

Government provides to ensure that trade-displaced workers have access to health care coverage while they are retraining.

The House passed similar legislation in November. But the Senate has not yet completed the job. That is why a 3-month extension of trade adjustment assistance is critical. It would keep the current program going. It would provide time for Congress to complete its work on reauthorizing the program.

Last week, the House passed a 3-month extension of the TAA program. The House bill is fully offset. It is non-controversial. That bill should have passed easily in the Senate. But instead, some on the other side of the aisle have chosen to hold it up. Their dispute is over an unrelated issue. As a consequence, some on the other side of the aisle are close to allowing trade adjustment assistance to expire.

TAA expiration would send a horrible message to America's workers, especially those who depend on trade adjustment assistance. TAA expiration would also send a terrible message about the 2008 trade agenda. If the Senate cannot pass a 3-month extension of trade adjustment assistance, I am not sure what the Congress can do on trade next year.

Reauthorization and modernization of trade adjustment assistance is my No. 1 trade priority for 2008. It is the right thing to do. American workers deserve no less.

Unless Congress passes a robust TAA bill next year, I don't see how we can move pending trade agreements, trade adjustment assistance has to come first.

So, Mr. President, I call on my colleagues on the other side of the aisle who are holding up this modest extension of trade adjustment to think again. I call on them to allow this useful program to continue, and I call on them to step back from what could be a major setback to American exports and freer international trade.

#### CONSUMER PRODUCT SAFETY

Mr. PRYOR. Mr. President, I wish to speak on an issue that is extremely important to families all across the country—consumer product safety. I have spent the past year working with several of my colleagues to reform and reinvigorate the agency charged with protecting consumers from unsafe products, the Consumer Product Safety Commission, CPSC. These efforts have resulted in good progress. We have restored the Commission's ability to conduct business without a quorum, we have provided historic increases in CPSC's funding, and we have passed pool safety legislation to protect children from drain entrapment.

Earlier this fall, I introduced legislation, S. 2045, the Consumer Product Safety Commission Reform Act of 2007, to ensure the CPSC has the authority and tools they need to protect families from dangerous imported products. We

have all seen enough evidence in the press and on our retailers' shelves to know that reform is needed. Senators INOUE, DURBIN, KLOBUCHAR, BILL NELSON, BROWN, SCHUMER, MENENDEZ, CASEY, and HARKIN have all joined me in this historic effort, and their contributions to the bill have been enormous. The Senate Commerce Committee reported S. 2045 in October by voice vote. Since that time, we have been working in a bipartisan fashion to move our legislation out of the Senate and to provide these protections for the American public.

As many of you are aware, the House of Representatives is scheduled to consider their version of CPSC reform today. I applaud the House for getting involved in this very important issue and was pleased to see that many of the ideas we developed in S. 2045 were incorporated into the House bill. I believe this effort is a very important first step to reauthorize this agency and provide it with some of the tools necessary to work more diligently on behalf of the American consumer. This is a goal that I share with all cosponsors of my bill, many of my colleagues in the Senate, and my counterparts in the House. While the House bill is a good step, I believe S. 2045 contains many additional reforms critical to improving our consumer product safety laws. I also believe the Senate now stands poised to build upon the actions of the House and provide even greater assurances to the American public.

Though I would have preferred to accomplish this task this year—and we have worked very hard to make this a reality—it seems the timing of the rest of the week simply makes this task nearly impossible. I would say to my colleagues in the Senate that we are very close to achieving bipartisan compromise to allow this bill to go forward early next year. I have expressed to the majority leader my desire to continue to move forward with S. 2045, and I hope to secure time for floor consideration at the earliest possible time when Congress returns in January. Consumer product safety is too important to the American people to not give them our very best effort, and I believe the Senate needs time to consider this legislation on the Senate floor.

I would like to take a moment to highlight some areas of concern that I have with the House legislation where the Senate legislation provides greater protection, areas that I hope to improve upon when Congress returns next year. To begin, S. 2045 provides greater reauthorization levels for a longer length of time than H.R. 4040. While the House seeks to reauthorize the CPSC for three years, S. 2045 reauthorizes the CPSC for 7 years. S. 2045 provides over \$526 million more in authorized funding than H.R. 4040. Our legislation takes a long term approach to reauthorize the agency, which I believe brings stability to the agency in addition to their enforcement efforts. The

last time the CPSC was reauthorized was in 1990 for only a 2-year period. During the 17 years between the last authorization and now, the CPSC has withered on the vine, a victim of underfunding and understaffing. I believe the systemic problems that have surfaced over these 17 years demonstrate the need for looking forward to the future as we debate reauthorization.

The Senate bill also gives greater authority to State attorneys general to assist the CPSC in their consumer product enforcement efforts. While H.R. 4040 only provides State attorneys general with a very limited role in protecting consumers, S. 2045 ensures that these officials can act as real cops on the beat, looking out for consumers and restoring confidence in the marketplace by enforcing the provisions of the entire Consumer Product Safety Act, not limited sections.

S. 2045 also furthers the mission of the CPSC by placing more information about dangerous products in the hands of families when the dangers become known instead of allowing manufacturers to bog down the disclosure of information through lengthy court battles. S. 2045 will allow parents to make educated and cautious decisions about the products they are placing in their homes. While the House bill only seeks to clarify the existing statute in this respect, the Senate bill can actually place real and timely information in the hands of consumers. I believe such a result can only enhance the security and well-being of our fellow Americans.

One very important difference between the House and Senate version of this legislation is the standards set for testing children's toys. H.R. 4040 asks the CPSC to decide if current voluntary standards are feasible for manufacturers' testing procedures and whether they should be adopted. It is very obvious to me, as well as millions of moms, dads, and grandparents around the country that testing requirements must be elevated. S. 2045 would make these voluntary standards mandatory for testing and safety.

Furthermore, S. 2045 adds real teeth to the enforcement capabilities of the CPSC. Though I applaud the House for increasing civil penalties to which a violator may be subject to \$10 million, I do not believe this level is sufficient to deter bad actors. Placing dangerous products in the hands of American consumers must not be the cost of doing business. S. 2045 increases the cap in civil penalties to \$100 million and strengthens criminal penalties for those aggravated violators that seemingly show a disregard to the health and safety of consumers and the laws enacted by this body. H.R. 4040 does not remove the requirement that the CPSC notify violators of noncompliance prior to seeking criminal penalties. This may seem minor, but this provision of the Consumer Product Safety Act has hamstrung the CPSC's ability to pursue egregious violators to the point

where only one such violator has been pursued. Even the President's Import Safety Working Group has recommended this change.

Last, S. 2045 provides important protections for employees who stand up for public safety by blowing the whistle on unsafe products or practices. These whistleblower protections are extremely important to catching unsafe products before they enter the stream of commerce. Employees are often on the front lines of consumer product safety, and I believe they deserve protection from retribution if they report activities they believe to be in violation of the law. H.R. 4040 does not provide whistleblower protections.

There are many other areas I could highlight where S. 2045 can provide more meaningful reform than H.R. 4040, but I believe these to be some of the most important. I would like my colleagues to know of my commitment for this body to consider and pass meaningful consumer product safety reform next year. I will continue to work tirelessly on this legislation over the holiday recess, and I will continue to work with my colleagues across the aisle to pass bipartisan legislation. I thank them for their hard work during this process and am encouraged with the progress we have made in just the past few days.

Finally, I would like to thank the sponsors of this legislation for their leadership and persistence on consumer product safety. This has certainly been a team effort, and I look forward to continuing to work with them to resolve this matter when we return.

#### FEDERAL EXECUTIVE BOARDS

Mr. AKAKA. Mr. President, I wish to recognize the accomplishments and good work of the Federal Executive Boards, FEBs, across the country. FEBs bring together Federal agencies outside of the Washington, DC metropolitan area to better serve the community.

Federal Executive Boards were established in 10 major regions across the country by President John Kennedy in 1961 as a way for Federal agencies outside of Washington to communicate with each other and address local issues affecting the Federal employee community. Since then, they have grown to include 28 metropolitan areas and serve hundreds of thousands of Federal employees.

The boards are made up of senior officials from each Federal agency in a given geographic region. They are quasi-agencies that receive voluntary funding from local Federal agencies in the region. They operate with a lean structure of one or two staff members who create partnerships between the Federal, State, and local governments to achieve common goals. FEBs also offer training workshops, coordinate preparedness exercises, and disseminate information on office closures.

I am very proud to have a strong and active FEB in Honolulu that serves the Federal agencies in the Pacific.

To this extent, earlier this fall, I held a hearing on the role FEBs can play in preparing Federal communities for a pandemic influenza outbreak. Many public health experts believe that we are overdue for a pandemic outbreak, and the question is not a matter of if, but when. In this effort, I asked the Government Accountability Office to evaluate the work of FEBs in preparing their constituency for a pandemic outbreak. What I found was a lot of dedicated individuals building partnerships and developing procedures to prepare for a public health, natural, or man-made emergency. They are doing important work, but they are operating without a lot of resources.

Because of their natural role in communicating with and coordinating Federal agencies, emergency preparedness and response has become a central component to the mission and activities of FEBs. For example, the Honolulu-Pacific FEB, which serves my home State of Hawaii, is a resource for emergency response plans, pandemic influenza preparedness, and continuity of operations plans.

Similarly, the Minnesota Federal Executive Board has taken to heart the need for better coordination with State, local, and private partners in the event of a pandemic or other emergency, and it has organized a number of emergency training exercises that bring together these partners.

Unfortunately, not all FEBs have the resources or support to be so active. At the hearing earlier this fall, the representatives from the FEBs testified to the instability of their funding and the difficulty in planning events without a known budget. The Executive Directors make do with what they are given, but often that is not much.

The Office of Personnel Management oversees the FEBs and has been working with the Federal Emergency Management Agency to develop a strategic plan that would address funding, performance standards, and provide guidance to FEBs on their role in the event of an emergency. OPM is hoping to produce the plan early next year, and I anxiously await its release. The more support we can provide them, the more effective our federal agencies will be.

I would like to commend the work being done by FEBs, especially the Honolulu-Pacific FEB, and I will continue to support their efforts to build a strong Federal community.

#### ABSENTEE VOTING

Mr. BAYH. Mr. President, I wish to speak about the importance of counting the votes of military personnel and American citizens living abroad. These votes—defined as Uniformed and Overseas Citizens Absentee Voting Act votes, UOCAVA—are consistently neglected.

According to an Elections Assistance Commission, EAC, report issued in Sep-

tember, less than 17 percent of the estimated 6 million potentially eligible overseas voters sought to participate in the 2006 elections. This concerns me greatly. Further, of the 992,034 requested overseas ballots in 2006, only 333,179 were actually counted—leaving potentially more than 66 percent of overseas voters that wanted to vote in 2006 disenfranchised.

In June, the GAO released a report that urged the EAC, and other Federal agencies, to better serve our UOCAVA voters. I believe that the EAC has an opportunity to rectify this situation now.

The fiscal year 2008 Omnibus appropriations bill includes \$115 million that will be distributed to the States so that they can proceed to implement the Help American Vote Act. All State and local elections officials are aware of the difficulties receiving and counting ballots from overseas military personnel and citizens living abroad. The Department of Defense, through the Federal Voting Assistance Program, continues to struggle with this problem.

The EAC report recommends that states make a great effort to ensure that obstacles to voting experienced by members of the service members and citizens living abroad—including voter registration, ballot receipt, and ballot return—should be reduced, minimized, or eliminated. To this end, several States intend to use HAVA funds to implement plans that will allow them to better serve these severely disenfranchised voters. For these reasons, I urge the EAC to clearly notify interested States that HAVA funds are available to facilitate the voting process for UOCAVA voters. I further urge the EAC to distribute 2008 HAVA funding to those States as soon as possible, so that UOCAVA voters do not remain disenfranchised for the 2008 elections.

#### TIM JOHNSON INPATIENT REHABILITATION PRESERVATION ACT

Mr. NELSON of Nebraska. Mr. President, I rise today to honor a dear friend and fellow Midwesterner who is close to each of us, South Dakota Senator TIM JOHNSON. After suffering a rare brain hemorrhage last year, Senator JOHNSON had a tall mountain to climb in his recovery. He worked hard and followed a rigorous rehabilitation regimen. The results are obvious. He has had an outstanding recovery—due in large part to his intense determination to get better, the support of his family and friends, and the quality rehabilitation care that he received—and continues to receive. Senator JOHNSON was able to return to the Senate earlier this year. It is a great honor to serve with Senator JOHNSON, and we are all grateful to have him back.

As many know, we recognized Senator JOHNSON's outstanding recovery by renaming S. 543, legislation aimed at preserving access to rehabilitation hospitals the "Tim Johnson Inpatient