

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

Rehabilitation Preservation Act of 2007." This legislation aimed to block implementation of a bureaucratic rule change that severely limits seniors' access to rehabilitation hospitals. Senator JOHNSON's recovery through rehabilitation treatment is an inspiration to many who have suffered from similar conditions and other brain injuries. The care that he received from his team at the National Rehabilitation Hospital was outstanding and their service was critical to his return to the Senate. I believe that it is crucial that we preserve access to similar rehabilitative care for many of America's senior citizens.

Four years ago, the Centers for Medicare & Medicaid Services promulgated a new rule that would severely limit the types of rehabilitation treatments available to Medicare patients. The rule known as the "75 percent rule" would require rehab hospitals to ensure a certain percentage of patients fall into one of 13 specific diagnoses. That percentage was set to increase to 75 percent—forcing rehab hospitals to turn away patients and limit rehab services in their community. I know firsthand how harmful this can be, as my own mother faced inadequate care before finally receiving the rehabilitation services she desperately needed.

The 75 percent rule was set to close the doors of rehabilitation hospitals and push seniors away from the care they desperately needed. As many of you know, I have been working with a number of my colleagues on an inpatient rehabilitation Medicare fix for the last several Congresses.

Yesterday, the Senate passed the Medicare, Medicaid, and SCHIP Extension Act of 2007, which included our provision to freeze the 75 percent rule compliance threshold permanently at 60 percent, ensuring rehabilitation hospitals have the flexibility to serve a variety of patients who desperately need quality rehabilitation treatment to restore their physical function and return home to their families and daily lives.

Without our Nation's rehabilitation capacity, other Americans may not have access to the same kind of care that brought my close friend back to the Senate.

I want to offer special thanks to Senator JOHNSON for lending his name to our efforts and putting a familiar face on the importance of rehabilitation care. I also want to thank Senators BAUCUS and GRASSLEY, chairman and ranking member of the Finance Committee, as well as Senators BUNNING, STABENOW, SNOWE, KERRY, SCHUMER, and each of the 60 cosponsors of the Tim Johnson Inpatient Rehabilitation Preservation Act of 2007. Their support was critical in pushing for a permanent fix to the 75 percent rule and provided those Americans who need rehabilitation treatment with a gift this holiday season—access to quality treatment and the hope for recovery.

PREVENTION THROUGH AFFORDABLE ACCESS ACT

Mr. KENNEDY. Mr. President, since January, safety net clinics that provide basic health care services to women have been in a financial crisis. This happened because a provision in the Deficit Reduction Act of 2005 has inadvertently prohibited drug companies from providing the deep discounts to them on contraceptives. All year, hundreds of family planning clinics, university health centers and other safety net clinics have been unable to provide affordable contraception to their low-income constituency. Prices have skyrocketed in some instances from \$5 a pack to \$50 a pack. Already some colleges, including those in my home State of Massachusetts, have had to stop offering contraceptives. This crisis affects an estimated 3 million college women, and hundreds of thousands of low-income women who are finding birth control priced out of reach.

The Prevention Through Affordable Access Act is a no-cost, technical fix that will restore nominal prices to these entities, and in turn ensure that university students and low-income women once again have access to affordable birth control. It will not cost the Federal Government a dime—but it will be invaluable to women's health.

Thirty Senators have demonstrated their support for this fix S. 2347. Congress must act now to ensure that this problem is fixed this year and a continuing crisis is averted. Women have waited long enough. I urge passage of this important bill.

COURT SECURITY IMPROVEMENT ACT

Mr. LEAHY. Mr. President, earlier this week, the Senate passed a compromise version of the Court Security Improvement Act of 2007. It took several months to negotiate the minor differences between the House and the Senate bills, simply because we were not allowed to go to conference. Then we had to work for over a month to remove a hold placed on the legislation. When it finally passed the Senate on Monday night, we expected that the House of Representatives would pass it without delay. Unfortunately, one of the compromise provisions triggered a problem that would have prevented passage in the House.

We corrected that problem late last night with an enrolling resolution that strikes the provision of section 502 that caused a budgetary problem. Fortunately, we were able to maintain the important provision of life insurance benefits for our dedicated magistrate judges.

I appreciate the work of Senators SPECTER and KYL to make sure that we were able to pass this resolution late last night and I look forward to the House of Representatives passing both the resolution and the Court Security

Improvement Act without further delay.

I urge the President to sign this vital legislation, introduced 11 months ago, without delay so that we can protect the dedicated judges, and other personnel who serve as part of our Nation's justice system. The security of our Federal judges and our courthouses around the Nation is at stake.

THE TREE ACT

Mrs. LINCOLN. Mr. President, I would like to engage in a colloquy with the leadership of the Senate Finance Committee regarding the timber tax provisions that are commonly referred to as the "TREE Act." These provisions were included in the tax title of the Energy bill, which, regrettably, was deleted from the bill that the Senate passed last week. On a brighter note, they have been included in the tax title of the farm bill, which passed the Senate last week.

As a matter of tax policy, enactment of the TREE Act is extremely important. It reforms the rules that apply to both corporations and individuals who own timber, thereby improving the international competitiveness of the U.S. timber industry.

Enactment of the TREE Act also is time-sensitive. Timber companies that continue to be organized as corporations are under intensifying pressure to reorganize. In that case, a corporation that owns substantial manufacturing facilities would be forced to sell some of those facilities, and to make other structural changes, in order to comply with the relevant tax rules that it would newly become subject to. This would be likely to cause disruptions in some of the affected communities, and also would make it harder for U.S. companies to compete internationally. To forestall these adverse consequences, Congress must act quickly.

Accordingly, I am pleased that the Senate has enacted the TREE Act as part of the farm bill, and I believe that it is critical for Congress to enact a new farm bill, including the TREE Act, early next year. I would like to ask the chairman and ranking members of the Finance Committee whether they share this view.

Mr. SMITH. Mr. President, I join my colleague, the senior Senator from Arkansas, in supporting the need to enact the timber tax provisions—also known as the Timber Revitalization and Economic Enhancement Act, TREE Act—in a timely manner.

This tax policy is as important to Oregon as it is to other timber-growing regions of the United States. The forest products industry is a cornerstone of Oregon's economy and culture. Oregon is home to more than 9.5 million acres of privately owned forests and more than 75,000 people earn their living working for the forest products industry. In fact, Oregon is the No. 1 producer of lumber in the United States.

While disappointed that the TREE Act was a part of the tax title removed