

The message also announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 60. Concurrent resolution expressing support for the goals of Veterans Educate Today's Students (VETS) Day, and for other purposes.

MEASURES REFERRED

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

H.R. 513. An act to amend the Servicemembers Civil Relief Act to enhance the protection of credit ratings of members of the reserve component who serve on active duty in support of a contingency operation, and for other purposes; to the Committee on Veterans' Affairs.

H.R. 2949. An act to authorize grants to the Eurasia Foundation, and for other purposes; to the Committee on Foreign Relations.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 60. Concurrent resolution expressing support for the goals of Veterans Educate Today's Students (VETS) Day, and for other purposes; to the Committee on Veterans' Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1567. An act to amend the Foreign Assistance Act of 1961 to provide increased assistance for the prevention, treatment, and control of tuberculosis, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BAUCUS, from the Committee on Finance, without amendment:

S. 2113. A bill to implement the United States-Peru Trade Promotion Agreement.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. LEAHY for the Committee on the Judiciary.

*Michael B. Mukasey, of New York, to be Attorney General.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. AKAKA:

S. 2309. A bill to amend title 38, United States Code, to clarify the service treatable

as service engaged in combat with the enemy for utilization of non-official evidence for proof of service-connection in a combat-related disease or injury; to the Committee on Veterans' Affairs.

By Mrs. CLINTON (for herself and Mr. NELSON of Florida):

S. 2310. A bill to establish a National Catastrophic Risks Consortium and a National Homeowners' Insurance Stabilization Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KENNEDY:

S. 2311. A bill to amend the Federal Food, Drug, and Cosmetic Act to provide for the amendment or repeal of monographs, to expand the Food and Drug Administration's authority to regulate drug advertising, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ALEXANDER:

S. 2312. A bill to amend title VI of the Elementary and Secondary Education Act of 1965 to provide for State student achievement contracts; to the Committee on Health, Education, Labor, and Pensions.

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

S. 2313. A bill to amend the Public Health Service Act to enhance efforts to address antimicrobial resistance; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SALAZAR (for himself, Mr. INHOFE, and Mr. TESTER):

S. 2314. A bill to amend the Internal Revenue Code of 1986 to make geothermal heat pump systems eligible for the energy credit and the residential energy efficient property credit, and for other purposes; 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. LIEBERMAN (for himself, Mr. SPECTER, Mr. SMITH, Mr. VOINOVICH, Mr. BIDEN, Mrs. CLINTON, Ms. MIKULSKI, Mr. CONRAD, Mr. MARTINEZ, Mr. LAUTENBERG, Mr. BROWNBACK, Mr. CARDIN, Mrs. FEINSTEIN, Mr. WYDEN, and Mr. CASEY):

S. Res. 367. A resolution commemorating the 40th anniversary of the mass movement for Soviet Jewish freedom and the 20th anniversary of the Freedom Sunday rally for Soviet Jewry on the National Mall; to the Committee on the Judiciary.

By Mr. KERRY (for himself, Ms. SNOWE, and Mr. STEVENS):

S. Res. 368. A resolution expressing the sense of the Senate that, at the 20th Regular Meeting of the International Commission on the Conservation of Atlantic Tunas, the United States should pursue a moratorium on the eastern Atlantic and Mediterranean bluefin tuna fishery to ensure control of the fishery and further facilitate recovery of the stock, pursue strengthened conservation and management measures to facilitate the recovery of the Atlantic bluefin tuna, and seek a review of compliance by all Nations with the International Commission for the Conservation of Atlantic Tunas' conservation and management recommendation for Atlantic bluefin tuna and other species, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CHAMBLISS (for himself, Mr. ISAKSON, and Mrs. LINCOLN):

S. Res. 369. A resolution designating November 25, 2007, as "Drive Safer Sunday"; considered and agreed to.

By Mrs. DOLE (for herself and Mr. NELSON of Florida):

S. Res. 370. A resolution supporting and encouraging greater support for Veterans Day each year; considered and agreed to.

ADDITIONAL COSPONSORS

S. 311

At the request of Ms. LANDRIEU, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 311, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 329

At the request of Mr. CRAPO, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 329, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 368

At the request of Mr. BIDEN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 368, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes.

S. 431

At the request of Mr. SCHUMER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 431, a bill to require convicted sex offenders to register online identifiers, and for other purposes.

S. 714

At the request of Mr. AKAKA, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 714, a bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally.

S. 819

At the request of Mr. DORGAN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 819, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes.

S. 1012

At the request of Ms. LANDRIEU, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1012, a bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes.

S. 1239

At the request of Mr. ROCKEFELLER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1239, a bill to amend the Internal

Revenue Code of 1986 to extend the new markets tax credit through 2013, and for other purposes.

S. 1492

At the request of Mr. INOUE, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1492, a bill to improve the quality of federal and state data regarding the availability and quality of broadband services and to promote the deployment of affordable broadband services to all parts of the Nation.

S. 1514

At the request of Mr. DODD, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1514, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 1661

At the request of Mr. DORGAN, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 1661, a bill to communicate United States travel policies and improve marketing and other activities designed to increase travel in the United States from abroad.

S. 1775

At the request of Mr. BURR, the names of the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1775, a bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that no child is left behind.

S. 1782

At the request of Mr. FEINGOLD, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 1782, a bill to amend chapter 1 of title 9 of United States Code with respect to arbitration.

S. 1800

At the request of Mr. BAYH, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1800, a bill to amend title 10, United States Code, to require emergency contraception to be available at all military health care treatment facilities.

S. 1852

At the request of Mr. INOUE, the names of the Senator from Montana (Mr. TESTER) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1852, a bill to designate the Friday after Thanksgiving of each year as "Native American Heritage Day" in honor of the achievements and contributions of Native Americans to the United States.

S. 1943

At the request of Mr. KENNEDY, the names of the Senator from Delaware (Mr. BIDEN) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 1943, a bill to establish uniform standards for interrogation techniques applicable to individuals under the custody or physical control of the United States Government.

S. 2035

At the request of Mr. SPECTER, the name of the Senator from South Da-

kota (Mr. JOHNSON) 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. 2051

At the request of Mr. CONRAD, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2051, a bill to amend the small rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965.

S. 2053

At the request of Mr. FEINGOLD, the name of the Senator from Nebraska (Mr. NELSON) 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. 2119

At the request of Mr. JOHNSON, the names of the Senator from Michigan (Ms. STABENOW), the Senator from Wyoming (Mr. ENZI) and the Senator from Utah (Mr. BENNETT) 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. 2123

At the request of Mr. GREGG, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2123, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 2140

At the request of Mr. DORGAN, the name of the Senator from Massachusetts (Mr. KENNEDY) 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. 2168

At the request of Mr. LEAHY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2168, a bill to amend title 18, United States Code, to enable increased federal prosecution of identity theft crimes and to allow for restitution to victims of identity theft.

S. 2225

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2225, a bill to amend the Harmonized Tariff Schedule of the United States to clarify the tariff rate for certain mechanics' work gloves.

S. 2238

At the request of Mr. AKAKA, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of

S. 2238, a bill to amend the National Dam Safety Program Act to establish a program to provide grant assistance to States for the rehabilitation and repair of deficient dams.

S. 2246

At the request of Mr. COLEMAN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 2246, a bill to amend the Higher Education Act of 1965 to extend eligibility for Federal TRIO programs to members of the reserve components serving on active duty in support of contingency operations.

S. 2256

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2256, a bill to establish an Office of International and Domestic Product Safety and a Product Safety Coordinating Council to improve the management, coordination, promotion, and oversight of product safety responsibilities, develop a centralized public database for product recalls, advisories, and alerts, and for other purposes.

S. 2257

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 2257, a bill to impose sanctions on officials of the State Peace and Development Council in Burma, to amend the Burmese Freedom and Democracy Act of 2003 to prohibit the importation of gemstones and hardwoods from Burma, to promote a coordinated international effort to restore civilian democratic rule to Burma, and for other purposes.

S. 2262

At the request of Mr. DOMENICI, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 2262, a bill to authorize the Preserve America Program and Save America's Treasures Program, and for other purposes.

S. 2275

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2275, a bill to prohibit the manufacture, sale, or distribution in commerce of certain children's products and child care articles that contain phthalates, and for other purposes.

S. 2277

At the request of Mr. SMITH, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2277, a bill to amend the Internal Revenue Code of 1986 to increase the limitation on the issuance of qualified veterans' mortgage bonds for Alaska, Oregon, and Wisconsin and to modify the definition of qualified veteran.

S. 2289

At the request of Mr. ALEXANDER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2289, a bill to amend chapter 111 of title 28, United States Code, to limit the duration of Federal consent decrees to which State and local

governments are a party, and for other purposes.

S. 2303

At the request of Mr. BURR, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 2303, a bill to amend section 435(o) of the Higher Education Act of 1965 regarding the definition of economic hardship.

S. RES. 299

At the request of Mr. MENENDEZ, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. Res. 299, a resolution recognizing the religious and historical significance of the festival of Diwali.

S. RES. 321

At the request of Mrs. FEINSTEIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 321, a resolution expressing the sense of the Senate regarding the Israeli-Palestinian peace process.

S. RES. 356

At the request of Mr. DURBIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. Res. 356, a resolution affirming that any offensive military action taken against Iran must be explicitly approved by Congress before such action may be initiated.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA:

S. 2309. A bill to amend title 38, United States Code, to clarify the service treatable as service engaged in combat with the enemy for utilization of non-official evidence for proof of service-connection in a combat-related disease or injury; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, today I introduce the proposed Compensation for Combat Veterans Act. This legislation would remove a barrier to the fair adjudication of claims for VA benefits filed by veterans who have disabilities incurred or aggravated by their military service in combat areas. Under existing law, veterans who can establish that they served in combat do not have to produce official military records to support their claim for disabilities related to that service.

At present, some veterans, disabled by their service in Iraq and Afghanistan as well as those who served earlier in Korea and Vietnam, are unable to benefit from this liberalizing evidentiary requirement because they have difficulty proving personal participation in combat by official military documents.

Under an opinion of the Department of Veterans Affairs General Counsel, VA GC Opinion 12-99, veterans must establish by official military records or decorations that they "personally participated in events constituting an actual fight or encounter with a military

foe or hostile unit or instrumentality." Oversight visits by Committee staff to VA regional offices have found claims denied as a result of this policy because those who served in combat zones were not able to produce official military documentation of their personal participation in an actual fight.

Some of these cases include a Marine Combat Engineer serving in Iraq who encountered IEDs, an Army veteran accidentally shot in Iraq by a fellow servicemember, and an Army Infantryman whose records showed participation in the Tet offensive of 1968, but not "personal participation in an actual fight." In other cases, extensive delays in claims processing occur while VA adjudicators attempt to obtain official military documents showing that a Marine who served in Bagdad or Fallujah was personally exposed to IEDs.

The legislation I am introducing would overturn the General Counsel precedent opinion. I believe that the requirement in that opinion is inconsistent with the original intent of Congress in liberalizing the requirements for proof of service-connection in cases involving veterans who served in combat areas. As the Senate noted in 1941, in the report on the original bill providing special consideration for combat veterans:

The absence of an official record of care or treatment in many of such cases is readily explained by the conditions surrounding the service of combat veterans. It was emphasized in the hearings that the establishment of records of care or treatment of veterans in other than combat areas, and particularly in the States, was a comparatively simple matter as compared with the veteran who served in combat. Either the veteran attempted to carry on despite his disability to avoid having a record made lest he might be separated from his organization or, as in many cases, the records themselves were lost.

S. Rep. 77-902 to H.R. 4905 at 2.

While some improvements have been made since 1941 in obtaining and maintaining records in combat areas, record keeping and transmittal of records in combat areas remains problematic.

This bill would require that, in cases in which the veteran can demonstrate service in a recognized combat area and alleges disabilities related to that service the relaxed evidentiary principles intended by the Congress would apply, with no requirement for further evidence from the veteran regarding his or her specific activity.

I urge all of my colleagues to support this measure, so that combat veterans of the current conflicts, as well as those who served in earlier conflicts, can receive the benefits they deserve in a timely manner.

By Mr. ALEXANDER:

S. 2312. A bill to amend title VI of the Elementary and Secondary Education Act of 1965 to provide for State student achievement contracts; to the Committee on Health, Education, Labor, and Pensions.

Mr. ALEXANDER. Mr. President, Senators KENNEDY and ENZI have re-

cently said that early in 2008 the Senate will consider whether to authorize No Child Left Behind.

That law, which was enacted in 2001 as a part of the regular 5-year reauthorization of the Elementary and Secondary Education Act, required every State to set standards for math and reading and to test each child once a year in grades 3 through 8, and once in high school, in order to measure their progress toward meeting these State standards. In addition, the law requires States to report the results in a disaggregated way, meaning according to racial, ethnic, socioeconomic status, disability, and limited English proficiency, report the status of the children so it would be clearer whether groups of children are being left behind in their academic progress.

So my purpose today is, first, to announce my support for the reauthorization of the No Child Left Behind Act but ask that we find a better way to do the job of reporting results. We should be trying to catch schools doing things right rather than seeming to penalize them for doing things wrong.

Second, to introduce legislation providing for greater flexibility in administering the law for up to a dozen States, if those States agree to maintain a high level or increase the rigor of the program, their standard-setting process, and reporting requirements.

Third, to express my concerns about early drafts and proposals of reauthorizing legislation that seem to require more Federal control and less State responsibility for results—the reverse of what we should be seeking to achieve.

Finally, I wish to call attention to several parts of the legislation that need to be strengthened and expanded: Support for teaching American history; the Teacher Incentive Fund; charter schools, which I know the Presiding Officer has been very interested in for a long time; and State collection of data to aid States in measuring student progress.

First, support for reauthorization. I have decided to cosponsor the No Child Left Behind Act of 2007, which has been authored by Senators Burr and Gregg, because I believe it represents a sound foundation for eventual reauthorization of the legislation. This legislative draft leaves in place the framework of the 2001 law: high goals, State standards, and disaggregated reporting of results, and it addresses some obvious deficiencies in the existing legislation, including more flexibility in helping children learn English, in measuring the progress of children with disabilities, and in how to report the progress of children who make great progress but still fall behind their goals. This bill—the Burr-Gregg bill—does not retreat from the bold goal that all children will be proficient in reading and math according to each State's standards by the 2013-2014 school year. Some have argued that sets schools up for failure. I would argue it is the American way to set high goals and then to