

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

from the version of the energy bill passed by the Senate, I am pleased the Senate was able to include the TREE Act provisions in the farm bill passed last week.

It is crucial for Congress to enact early next year the TREE Act. I will work with my colleagues to see the TREE Act enacted in early 2008. It matters to all who grow trees—companies of all sizes and small tree farmers as well.

Mr. BAUCUS. I appreciate Senators LINCOLN's and SMITH's leadership on this issue and I share their view. Although I had concerns about a somewhat similar provision that was considered in 2006, the fact that that there is now a consensus in support of the TREE Act in the U.S. forest products industry, and that modifications have been made, have led me to support the TREE Act, and to work to include it in both the tax title of the Energy bill and the tax title of the farm bill. I understand the time constraints, and pledge to work with the Senator from Arkansas and the Senator from Oregon, other interested Senators, and with the leaders of the House Ways and Means Committee to see that the TREE Act is enacted as part of the farm bill or other appropriate vehicle early in 2008.

Mr. GRASSLEY. I agree. I have supported the enactment of the TREE Act for several years, and will work to see it enacted early in 2008.

RENEWING THE ASSAULT WEAPONS BAN

Mr. LEVIN. Mr. President, the past month has been marked by several high profile, tragic shootings. Across the country, Americans have been attacked in places once thought safe, by people wielding deadly firearms. There can be little doubt that the plague of gun violence is continuing to permeate our society. At what point will we say act.

Early Sunday morning December 9, a young man entered a Christian missionary center in the Denver suburb of Arvada, carrying an assault rifle and approximately 1,000 rounds of ammunition. Shooting randomly, he gunned down two staff members in their mid-20s and wounded two others. Just over 12 hours later, the same gunman walked into a church 75 miles away in Colorado Springs and killed two sisters, 18 and 16 years-old, and wounded six others, before shooting himself.

Four days earlier, on December 5, a young man entered a busy mall in Omaha, NE, carrying an assault rifle. Spraying bullets at people at both point blank range and from the third-floor balcony, sending holiday shoppers running as dozens of shots echoed throughout the mall. Before he turned the gun on himself, the gunman had killed eight people and wounded five others, two critically.

Of course, these were only the shootings that captured national headlines.

Hundreds of others fell to their deaths this past month at the hands of someone with a firearm. This month caps a year that witnessed the worst ever school shooting in the United States, when a student killed 32 classmates and staff members at Virginia Tech University. Each one of these horrific events emphasizes the need for common sense gun legislation. Together they scream out for change. As 2007 draws to a close I once again urge my colleagues to help put an end to these kind of tragedies by renewing the assault weapons ban.

“NIMROD NATION”

Mr. LEVIN. Mr. President, the Sundance Channel recently aired a documentary entitled “Nimrod Nation.” This eight-part series explores the world of small-town American life through the lens of the town of Watersmeet, MI, and their local high school basketball team.

Small towns have always been an important part of our country's cultural heritage. The communities and institutions that make up small towns are an essential and enduring aspect of the political, economic and social fabric of our nation. Nearly one quarter of all Americans live in rural areas, approximately the same percentage as live in central cities.

With only 1,400 residents, Watersmeet is a rural town in Michigan's Upper Peninsula. The town is surrounded by the Ottawa National Forest and the Cisco Chain of Lakes. It is located in a region with a high concentration of Nordic descendants and Native Americans. In an area with not a single movie theater, the residents turn to, among other things, pastimes such as hunting, fishing, and cheering on their local athletic teams.

Director Brett Morgen traveled to Watersmeet in 2004 to film three commercials for an ESPN promotional campaign. There he discovered the Watersmeet Nimrods basketball team. The nickname came from the Biblical king Nimrod, a mighty hunter, fisherman and outdoorsman. The commercials highlighted the team's unusual name, and they sold close to \$550,000 worth of Nimrod-brand merchandise as a result of this publicity. Mr. Morgen later returned to Watersmeet to document the Nimrod's 2005-6 basketball season while creating a series about the rural town.

“Nimrod Nation” uncovers one of the many diverse cultures we have in Michigan. The residents of Watersmeet have expressed enthusiasm about the series. It explores the making of head cheese, talks with the town's older citizens at a local cafe, and covers the community's passion for the Nimrod basketball team. These events are woven together to create a portrait of what life in the Upper Peninsula is all about.

I know my colleagues in the Senate join me in recognizing the importance

of small towns to our country, as well as the congratulating residents of Watersmeet, MI, as their town is showcased in the documentary “Nimrod Nation.”

TRIBUTE TO RICHARD A. LAUDERBAUGH

Mr. CARDIN. Mr. President, it is with sadness that I announce the death of Richard A. Lauderbaugh, a distinguished and admired former legislative counsel and counsel to the Senate Finance Committee, on December 3, 2007. Mr. Lauderbaugh was a recognized health policy expert with particular expertise in Medicare and Medicaid. He served with distinction on the staff of the Finance Committee under the chairmanship of Senator Lloyd Bentsen from 1989 until 1992. During this period, he was closely involved in the development of Medicare legislation that established a fee schedule for physician services and measures to prevent program fraud and abuse.

Mr. Lauderbaugh, a native of Pittsburgh, PA, moved to Washington in 1981 after earning his bachelor's degree from the University of Rochester, a law degree from the Columbia University School of Law, and a Ph.D. in history from Washington University in St. Louis. He was appointed associate counsel in the Office of the Legislative Counsel of the Senate, where his expertise in legislative drafting and his grasp of complex policy issues were invaluable.

Mr. Lauderbaugh also served 2 years as Washington counsel for the American Hospital Association, where he provided legal and policy advice on a variety of issues including health care reform and hospital payment policies under the Medicare and Medicaid Programs. In 1992, he joined Health Policy Alternatives, a Washington-based policy consulting firm specializing in Medicare and Medicaid policy and legislation, as a principal. In this position, he worked closely with a wide range of clients including health facility and professional associations, manufacturers, consumer advocacy groups, and private foundations. On a number of occasions, he worked with my staff in the preparation of a bill to ensure access to emergency medical services. His work on a variety of policy issues contributed to the introduction and passage of many health care bills in the House and the Senate.

Throughout his 26-year career, Mr. Lauderbaugh was widely recognized for his expertise in drafting Federal legislation, for his extensive knowledge of the history of Medicare and Medicaid, and his creative skill in designing public policies. More important, he was a gentleman who patiently helped the experienced or novice staffer or client navigate the complex world of health policy. His dedication to the highest professional standards and his loyalty to friends and family were hallmarks of his distinguished career.