

Class of Controlled Substance'' (Docket No. DEA-309F) received on October 16, 2007; to the Committee on the Judiciary.

EC-3710. A communication from the White House Liaison, Office of the Attorney General, Department of Justice, transmitting, pursuant to law, the report of a vacancy and designation of an acting officer for the position of Attorney General, received on October 16, 2007; to the Committee on the Judiciary.

EC-3711. A communication from the Assistant Attorney General for Administration, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Final Rule for 'El Paso Intelligence Center Seizure System'" (AAG/A Order No. 032-2007) received on October 15, 2007; to the Committee on the Judiciary.

EC-3712. A communication from the Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "Uniform Physical Condition Standards and Physical Inspection Requirements for Certain HUD Housing; Revision to Response Time for Requesting a Technical Review of a Physical Inspection Report" (RIN2502-AI43) received on October 15, 2007; to the Committee on Banking, Housing, and Urban Affairs.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HARKIN:

S. 2173. A bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VOINOVICH (for himself and Mr. BROWN):

S. 2174. A bill to designate the facility of the United States Postal Service located at 175 South Monroe Street in Tiffin, Ohio, as the "Paul E. Gillmor Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. CLINTON:

S. 2175. A bill to amend the Public Health Service Act with regard to research on asthma, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHNSON (for himself, Mr. KERRY, Mr. SMITH, Mr. AKAKA, Mrs. BOXER, Mr. DORGAN, Mr. INOUE, Ms. STABENOW, and Mr. TESTER):

S. 2176. A bill to promote the development of Native American small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mrs. McCASKILL:

S. 2177. A bill to prohibit the payment of individuals to reserve a place in line for a seat for a lobbyist at a congressional committee hearing or business meeting; to the Committee on Homeland Security and Governmental Affairs.

By Mr. KERRY (for himself and Mr. HATCH):

S. 2178. A bill to expedite the adjudication of employer petitions for aliens with extraordinary artistic ability; to the Committee on the Judiciary.

By Mr. BINGAMAN:

S. 2179. A bill to authorize certain programs and activities in the Forest Service, the Department of the Interior, and the Department of Energy, and for other purposes; read the first time.

By Mr. BINGAMAN:

S. 2180. A bill to authorize certain programs and activities in the Department of the Interior, the Forest Service, and the Department of Energy, and to amend the Compact of Free Association Amendments Act of 2003, and for other purposes; read the first time.

By Ms. COLLINS (for herself, Mr. CASEY, Mr. BOND, Ms. CANTWELL, Mr. ROBERTS, and Mr. REED):

S. 2181. A bill to amend title XVIII of the Social Security Act to protect Medicare beneficiaries' access to home health services under the Medicare program; to the Committee on Finance.

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

S. 2182. A bill to amend the Public Health Service Act with respect to mental health services; to the Committee on Health, Education, Labor, and Pensions.

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

S. 2183. A bill to amend the Public Health Service Act to provide grants for community-based mental health infrastructure improvement; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. DOLE:

S. 2184. A bill to amend the Internal Revenue Code of 1986 to permanently allow penalty-free withdrawals from retirement plans for individuals called to active duty for at least 179 days; read the first time.

By Mr. GRAHAM:

S. 2185. A bill to permanently extend the current marginal tax rates; read the first time.

By Mr. SMITH (for himself, Mr. BINGAMAN, Mr. SALAZAR, and Mr. SANDERS):

S. 2186. A bill to permit individuals who are employees of a grantee that is receiving funds under section 330 of the Public Health Service Act to enroll in health insurance coverage provided under the Federal Employees Health Benefits Program; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. CLINTON (for herself and Mr. CASEY):

S. 2187. A bill to amend the Child Care and Development Block Grant Act of 1990 to provide for child care workforce development initiatives, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself, Ms. SNOWE, Mr. SALAZAR, Mr. SMITH, Mr. AKAKA, and Mr. SANDERS):

S. 2188. A bill to amend title XVIII of the Social Security Act to establish a prospective payment system instead of the reasonable cost-based reimbursement method for Medicare-covered services provided by Federally qualified health centers and to expand the scope of such covered services to account for expansions in the scope of services provided by Federally qualified health centers since the inclusion of such services for coverage under the Medicare Program; to the Committee on Finance.

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

S. 2189. A bill to provide for educational opportunities for all students in State public school systems, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROCKEFELLER:

S. 2190. A bill to amend title XVIII of the Social Security Act to provide for the inclusion of barbiturates and benzodiazepines as covered part D drugs beginning in 2008; to the Committee on Finance.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID (for himself, Mrs. BOXER, Mr. DURBIN, Mr. CARDIN, Mr. OBAMA, Mr. LEAHY, Mr. BIDEN, Mr. KENNEDY, Mr. WHITEHOUSE, Mr. HARKIN, Mrs. SCHUMER, Mr. REED, Mr. DODD, Mrs. FEINSTEIN, Mr. KOHL, Mr. NELSON of Florida, Ms. MIKULSKI, Mr. LAUTENBERG, and Mr. CASEY):

S. Res. 349. A resolution honoring Vice President Albert Gore, Jr., and the Intergovernmental Panel on Climate Change for receiving the 2007 Nobel Peace Prize, in recognition of their efforts to promote understanding of the threats posed by global warming; considered and agreed to.

By Mr. HATCH (for himself, Mr. BENNETT, Mrs. DOLE, and Mr. BURR):

S. Res. 350. A resolution honoring the achievements of Mario R. Capecchi, Sir Martin J. Evans, and Oliver Smithies, winners of the 2007 Nobel Prize in Physiology or Medicine; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 400

At the request of Mr. SUNUNU, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 400, a bill to amend the Employee Retirement Income Security Act of 1974 and the Internal Revenue Code of 1986 to ensure that dependent students who take a medically necessary leave of absence do not lose health insurance coverage, and for other purposes.

S. 886

At the request of Mr. LIEBERMAN, his name was added as a cosponsor of S. 886, a bill to amend chapter 22 of title 44, United States Code, popularly known as the Presidential Records Act, to establish procedures for the consideration of claims of constitutionally based privilege against disclosure of Presidential records.

S. 897

At the request of Ms. MIKULSKI, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 897, a bill to amend the Internal Revenue Code of 1986 to provide more help to Alzheimer's disease caregivers.

S. 898

At the request of Ms. MIKULSKI, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 898, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 903

At the request of Mr. DURBIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 903, a bill to award a Congressional Gold Medal to Dr. Muhammad Yunus, in recognition of his contributions to the fight against global poverty.

S. 988

At the request of Ms. MIKULSKI, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 988, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 1194

At the request of Mr. DODD, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1194, a bill to improve the No Child Left Behind Act of 2001, and for other purposes.

S. 1200

At the request of Mr. DORGAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1200, a bill to amend the Indian Health Care Improvement Act to revise and extend the Act.

S. 1249

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1249, a bill to require the President to close the Department of Defense detention facility at Guantanamo Bay, Cuba, and for other purposes.

S. 1259

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of S. 1259, a bill to amend the Foreign Assistance Act of 1961 to provide assistance for developing countries to promote quality basic education and to establish the achievement of universal basic education in all developing countries as an objective of United States foreign assistance policy, and for other purposes.

S. 1284

At the request of Mr. DORGAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1284, a bill to amend the Internal Revenue Code of 1986 to provide for the taxation of income of controlled foreign corporations attributable to imported property.

S. 1382

At the request of Mr. REID, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1382, a bill to amend the Public Health Service Act to provide the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1430

At the request of Mr. THUNE, his name was added as a cosponsor of S. 1430, a bill to authorize State and local governments to direct divestiture from, and prevent investment in, companies with investments of \$20,000,000 or more in Iran's energy sector, and for other purposes.

S. 1494

At the request of Mr. DOMENICI, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1494, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 1512

At the request of Mrs. BOXER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1512, a bill to amend part E of title IV of the Social Security Act to expand Federal eligibility for children in foster care who have attained age 18.

S. 1544

At the request of Mr. GREGG, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1544, a bill to amend title XVIII of the Social Security Act to improve the quality and efficiency of health care, to provide the public with information on provider and supplier performance, and to enhance the education and awareness of consumers for evaluating health care services through the development and release of reports based on Medicare enrollment, claims, survey, and assessment data.

S. 1627

At the request of Mrs. LINCOLN, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 1627, a bill to amend the Internal Revenue Code of 1986 to extend and expand the benefits for businesses operating in empowerment zones, enterprise communities, or renewal communities, and for other purposes.

S. 1669

At the request of Ms. STABENOW, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1669, a bill to amend titles XIX and XXI of the Social Security Act to ensure payment under Medicaid and the State Children's Health Insurance Program (SCHIP) for covered items and services furnished by school-based health clinics.

S. 1718

At the request of Mr. BROWN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1718, a bill to amend the Servicemembers Civil Relief Act to provide for reimbursement to servicemembers of tuition for programs of education interrupted by military service, for deferment of students loans and reduced interest rates for servicemembers during periods of military service, and for other purposes.

S. 1809

At the request of Mr. THUNE, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1809, a bill to amend the Internal Revenue Code of 1986 to provide that distributions from an individual retirement plan, a section 401(k) plan, a section 403(b) contract, or a section 457 plan shall not be includible in gross income to the extent used to pay long-term care insurance premiums.

S. 1833

At the request of Mr. NELSON of Florida, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1833, a bill to amend the Consumer Product Safety Act to

require third-party verification of compliance of children's products with consumer product safety standards promulgated by the Consumer Product Safety Commission and for other purposes.

S. 1858

At the request of Mr. DODD, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1858, a bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.

S. 1921

At the request of Mr. WEBB, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Florida (Mr. MARTINEZ) were added as cosponsors of S. 1921, a bill to amend the American Battlefield Protection Act of 1996 to extend the authorization for that Act, and for other purposes.

S. 1930

At the request of Mr. WYDEN, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Illinois (Mr. DURBIN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 1930, a bill to amend the Lacey Act Amendments of 1981 to prevent illegal logging practices, and for other purposes.

S. 1951

At the request of Mr. BAUCUS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1951, a bill to amend title XIX of the Social Security Act to ensure that individuals eligible for medical assistance under the Medicaid program continue to have access to prescription drugs, and for other purposes.

S. 1954

At the request of Mr. BAUCUS, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 1954, a bill to amend title XVIII of the Social Security Act to improve access to pharmacies under part D.

S. 1958

At the request of Mr. CONRAD, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1958, a bill to amend title XVIII of the Social Security Act to ensure and foster continued patient quality of care by establishing facility and patient criteria for long-term care hospitals and related improvements under the Medicare program.

S. 1998

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1998, a bill to reduce child marriage, and for other purposes.

S. 2002

At the request of Mr. HATCH, the name of the Senator from Kentucky

(Mr. BUNNING) was added as a cosponsor of S. 2002, a bill to amend the Internal Revenue Code of 1986 to simplify certain provisions applicable to real estate investment trusts, and for other purposes.

S. 2035

At the request of Mr. SPECTER, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 2035, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 2053

At the request of Mr. FEINGOLD, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 2053, a bill to amend part A of title I of the Elementary and Secondary Education Act of 1965 to improve elementary and secondary education.

S. 2063

At the request of Mr. GREGG, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 2063, a bill to establish a Bipartisan Task Force for Responsible Fiscal Action, to assure the economic security of the United States, and to expand future prosperity and growth for all Americans.

S. 2067

At the request of Mr. MARTINEZ, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2067, a bill to amend the Federal Water Pollution Control Act relating to recreational vessels.

S. 2088

At the request of Mr. FEINGOLD, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2088, a bill to place reasonable limitations on the use of National Security Letters, and for other purposes.

S. 2119

At the request of Mr. JOHNSON, the names of the Senator from Oregon (Mr. WYDEN) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 2119, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 2135

At the request of Mr. DURBIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2135, a bill to prohibit the recruitment or use of child soldiers, to designate persons who recruit or use child soldiers as inadmissible aliens, to allow the deportation of persons who recruit or use child soldiers, and for other purposes.

S. 2140

At the request of Mr. DORGAN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2140, a bill to award a Congressional Gold Medal to Francis Collins, in recognition of his outstanding contributions and leadership in the fields of medicine and genetics.

S. 2152

At the request of Mr. MCCONNELL, the names of the Senator from Georgia (Mr. CHAMBLISS), the Senator from Kansas (Mr. BROWNBACK) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 2152, a bill to amend title XXI of the Social Security Act to reauthorize the State Children's Health Insurance Program through fiscal year 2012, and for other purposes.

S. 2153

At the request of Mr. REED, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2153, a bill to amend the Truth in Lending Act to enhance disclosure of the terms of home mortgage loans, and for other purposes.

S. 2166

At the request of Mr. CASEY, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 2166, a bill to provide for greater responsibility in lending and expanded cancellation of debts owed to the United States and the international financial institutions by low-income countries, and for other purposes.

S. 2172

At the request of Mr. MCCAIN, the names of the Senator from North Carolina (Mrs. DOLE) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 2172, a bill to impose sanctions on officials of the State Peace and Development Council in Burma, to prohibit the importation of gems and hardwoods from Burma, to support democracy in Burma, and for other purposes.

S. RES. 348

At the request of Ms. MURKOWSKI, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. Res. 348, a resolution supporting the goals and ideals of Red Ribbon Week.

AMENDMENT NO. 3320

At the request of Mr. COBURN, the names of the Senator from Arizona (Mr. MCCAIN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of amendment No. 3320 intended to be proposed to H.R. 3043, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

AMENDMENT NO. 3321

At the request of Mr. COBURN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of amendment No. 3321 intended to be proposed to H.R. 3043, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HARKIN:

S. 2173. A bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, today I am introducing the FIT Kids Act. That first word, FIT, is an acronym for "Fitness Integrated with Teaching". The FIT Kids Act encourages schools to provide children with quality physical education that can help them lead healthier lives.

Since the 1970s, the incidence of obesity has more than doubled for preschool children aged 2-5 years and for young people aged 12-19 years, and has more than tripled for children aged 6-11 years. There are many reasons of this public health crisis, and addressing this crisis will require multiple solutions as well. One critical place to start is in our schools. The Centers for Disease Control and Prevention has found that fewer than 10 percent of our public schools at all levels offer daily physical education or its equivalent for the entire school year for all students.

The FIT Kids Act would amend the No Child Left Behind Act to support quality physical education for all public school children through grade 12, and ensure they receive important health and nutritional information. As a senior member of the Senate Health, Education, Labor and Pensions Committee, I have been working with Chairman KENNEDY and my other colleagues to reauthorize the No Child Left Behind Act in a way that improves on existing law, and gives schools and educators the resources they need to succeed.

It is truly alarming to see the discrepancies in achievement between children in the United States and children abroad. Here in the U.S., we have a wide and persistent achievement gap that is leaving behind children of color, young people from disadvantaged backgrounds, and children with disabilities. I believe that the No Child Left Behind Act gives us a framework to reduce, and hopefully close, this achievement gap to ensure that children from all walks of life are achieving at high levels. I believe that we can and will reauthorize the No Child Left Behind Act in a way that preserves its essential reforms and continues the progress we have made over the nearly 6 years since the act became law.

Unfortunately, despite the law's lofty goals, many educators have come to see it as a burden and a hindrance to effective classroom practices. I admit I share many of their concerns. I am particularly concerned about reports of imbalances and distortions that have come about as various States and the Federal Government have pushed for higher standards and greater accountability. Earlier this year, the Center on Education Policy, here in Washington,