through 2012''; and

(2) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) ADMINISTRATIVE EXPENSES.—

''(A) DEFINITION OF ADMINISTRATIVE EXPENSE.—In this paragraph, the term 'administrative expense' means any expenditure relating to—

''(i) staffing and overhead, such as the rental of office space and the acquisition of office equipment; and

''(ii) the review, processing, and provision of applications for funding under the Program.

''(B) LIMITATION.—

''(i) IN GENERAL.—Except as provided in subparagraph (C), a percentage of amounts up to 6 percent made available for each fiscal year, as determined under clause (ii), may be used for Federal (including tribal) and State administrative expenses of carrying out this Act.

''(ii) FORMULA.—For purposes of determining the percentage of administrative expenses to be made available under clause (i) for a fiscal year—

''(I) 1 percent shall be provided if less than $1,000,000 is made available to carry out the Program for the fiscal year;

''(II) 2 percent shall be provided if $1,000,000 or more, but less than $6,000,000, is made available to carry out the Program for the fiscal year;

''(III) 3 percent shall be provided if $6,000,000 or more, but less than $11,000,000, is made available to carry out the Program for the fiscal year;

''(IV) 4 percent shall be provided if $11,000,000 or more, but less than $15,000,000, is made available to carry out the Program for the fiscal year;

''(V) 5 percent shall be provided if $15,000,000 or more, but less than $21,000,000, is made available to carry out the Program for the fiscal year; and

''(VI) 6 percent shall be provided if $21,000,000 or more is made available to carry out the Program for the fiscal year.

''(iii) FEDERAL AND STATE SHARES.—To the maximum extent practicable, of the amounts made available for administrative expenses under clause (i)—

''(I) 50 percent shall be provided to the Federal agencies (including Indian tribes) carrying out the Program; and

''(II) 50 percent shall be provided to the State agencies provided assistance under the Program.

''(iv) STATE EXPENSES.—Amounts made available to States for administrative expenses under clause (i)—

''(I) shall be divided evenly among all States provided assistance under the Program; and

''(II) on request of a project sponsor, may be used to provide technical support to the project sponsor.

''(C) TECHNICAL ASSISTANCE.—

''(i) IN GENERAL.—Amounts expended by the Secretary for the provision of technical assistance relating to the Program shall not be subject to the 6 percent limitation on administrative expenses under subparagraph (B)(i).

''(ii) INCLUSIONS.—For purposes of clause (i), expenditures for the provision of technical assistance include any staffing expenditures (including staff travel expenses) associated with—

''(I) arranging meetings to promote the Program to potential applicants;

''(II) assisting applicants with the preparation of applications for funding under the Program; and

''(III) visiting construction sites to provide technical assistance, if requested by the applicant.''.

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

JUNE 12, 2006.

Hon. PETE V. DOMENICI,
Chairman, Senate Energy and Natural Resources Committee.
Hon. JEFF BINGAMAN,
Ranking Member, Senate Energy and Natural Resources Committee,
Washington, DC.

DEAR SENATORS DOMENICI AND BINGAMAN: I write in support of the re-authorization of the Fisheries Restoration and Irrigation Mitigation Act (FRIMA). In addition, I support the funding level originally authorized by Congress of $25 million per year.

The Fisheries Restoration and Irrigation Mitigation Act is one of the most successful cost share programs in the Pacific Northwest, funding the installation of fish screens and ladders at irrigation diversions in Idaho, Montana, Oregon and Washington. Conservationists support it because it saves wild, migrating Endangered Species Act (ESA) listed fish such as Steelhead, Coho and Chinook salmon, as well as those produced in state and federal hatcheries. Irrigated agriculture supports the program both for its conservation effects and because it helps protect operators from possible federal enforcement actions resulting from take of ESA fish.

It is widely accepted that correcting fish barrier, diversion and screen problems is a very cost-effective investment. Each federal FRIMA dollar has been matched by $1.37 in state or local dollars. Participants have contributed a total of 58 percent toward the cost share—exceeding the legal requirement of 35 percent—and also pay 100 percent of project operation and maintenance costs. The FRIMA projects are completed quickly because existing state fish screening and passage programs are used to implement projects.

The program, which I have summarized for you in the enclosed fact sheet, has resulted in fish-friendly irrigation projects as well as increased spawning and rearing habitat. Since FRIMA's introduction in 2000, 103 projects have been installed, providing fish access to 553 miles of habitat upstream and screening a total volume of water at 1,572,757 gallons per minute. Healthy fish populations produce commercial and recreational fishing opportunities, which are essential to our coastal economies and rural communities that have often lost other industries in recent years.

Due to its popularity and success, there is a backlog of hundreds of potential FRIMA projects. To date, appropriations have averaged only $3 million per year, or $750,000 per state, per year. This amount has jump-started the process, but is inadequate given the magnitude of the available projects and the fish benefits they are designed to provide.

I urge you to increase funding to $25 million per year—the level originally authorized by Congress—so we can continue increasing fish populations, assisting irrigators in installing fish protection devices and bolstering local economies.

Sincerely,

THEODORE R. KULONGOSKI,
Governor.

FRIMA

Re-authorization Fact Sheet

Fisheries Restoration and Irrigation Mitigation Act 2000 (P.L. 106–502).

FRIMA is a highly popular and cost-effective voluntary fish screening and passage partnership program that benefits Idaho, western Montana, Oregon and Washington.

Why do fish need protection at water diversions?

Water diversions redirect water from streams and rivers so it can be used for crop irrigation, power, drinking water, and other beneficial purposes. Water diversions also block the normal migration of fish and pull fish into pumps, irrigation canals, and fields greatly reducing their survival.

Benefits of fish protection 98% of young salmon survive an encounter with a properly designed fish screen that meets accepted state and federal criteria. Fish protection devices benefit by: Keeping fish out of places where they should not be (like an irrigation system); providing safe upstream and downstream fish passage; improving the protection, survival, and restoration of native fish species; achieving both sustainable agriculture and sustainable fisheries.

How the program works

FRIMA is a 65%/35% cost share program requiring that grant recipients contribute at least 35% in non-federal matching funds. Projects must: Be associated with an irrigation, or other water diversion; benefits fish species native to the project area; have a local, state, tribal or federal government sponsor or co-applicant.

Successful cost share 2000–2005: 83 fish screens installed, screening 1,572,757 gallons of water per minute; 20 fishways installed, opening 553 miles of habitat to fish; $1 in FRIMA funds leverage $1.37 in state/local funds; participants have contributed 58% in cost share, which is much more than the required 35%.

By Mrs. FEINSTEIN (for herself and Mr. KYL):

S. 3523. A bill to amend the Internal Revenue Code of 1986 to provide that the Tax Court may review claims for equitable innocent spouse relief and to suspend the running on the period of limitations while such claims are pending; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, I rise to introduce legislation that enhances the innocent spouse equitable relief provision of the Internal Revenue Code. Through only minor legislative modifications, this bill clarifies the statute's original intent, affording innocent spouses the necessary recourse to ensure their cases and circumstances are given a fair hearing.

According to section 6015(f) of the Internal Revenue Code, the IRS may relieve an innocent spouse of liability for unpaid taxes generated through the filing of a joint tax return if ''taking into account all the facts and circumstances'' it would be inequitable to hold the spouse responsible.

Little recourse exists, however, to prevent the IRS from seizing assets or garnishing wages if a petition for innocent spouse equitable relief is not approved.

Recent decisions of the Eighth and Ninth Circuit Courts of Appeals have denied the Tax Court jurisdiction over petitions for equitable relief under the Innocent Spouse Statute. Consequently, there is no mechanism for review or appeal of these IRS decisions.

The story of one of my constituents provides a stunning example of the problem.

The IRS seized all of her husband's income to pay a tax liability incurred 20 years earlier, before they were married. Because the IRS seized the entirety of the income, the taxes on the income remained unpaid.

When her husband died, the IRS pursued the innocent spouse for the taxes

on her husband's income. She was forced to sell her family home and all property owned jointly with her husband. My constituent is employed, but due to financial hardship she must live with friends. Even so, the IRS may have her wages garnished along with funds set aside for her in trust by a probate court.

Because the Tax Court does not have jurisdiction to review claims for innocent spouse equitable relief, my constituent can do little to prevent the IRS from seizing what remains.

The aim of this legislation is to provide an avenue through which innocent spouse equitable relief decisions may be appealed, if originally denied by the IRS.

This bill: expressly provides that the Tax Court has jurisdiction to review the denial of equitable innocent spouse relief under Internal Revenue Code section 6015(f); and suspends IRS collection activity while a request for relief under Internal Revenue Code section 6015(f) is pending.

I believe that my proposal would provide a straightforward and uncontroversial solution to the unfair treatment of innocent spouses under current law. Moreover, without this bill, an increasing number of innocent spouse equitable relief appeals will remain in limbo—pending, with no method for consideration.

When this body enhanced innocent spouse protections—through passage of the 1998 Internal Revenue Service Restructuring and Reform Act—the goal was to modernize, simplify, and streamline the cumbersome process of seeking relief from liabilities of tax, interest, and related penalties.

Unfortunately, the conference report on the 1998 act included vague language, which ultimately has left innocent spouses with no avenue for appeal.

It is worth noting that the IRS grants fewer than three in 10 requests for innocent spouse relief. This bill in no way guarantees relief, but rather fixes the broken appeals process for these IRS decisions.

I urge my colleagues to support this small change that will have a profound effect on the lives of many innocent spouses—mostly women—who deserve their day in court.

Mr. President, 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. 3523

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

SECTION 1. TAX COURT REVIEW OF REQUESTS FOR EQUITABLE INNOCENT SPOUSE RELIEF.

(a) IN GENERAL.—Paragraph (1) of section 6015(e) of the Internal Revenue Code of 1986 (relating to petition for tax court review) is amended by inserting ''or in the case of an individual who requests equitable relief under subsection (f)'' after ''who elects to have subsection (b) or (c) apply''.

(b) CONFORMING AMENDMENTS.—

(1) Section 6015(e)(1)(A)(i)(II) of the Internal Revenue Code of 1986 is amended by inserting ''or request is made'' after ''election is filed''.

(2) Section 6015(e)(1)(B)(i) of such Code is amended—

(A) by inserting ''or requesting equitable relief under subsection (f)'' after ''making an election under subsection (b) or (c)'', and

(B) by inserting ''or request'' after ''to which such election''.

(3) Section 6015(e)(1)(B)(ii) of such Code is amended by inserting ''or to which the request under subsection (f) relates'' after ''to which the election under subsection (b) or (c) relates''.

(4) Section 6015(e)(4) of such Code is amended by inserting ''or the request for equitable relief under subsection (f)'' after ''the election under subsection (b) or (c)''.

(5) Section 6015(e)(5) of such Code is amended by inserting ''or who requests equitable relief under subsection (f)'' after ''who elects the application of subsection (b) or (c)''.

(6) Section 6015(g)(2) of such Code is amended by inserting ''or of any request for equitable relief under subsection (f)'' after ''any election under subsection (b) or (c)''.

(7) Section 6015(h)(2) of such Code is amended by inserting ''or a request for equitable relief made under subsection (f)'' after ''with respect to an election made under subsection (b) or (c)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to requests for equitable relief under section 6015(f) of the Internal Revenue Code of 1986 with respect to liability for taxes which are unpaid after the date of the enactment of this Act.

Mr. KYL. Mr. President, I am pleased to join my colleague from California, Senator FEINSTEIN, in introducing legislation to clarify the jurisdiction of the U.S. Tax Court in cases involving ''equitable relief'' for innocent spouse claims.

In general, spouses who sign joint tax returns are held jointly and severally liable for taxes owed on such returns. An individual may be relieved from such liability if she meets the ''innocent spouse'' test set forth in section 6015 of the Internal Revenue Code. The current standards were put in place by the IRS Restructuring and Reform Act of 1998.

An article published in the New York Times in late 1999 notes that the number of innocent spouse applications increased sharply after the 1998 law and that as many as 90 percent of the people filing innocent spouse applications are women. Clearly, the 1998 law opened an important avenue for exspouses to challenge unexpected tax bills they received after their former spouses cheated on their taxes without the knowledge of the ''innocent'' spouse.

Unfortunately, the 1998 law also left uncertain the Tax Court's jurisdiction to hear appeals from denials of ''equitable relief.'' The Treasury Secretary is authorized to grant equitable relief if a taxpayer does not meet any of the statutorily specified qualifications for being an innocent spouse. But while the Tax Court was given jurisdiction to hear appeals under those specific avenues spelled out in the Code, the Code is silent on whether the Tax Court can hear appeals based on the Treasury Secretary's equitable relief authority. Recent decisions by the Eight and Ninth Circuit Courts of Appeals have held that the Tax Court lacks jurisdiction to hear petitions for innocent spouse equitable relief.

The legislation Senator FEINSTEIN and I have introduced makes clear that the Tax Court has jurisdiction to hear appeals of decisions denying equitable relief. The National Taxpayer Advocate has recommended that Congress pass this legislation, and I am hopeful that we can move this important bill through the Finance Committee in very short order.

By Mr. MCCAIN:

S. 3526. A bill to amend the Indian Land Consolidation Act to modify certain requirements under that Act; to the Committee on Indian Affairs.

Mr. MCCAIN. Mr. President, I am introducing today a bill to amend various provisions of the Indian Land Consolidation Act, ILCA. Some of these amendments are of a technical or clarifying nature; others have the effect of delaying the effective date of certain provisions of the Indian Probate Code set forth in ILCA section 207.

Section 1 of the bill clarifies the meaning of certain defined terms used in ILCA—''trust or restricted interest land'' and ''land''—and also delays the application of the act's probate code to permanent improvements located on Indian trust lands until after July 20, 2007. This delay will provide additional time to analyze how the probate code should apply to permanent improvements and determine whether further amendments are needed. The definition of land is amended to clarify that a decedent's interest in such improvements is included in the term ''land'' only for purposes of intestate succession under ILCA section 207(a) and even then only when the improvements are located on a parcel of trust or restricted land that is itself included in the decedent's estate. Thus, ''land'' would not include a decedent's interest in permanent improvements located on tribal trust land or for that matter on individually owned trust land if the underlying parcel of land is not itself part of the decedent's estate.

Section 2 of the bill also amends the ''single heir rule'' of ILCA section 207(a)(2)(D)—which governs the inheritance of interests that are less than 5 percent of the total undivided interest in a parcel of land—by making it inapplicable to any interest in the estate of a decedent who dies during the period beginning on the enactment date of the clause and ending on July 20, 2007, and authorizing the Secretary of Interior to extend this period for up to 1 year.

The bill would also delay until July 21, 2007, the application of the presumption in ILCA section 207(c) that a devise of a trust interest to more than 1 person creates a joint tenancy absent clear language in the will to the contrary. It would amend ILCA section

207(o), which authorizes purchase of interests during probate, in various ways, but most significantly limiting nonconsensual purchases to the Secretary and the Indian tribe; clarifying that the 5 percent threshold applies to the decedent's interest rather than to the interest passing to an heir; and holding the rule allowing nonconsensual purchase at probate of small interests inapplicable to interests in the estate of any decedent who dies on or before July 20, 2007. This section would also authorize the Secretary to extend this period for up to 1 additional year.

The amendments delaying the application of these provisions will give Indian landowners more time to understand how these provisions work and plan their estates accordingly. The delays of the single heir rule and nonconsensual purchase option at probate will also allow the Department more time to have procedures and systems in place to determine whether a given interest is above or below the 5 percent threshold that triggers the application of the rules.

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. 3526

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 ''Indian Land Consolidation Act Amendments of 2006''.

SEC. 2. DEFINITIONS.

Section 202 of the Indian Land Consolidation Act (25 U.S.C. 2201) is amended—

(1) in paragraph (4)—

(A) by inserting ''(i)'' after ''(4)'';

(B) by striking '' 'trust or restricted interest in land' or'' and inserting the following:

''(ii) 'trust or restricted interest in land' or''; and

(C) in clause (ii) (as designated by subparagraph (B)), by striking ''an interest in land, title to which'' and inserting ''an interest in land, the title to which interest''; and

(2) by striking paragraph (7) and inserting the following:

''(7) the term 'land'—

''(A) means any real property; and

''(B) for purposes of intestate succession only under section 207(a), includes, with respect to any decedent who dies after July 20, 2007, the interest of the decedent in any improvements permanently affixed to a parcel of trust or restricted lands (subject to any valid mortgage or other interest in such an improvement) that was owned in whole or in part by the decedent immediately prior to the death of the decedent;''.

SEC. 3. DESCENT AND DISTRIBUTION.

Section 207 of the Indian Land Consolidation Act (25 U.S.C. 2206) is amended—

(1) in subsection (a)(2)(D)—

(A) in clause (i), by striking ''clauses (ii) through (iv)'' and inserting ''clauses (ii) through (v)''; and

(B) by striking clause (v) and inserting the following:

''(v) EFFECT OF PARAGRAPH; NONAPPLICABILITY TO CERTAIN INTERESTS.—Nothing in this paragraph—

''(I) limits the right of any person to devise any trust or restricted interest pursuant to a valid will in accordance with subsection (b); or

''(II) applies to any interest in the estate of a decedent who died during the period beginning on the date of enactment of this subclause and ending on July 20, 2007 (or the last day of any applicable period of extension authorized by the Secretary under clause (vi)).

''(vi) AUTHORITY TO EXTEND PERIOD OF NONAPPLICABILITY.—The Secretary may extend the period of nonapplicability under clause (v)(II) for not longer than 1 year if, by not later than July 2, 2007, the Secretary publishes in the Federal Register a notice of the extension.'';

(2) in subsection (c)(2), by striking ''the date that is'' and all that follows through the period at the end and inserting the following: ''July 21, 2007.''; and

(3) in subsection (o)—

(A) in paragraph (3)—

(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii) and indenting the clauses appropriately;

(ii) by striking ''(3)'' and all that follows through ''No sale'' and inserting the following:

''(3) REQUEST TO PURCHASE; CONSENT REQUIREMENTS; MULTIPLE REQUESTS TO PURCHASE.—

''(A) IN GENERAL.—No sale''; and

(iii) by striking the last sentence and inserting the following:

''(B) MULTIPLE REQUESTS TO PURCHASE.—Except for interests purchased pursuant to paragraph (5), if the Secretary receives a request with respect to an interest from more than 1 eligible purchaser under paragraph (2), the Secretary shall sell the interest to the eligible purchaser that is selected by the applicable heir, devisee, or surviving spouse.'';

(B) in paragraph (4)—

(i) in subparagraph (A), by adding ''and'' at the end;

(ii) in subparagraph (B), by striking ''; and'' and inserting a period; and

(iii) by striking subparagraph (C); and

(C) in paragraph (5)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking ''auction and'';

(II) in clause (i), by striking ''and'' at the end;

(III) in clause (ii)—

(aa) by striking ''auction'' and inserting ''sale'';

(bb) by striking ''the interest passing to such heir represents'' and inserting '', at the time of death of the applicable decedent, the interest of the decedent in the land represented''; and

(cc) by striking the period at the end and inserting ''; and''; and

(IV) by adding at the end the following:

''(iii)(I) the Secretary is purchasing the interest as part of the program authorized under section 213(a)(1); or

''(II) after receiving a notice under paragraph (4)(B), the Indian tribe with jurisdiction over the interest is proposing to purchase the interest from an heir that is not a member, and is not eligible to become a member, of that Indian tribe.'';

(ii) in subparagraph (B)—

(I) by striking ''(B)'' and all that follows through ''such heir'' and inserting the following:

''(B) EXCEPTION; NONAPPLICABILITY TO CERTAIN INTERESTS.—

''(i) EXCEPTION.—Notwithstanding subparagraph (A), the consent of the heir or surviving spouse'';

(II) in clause (i), by inserting ''or surviving spouse'' before ''was residing''; and

(III) by adding at the end the following:

''(ii) NONAPPLICABILITY TO CERTAIN INTERESTS.—Subparagraph (A) shall not apply to any interest in the estate of a decedent who dies on or before July 20, 2007 (or the last day of any applicable period of extension authorized by the Secretary under subparagraph (C)).''; and

(iii) by adding at the end the following:

''(C) AUTHORITY TO EXTEND PERIOD OF NONAPPLICABILITY.—The Secretary may extend the period of nonapplicability under subparagraph (B)(ii) for not longer than 1 year if, by not later than July 2, 2007, the Secretary publishes in the Federal Register a notice of the extension.''.

By Mr. DEWINE (for himself and Mr. KOHL):

S. 3527. A bill to require the Under Secretary of Technology of the Department of Commerce to establish an Advanced Multidisciplinary Computing Software Institute; to the Committee on Commerce, Science, and Transportation.

Mr. DEWINE. Mr. President, 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. 3527

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 ''Blue Collar Computing and Business Assistance Act of 2006''.

SEC. 2. FINDINGS AND PURPOSE.

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

(1) Computational science, the use of advanced computing capabilities to understand and solve complex problems, including the development of new products and processes, is now critical to scientific leadership, economic competitiveness, and national security.

(2) Advances in computational science and high performance computing provide a competitive advantage because they allow businesses to run faster simulations of complex systems or to develop more precise computer models.

(3) The Federal Government is one of the investors in research aimed at the development of new computational science and high-performance computing capabilities.

(4) As determined by the Council on Competitiveness, the Nation's small businesses and manufacturers must ''Out Compute to Out Compete''. However, new computational science technologies are not being transferred effectively from the research organizations to small businesses and manufacturers.

(5) Small businesses and manufacturers are especially well-positioned to benefit from increased availability and utilization of high-performance computing technologies and software.

(6) Current cost and technology barriers associated with high-performance computing and software algorithms often inhibit small businesses and manufacturers from successfully making use of these technologies.

(7) The establishment of an advanced multidisciplinary computing software institute will help make existing high performance computing resources more accessible to small businesses and manufacturers. This will create new opportunities for economic growth, jobs, and product development.

(b) PURPOSE.—The purpose of this Act is to provide grants for the creation of an Advanced Multidisciplinary Computing Software Institute that will—

(1) develop and compile high-performance computing software and algorithms suitable for applications in small business and manufacturing;

(2) effectively carry out the transfer of new computational science and high-performance computing technologies to small businesses and manufacturers; and

(3) actively assist small businesses and manufacturers in utilizing such technologies.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADVANCED MULTIDISCIPLINARY COMPUTING SOFTWARE CENTER; CENTER.—The term ''Advanced Multidisciplinary Computing Software Center'' or ''Center'' is a center created by an eligible entity with a grant awarded under section 4.

(2) ADVANCED MULTIDISCIPLINARY COMPUTING SOFTWARE INSTITUTE.—The term ''Advanced Multidisciplinary Computing Software Institute'' means a network of up to 5 Advanced Multidisciplinary Computing Software Centers located throughout the United States.

(3) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means any organization if such organization is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from tax under section 501(a) of such Code.

(4) SMALL BUSINESS OR MANUFACTURER.—The term ''small business or manufacturer'' means a small business concern as that term is defined by section 3(a) of the Small Business Act (15 U.S.C. 632(a)), including a small manufacturing concern.

(5) UNDER SECRETARY.—The term ''Under Secretary'' means the Under Secretary of Technology of the Department of Commerce.

SEC. 4. GRANTS.

(a) IN GENERAL.—The Under Secretary of Technology of the Department of Commerce shall award grants to establish up to 5 Advanced Multidisciplinary Computing Software Centers at eligible entities throughout the United States. Each Center shall—

(1) conduct general outreach to small businesses and manufacturers in all industry sectors within a geographic region assigned by the Under Secretary; and

(2) conduct technology transfer, development, and utilization programs relating to a specific industry sector, for all firms in that sector nationwide, as assigned by the Under Secretary.

(b) ELIGIBLE ENTITIES.—For the purposes of this section, an eligible entity is any—

(1) nonprofit organization;

(2) consortia of nonprofit organizations; or

(3) partnership between a for-profit and a nonprofit organization.

(c) APPLICATION.—

(1) IN GENERAL.—Each eligible entity that desires to receive a grant under this Act shall submit an application to the Under Secretary, at such time, in such manner, and accompanied by such additional information as the Under Secretary may reasonably require.

(2) PUBLICATION IN FEDERAL REGISTER.—The Under Secretary shall publish the requirements described in paragraph (1) in the Federal Register no later than 6 months after the date of the enactment of this Act.

(3) CONTENTS.—Each application submitted pursuant to paragraph (1) shall include the following:

(A) An application that conforms to the requirements set by the Under Secretary under paragraph (1).

(B) A proposal for the allocation of the legal rights associated with any invention that may result from the activities of the proposed Center.

(4) SELECTION CRITERIA.—Each application submitted under paragraph (1) shall be evaluated by the Under Secretary on the basis of merit review. In carrying out this merit review process, the Under Secretary shall consider—

(A) the extent to which the eligible entity—

(i) has a partnership with nonprofit organizations, businesses, software vendors, and academia recognized for relevant expertise in their selected industry sector;

(ii) makes use of State-funded academic supercomputing centers and universities or colleges with expertise in the computational needs of the industry assigned to the eligible entity under subsection (a)(1);

(iii) has a history of working with businesses;

(iv) has experience providing educational programs aimed at helping organizations adopt the use of high-performance computing and computational science;

(v) has partnerships with education or training organizations that can help educate future workers on the application of computational science to industry needs;

(vi) is accessible to businesses, academia, incubators, or other economic development organizations via high-speed networks; and

(vii) is capable of partnering with small businesses and manufacturers for the purpose of enhancing the ability of such entities to compete in the global marketplace;

(B) the ability of the eligible entity to enter successfully into collaborative agreements with small businesses and manufacturers in order to experiment with new high performance computing and computational science technologies; and

(C) such other factors as identified by the Under Secretary.

(d) AMOUNT.—A grant awarded under this section shall not exceed $5,000,000 for any year of the grant period.

(e) DURATION.—

(1) IN GENERAL.—Except for a renewal under paragraph (2), the duration of any grant awarded under subsection (a) may not exceed 5 years.

(2) RENEWAL.—Any grant awarded under subsection (a) may be renewed at the discretion of the Under Secretary.

(f) MATCHING REQUIREMENT.—

(1) IN GENERAL.—An eligible entity that receives a grant under subsection (a) shall provide at least 50 percent of the capital and annual operating and maintenance funds required to create and maintain a Center.

(2) FUNDING FROM OTHER FEDERAL, STATE, OR LOCAL GOVERNMENT AGENCIES.—The funds provided by the eligible entity under paragraph (1) may consist of amounts received by the eligible entity from a Federal department or agency, other than the Department of Commerce, or a State or local government agency.

(g) LIMITATION ON ADMINISTRATIVE EXPENSES.—The Under Secretary may establish a reasonable limitation on the portion of each grant awarded under subsection (a) that may be used for administrative expenses or other overhead costs.

(h) FEES AND ALTERNATIVE FUNDING SOURCES AUTHORIZED.—

(1) IN GENERAL.—A Center established pursuant to this Act may, according to regulations established by the Under Secretary—

(A) collect a nominal fee from a small business or manufacturer for a service provided pursuant to this Act, if such fee is utilized for the budget and operation of the Center; and

(B) accept funds from any other Federal department or agency for the purpose of covering capital costs or operating budget expenses.

(2) CONDITION.—Any Center that is supported with funds that originally came from a Federal department or agency, other than the Department of Commerce, may be selected, and if selected shall be operated, according to the provisions of this section.

SEC. 5. USE OF FUNDS.

An eligible entity that receives a grant under section 4(a) shall use the funds for the benefit of businesses in the industry sector designated by the Under Secretary under such subsection, and the eligible entity shall use such funds to—

(1) create a repository of nonclassified, nonproprietary new and existing federally-funded software and algorithms;

(2) test and validate software in the repository;

(3) determine when and how the industry sector it serves could benefit from resources in the repository;

(4) work with software vendors to commercialize repository software and algorithms from the repository;

(5) make software available to small businesses and manufacturers where it has not been commercialized by a software vendor;

(6) help software vendors, small businesses, and manufacturers test or utilize the software on high-performance computing systems; and

(7) maintain a research and outreach team that will work with small businesses and manufacturers to aid in the identification of software or computational science techniques which can be used to solve challenging problems, or meet contemporary business needs of such organizations.

SEC. 6. REPORTS AND EVALUATIONS.

(a) REPORT.—Each eligible entity who receives a grant under section 4(a) shall submit to the Under Secretary on an annual basis, a report describing the goals of the Center established by the eligible entity and the progress the eligible entity has achieved towards meeting the purposes of this Act.

(b) EVALUATION.—The Under Secretary shall establish a peer review committee, consisting of representatives from industry and academia, to review the goals and progress made by each Center during the grant period.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated $25,000,000 for each of the fiscal years 2007, 2008, 2009, 2010, and 2011 to carry out the provisions of this Act.

(b) AVAILABILITY.—Funds provided for the establishment and operation of Centers under this Act shall remain available until expended.

Mr. KOHL. Mr. President, the manufacturing sector is under siege from cheap imports, unfair trade agreements, and escalating heath care and energy costs. Instead of working to alleviate this burden, the Bush administration has turned its back on manufacturing; focusing instead on tax cuts for the rich and their heirs. Indeed, the administration has slashed funding for the Manufacturing Extension Partnership, MEP, and the Advanced Technology Program, ATP, in this year's budget. MEP helps manufacturers streamline operations, integrate new technologies, shorten production times, and lower costs. ATP provides grants to support research and development of high risk, cutting edge technologies. Both MEP and ATP help manufacturers survive and compete with countries like China.

I today offer, with Senator DEWINE, some more help for beleaguered manufacturers. The Blue Collar Computing and Business Assistance Act of 2006 was

drafted from recommendations made by the Council on Competitiveness regarding high performance computing. The legislation would provide grants for the creation of five Advanced Computing Software Centers throughout the United States that would transfer high performance computing technologies to small businesses and manufacturers.

High Performance Computing will allow manufacturers to visualize and simulate parts and products before they can be created which will cut the time and cost required to experiment with new materials. General Motors, for example, uses high performance computing to simulate collisions, saving millions of dollars in development costs and substantially shortening design cycle times.

Presently, only large companies like GM have the resources to reap the benefits of high performance computing. This bill would provide grants to small and medium manufacturers to implement this technology and create new opportunities for economic growth, job creation and product development and allow manufacturers and businesses to harness the full potential of high performance computing.

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

S. 3529. A bill to ensure that new mothers and their families are educated about postpartum depression, screened for symptoms, and provided with essential services, and to increase research at the National Institutes of Health on postpartum depression; to the Committee on Health, Education, Labor, and Pensions.

Mr. MENENDEZ. Mr. President, I rise today with my good friend Senator DURBIN to introduce the Mom's Opportunity to Access Help, Education, Research, and Support for Postpartum Depression, MOTHERS, Act. Senator DURBIN has been and continues to be a leader on this issue and I am grateful for the opportunity to work with him on this important legislation. I would also like to recognize Representative RUSH, who has been a champion for women battling postpartum depression, PPD, in the House for many years. I am proud to say that his bill, The Melanie Stokes Postpartum Depression Research and Care Act, shares the same goals as the legislation I am introducing today.

In the United States, 10 to 20 percent of women suffer from a disabling and often undiagnosed condition known as postpartum depression. Unfortunately, many women are unaware of this condition and often do not receive the treatment they need. That is why I am introducing the MOTHERS Act, so that women no longer have to suffer in silence and feel alone when faced with this difficult condition.

Recently, the great State of New Jersey passed a first-of-its-kind law requiring doctors and nurses to educate expectant mothers and their families about postpartum depression. This bill was introduced in the State legislature by State Senate President Richard Codey. The attention Senator Codey and his wife, Mary Jo Codey—who personally battled postpartum depression—have brought to the issue is remarkable. Brooke Shields, a graduate of Princeton University, has also shared her struggle with postpartum depression publicly and should be commended for her efforts to bring awareness to this condition. Postpartum depression affects women all across the country, not just in New Jersey, and that is why I believe the MOTHERS Act is so important.

In America, 80 percent of women experience some level of depression after childbirth. This is what people often refer to as the ''baby blues.'' However, each year, there are between 400,000 and 800,000 women across America who suffer from postpartum depression, a much more serious condition. These mothers often experience signs of depression and may lose interest in friends and family, feel overwhelming sadness or even have thoughts of harming their baby or harming themselves. People often assume that these feelings are simply the ''baby blues,'' but the reality is much worse. Postpartum depression is a serious and disabling condition and new mothers deserve to be given information and resources on this condition so, if needed, they can get the appropriate help.

The good news is that treatment is available. Many women have successfully recovered from postpartum depression with the help of therapy, medication, and support groups. However, mothers and their families must be educated so that they understand what might occur after the birth of their child and when to get help. The legislation I am introducing today will require doctors and nurses to educate every new mother and their families about postpartum depression before they leave the hospital and offer the opportunity for new mothers to be screened for postpartum depression symptoms during the first year of postnatal check-up visits. It also provides social services to new mothers and their families who are suffering and struggling with postpartum depression. By increasing education and early treatment of postpartum depression, mothers, husbands, and families will be able to recognize the symptoms of this condition and help new mothers get the treatment they need and deserve.

The MOTHERS Act has another important component. While we continue to educate and help the mothers of today, we must also be prepared to help future moms. By increasing funding for research on postpartum conditions at the National Institutes of Health, we can begin to unravel the mystery behind this difficult to understand illness. The more we know about the causes and etiology of postpartum depression, the more tools we have to treat and prevent this heartbreaking condition.

We must attack postpartum depression on all fronts with education, screening, support, and research so that new moms can feel supported and safe rather than scared and alone. Many new mothers sacrifice anything and everything to provide feelings of security and safety to their innocent, newborn child. It is our duty to provide the same level of security, safety and support to new mothers in need.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 513—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD DESIGNATE THE WEEK BEGINNING SEPTEMBER 10, 2006, AS ''NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK''

Mr. GRAHAM (for himself, Mr. BROWNBACK, Mr. KERRY, Ms. MIKULSKI, Mr. DEWINE, Mr. DEMINT, Mr. TALENT, Mr. ISAKSON, Mr. OBAMA, Mr. VOINOVICH, Ms. LANDRIEU, Mr. SANTORUM, Mr. DODD, Mr. LOTT, Mr. DURBIN, Mr. CHAMBLISS, Mr. BAYH, Mr. SPECTER, Mr. ALLEN, Mr. BURR, Mr. MCCAIN, Mr. COCHRAN, Mr. BIDEN, Mrs. HUTCHISON, and Mrs. DOLE) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions.

S. RES. 513

Whereas there are 103 historically Black colleges and universities in the United States;

Whereas historically Black colleges and universities provide the quality education essential to full participation in a complex, highly technological society;

Whereas historically Black colleges and universities have a rich heritage and have played a prominent role in the history of the United States;

Whereas historically Black colleges and universities have allowed many underprivileged students to attain their full potential through higher education; and

Whereas the achievements and goals of historically Black colleges and universities are deserving of national recognition: Now, therefore, be it

Resolved,

SECTION 1. DESIGNATION OF NATIONAL HISTORICALLY BLACK COLLEGES AND UNIVERSITIES WEEK.

(a) SENSE OF THE SENATE.—It is the sense of the Senate that the President should designate the week beginning September 10, 2006, as ''National Historically Black Colleges and Universities Week''.

(b) PROCLAMATION.—The Senate requests the President to issue a proclamation—

(1) designating the week beginning September 10, 2006, as ''National Historically Black Colleges and Universities Week''; and

(2) calling on the people of the United States and interested groups to observe the week with appropriate ceremonies, activities, and programs to demonstrate support for historically Black colleges and universities in the United States.