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. 644

At the request of Mrs. LINCOLN, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 644, a bill to amend title 38, United States Code, to recodify as part of that title certain educational assistance programs for members of the reserve components of the Armed Forces, to improve such programs, and for other purposes.

S. 659

At the request of Mr. HAGEL, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 659, a bill to amend section 1477 of title 10, United States Code, to provide for the payment of the death gratuity with respect to members of the Armed Forces without a surviving spouse who are survived by a minor child.

S. 661

At the request of Mrs. CLINTON, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 661, a bill to establish kinship navigator programs, to establish guardianship assistance payments for children, and for other purposes.

S. 678

At the request of Mrs. BOXER, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 678, a bill to amend title 49, United States Code, to ensure air passengers have access to necessary services while on a grounded air carrier and are not unnecessarily held on a grounded air carrier before or after a flight, and for other purposes.

S. 694

At the request of Mrs. CLINTON, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from California (Mrs. BOXER), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 694, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of light motor vehicles, and for other purposes.

S. RES. 78

At the request of Mr. HAGEL, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. Res. 78, a resolution designating April 2007 as ''National Autism Awareness Month'' and supporting efforts to increase funding for research into the causes and treatment of autism and to improve training and support for individuals with autism and those who care for individuals with autism.

S. RES. 82

At the request of Mr. HAGEL, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 82, a resolution designating August 16, 2007 as ''National Airborne Day''.

S. RES. 84

At the request of Mr. BROWNBACK, the names of the Senator from Oklahoma (Mr. COBURN) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. Res. 84, a resolution observing February 23, 2007, as the 200th anniversary of the abolition of the slave trade in the British Empire, honoring the distinguished life and legacy of William Wilberforce, and encouraging the people of the United States to follow the example of William Wilberforce by selflessly pursuing respect for human rights around the world.

S. RES. 86

At the request of Mr. SALAZAR, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. Res. 86, a resolution designating March 1, 2007, as ''Siblings Connection Day''.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ALLARD:

S. 699. A bill to prevent the fraudulent use of social security account numbers by allowing the sharing of social security data among agencies of the United States for identity theft prevention and immigration enforcement purposes, and for other purposes; to the Committee on the Judiciary.

Mr. ALLARD. Mr. President, I will be introducing a piece of legislation today which is a bill to cut at the heart of a rampant problem in this country; that is, identity theft.

Last month, a bipartisan group of Senators and I met with Secretary Chertoff on this very issue. Secretary Chertoff explained that under current law, Government agencies are prevented from sharing information with one another that, if shared, could expose cases of identity theft. My bill tears down the wall that prevents the sharing of existing information among Government agencies. It permits the Commissioner of Social Security to secure information with the Secretary of Homeland Security where such information is likely to assist in discovering identity theft, Social Security number misuse, or violations of immigration law.

Specifically, it requires the Commissioner to inform the Secretary of Homeland Security upon discovery of a Social Security account number being used with multiple names or where an individual has more than one person reporting earnings for him or her during a single tax year. It seems logical that we would already be doing this, but we are not. In the meantime, identity theft is plaguing innocent victims all across the country. We were reminded of the pervasiveness of this problem by the recent ICE raids of six Swift and Company meat-packing plants across the country last December. In total, agents apprehended 1,282 illegal alien workers on administrative immigration violations. Of these, 65 have also been charged with criminal violations related to identity theft or other violations.

Unfortunately, for the victims of identity theft, by the time the identity theft is discovered, the damage has already been done. Ranked fifth in the Nation for identity theft, citizens of Colorado are no strangers to identity theft. For instance, an 84-year-old Grand Junction woman was deemed ineligible for Federal housing assistance because her Social Security number was being used at a variety of jobs in Denver, making her income too high to qualify. A 10-year-old child in Douglas County had his identity stolen, and his Social Security number was being used at 17 different jobs. Others get stuck with big tax bills for wages they never earned.

Clearly, identity theft is an issue that affects people of all ages and walks of life. Yet when the Social Security Administration has reason to believe that a Social Security number is being used fraudulently, they are prevented from sharing it with the Department of Homeland Security. Withholding this information effectively enables thieves to continue to perpetrate the crime of identity theft against innocent victims. By simply sharing this information, cases of identity theft could be discovered much sooner. Victims of identity theft deserve to have this existing information acted on, and my bill allows for this to happen. I urge colleagues to support this commonsense legislation.

Later on, when we are on S. 4, called Improving America's Security Act, which deals with implementation of more of the 9/11 Commission recommendations, I plan on offering an amendment that has similar language to this bill. This is an issue which is extremely important to victims. It is something we should address. I will give the Senate plenty of opportunity to deal with this issue.

By Mr. CRAPO (for himself, Mrs. LINCOLN, Mr. BAUCUS, Mr. GRASSLEY, Mr. ALLARD, Mr. SALAZAR, Mr. SMITH, Mr. REID, Mr. LIEBERMAN, Mr. BENNETT, Mr. ENZI, Mr. PRYOR, Mr. CRAIG, Mr. NELSON of Nebraska, Ms. COLLINS, Mr. COCHRAN, and Mr. BROWNBACK):

S. 700. A bill to amend the Internal Revenue Code to provide a tax credit to individuals who enter into agreements to protect the habitats of endangered and threatened species, and for other purposes; to the Committee on Finance.

Mr. CRAPO. Mr. President, I rise today with my colleagues, 16 bipartisan

cosponsors, to introduce the S. 700. Approximately 1 year ago, Senator LINCOLN and I introduced the Collaboration for the Recovery of the Endangered Species Act, or CRESA, an earlier bill to amend the Endangered Species Act or ESA. S. 700 is an updated version of the Endangered Species Recovery Act or ESRA, which we introduced on December 6, 2006. Like ESRA, S. 700 does not amend the current ESA, but builds on ideas set forth in the original CRESA. It creates policies that finance the recovery of endangered species by private landowners. S. 700 makes it simpler for landowners to get involved in conservation and reduces the conflict that often emanates from the ESA. It will be an important codification of much-needed incentives to help recover endangered species. And, since the introduction of CRESA 1 year ago, I'm proud to count over 100 different species and landowner organizations and advocates that have partnered with us in support of this important tax legislation.

Over 80 percent of endangered species live on private property. Under the current law, however, there are too few incentives and too many obstacles for private landowners to participate in conservation agreements to help recover species. S. 700, like the voluntary farm bill conservation programs that inspired its creation, will make it more attractive for private landowners to contribute to the recovery of species under the ESA.

This bill resulted from effective and inclusive collaboration among key stakeholders most affected by the implementation of the ESA. Landowner interests include farmers, ranchers, and those from the natural resource-using communities. For example, some current supporters of S. 700 who contributed invaluable advice are the American Farm Bureau and the Society of American Foresters. This could not rightly be called a collaborative project without the vital and necessary input received from the Defenders of Wildlife, Environmental Defense and the National Wildlife Federation—key environmental groups that made significant contributions. They understand that landowner must be treated as allies to ensure success in the long-run for the conservation of habitat and species. Finally, while the genesis of this bill has many roots, a passionate catalyst was James Cummins of Mississippi Fish and Wildlife Foundation, whose great concern for the outdoors provided inspiration to move these ideas forward.

These experts worked together to craft S. 700, which provides new tax incentives for private landowners who voluntarily contribute to the recovery of endangered species. The tax credits will reimburse landowners for property rights affected by agreements that include conservation easements and costs incurred by species management plans.

For landowners who limit their property rights through conservation easements, there will be 100 percent compensation of all costs. That percentage declines to 75 percent for 30-year easements and 50 percent for cost-share agreements.

It is worth noting that this is the same formula that works successfully for farm bill programs such as the Wetlands Reserve Program. Private property owners are appropriately rewarded for crucial ecological services that they provide on their property. The public benefits from these services, which ensure biodiversity. While the primary returns from this investment are protection and recovery of endangered species, the public will also undoubtedly gain additional benefits such as aesthetically pleasing open space, a reduction in the number of invasive species and enhanced water quality.

The legislation provides a list of options that give landowners a choice—a crucial element for the success of this proposal. For some landowners, a conservation easement will be the most attractive option. Easements are flexible tools that can be tailored to each landowner and species' interests. An easement restricts certain activities, but it still works well with traditional rural activities such as ranching and farming. For agreements without easements, there is flexibility to do what is necessary for the concerned species without the need to sacrifice property rights into perpetuity.

The tax credits provide essential funding that is necessary to respect private property rights. Wildlife should be an asset rather than a liability, which is how it has sometimes been viewed under the ESA. With wildlife becoming valuable to a landowner, those who may have been reluctant to participate in recovery efforts in the past will be more likely to contribute with these new incentives. When people want to take part in the process and do not fear it, the likelihood of conflict and litigation is reduced. For years, this type of conflict has proven costly not only financially to individuals and the government, but also in terms of relationships between people who share the land and natural resources. With a new trust and new model for finding conservation solutions, we can improve and expand our conservation work.

Provisions have been made to accommodate landowners whose taxes may be less than the tax credit provides. Partnerships in the agreements will allow any party to an agreement to receive a credit as long as they pay or incur costs as a result of the agreement. This language will allow creative collaboration among governments, landowners, taxpayers and environmentalists, further increasing the number of people involved in finding new solutions for conservation.

Furthermore, this bill also expands tax deductions for any landowner who takes part in the recovery plans approved under the ESA, and allows landowners to exclude from taxable income certain Federal payments under conservation cost-share programs. This will allow both individuals and businesses to deduct the cost of recovery work without bureaucratic obstacles.

This bill not only sets forth the financing for private landowners, but it also makes it easier to implement the agreements. Landowners will receive technical assistance to implement the agreements. Also, to remove some legal disincentives to recover species, liability protection may be provided to protect the landowners from penalties under the ESA. This removes the fear of trying to help endangered species. Currently, more species usually just means more liability for a landowner.

As a result of these incentives, I expect to see a phenomenal increase in the number of success stories. These stories will sound familiar to those creative collaborators working on the ground now where we have learned that the types of tools provided in this bill can work if offered consistently.

The Endangered Species Recovery Act is very exciting to those of us who value protecting our natural resources. It provides collaborative, creative ways to balance conservation with economic uses of our natural resources. It also preserves rural ways of life. I look forward to working with my colleagues in the Senate and House to move ahead with this legislation which will provide a new model for conservation to do better work. I look forward to working with my colleagues in the Senate and House to move ahead with this legislation.

I am deeply grateful to my colleagues from Arkansas, Iowa and Montana for their essential expertise and support to create S. 700. I ask unanimous consent that the text of the bill be printed in the RECORD.

By Mr. KOHL (for himself, Mr. KENNEDY, and Mr. DURBIN):

S. 702. A bill to authorize the Attorney General to award grants to State courts to develop and implement State courts interpreter programs; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today, with Senator KENNEDY and Senator DURBIN, to introduce the State Court Interpreter Grant Program Act of 2007. This legislation would create a modest grant program to provide much needed financial assistance to States for developing and implementing effective State court interpreter programs, helping to ensure fair trials for individuals with limited English proficiency.

States are already legally required, under Title VI of the Civil Rights Act of 1964, to take reasonable steps to provide meaningful access to court proceedings for individuals with limited English proficiency. Unfortunately, however, court interpreting services vary greatly by State. Some States have highly developed programs. Others are trying to get programs up and running, but lack adequate funds. Still others have no certification program at all. It is critical that we protect the

constitutional right to a fair trial by adequately funding State court interpreter programs.

Our States are finding themselves in an impossible position. Qualified interpreters are in short supply because it is difficult to find individuals who are both bilingual and well-versed in legal terminology. The skills required of a court interpreter differ significantly from those required of other interpreters or translators. Legal English is a highly particularized area of the language, and requires special training. Although anyone with fluency in a foreign language could attempt to translate a court proceeding, the best interpreters are those that have been tested and certified as official court interpreters.

Making the problem worse, States continue to fall further behind as the number of Americans with limited English proficiency—and therefore the demand for court interpreter services—continues to grow. According to the most recent Census data, 19 percent of the population over age five speaks a language other than English at home. In 2000, the number of people in this country who spoke English less than ''very well'' was more than 21 million, approaching twice what the number was ten years earlier. Illinois had more than 1 million. Texas had nearly 2.7 million. California had more than 6.2 million.

The shortage of qualified interpreters has become a national problem, and it has serious consequences. In Pennsylvania, a committee established by the Supreme Court called the State's interpreter program ''backward,'' and said that the lack of qualified interpreters ''undermines the ability of the . . . court system to determine facts accurately and to dispense justice fairly.'' When interpreters are unqualified, or untrained, mistakes are made. The result is that the fundamental right to due process is too often lost in translation, and because the lawyers and judges are not interpreters, these mistakes often go unnoticed.

Some of the stories associated with this problem are simply unbelievable. In Pennsylvania, for instance, a husband accused of abusing his wife was asked to translate as his wife testified in court. In recent testimony before the Judiciary Committee, Justice Kennedy described a particularly alarming situation where bilingual jurors can understand what the witness is saying and then interrupt the proceeding when an interpreter has not accurately represented the witness's testimony. Justice Kennedy agrees that the lack of qualified court interpreters poses a significant threat to our judicial system and emphasized the importance of addressing the issue.

This legislation does just that by authorizing $15 million per year, over five years, for a State Court Interpreter Grant Program. Those States that apply would be eligible for a $100,000 base grant allotment. In addition, $5 million would be set aside for states that demonstrate extraordinary need. The remainder of the money would be distributed on a formula basis, determined by the percentage of persons in that State over the age of five who speak a language other than English at home.

Some will undoubtedly question whether this modest amount can make a difference. It can, and my home State of Wisconsin is a perfect example of that. When Wisconsin's program got off the ground in 2004, using State money and a $250,000 Federal grant, certified interpreters were scarce. Now, just two years later, it has 43 certified interpreters. Most of those are Spanish, where the greatest need exists. However, the State also has interpreters certified in sign language and Russian. The list of provisional interpreters—those who have received training and passed written tests—is much longer and includes individuals trained in Arabic, Hmong, Korean, and other languages. All of this progress in only two years, and with only $250,000 of federal assistance.

This legislation has the strong support of state court administrators and state supreme court justices around the country.

Our States are facing this difficult challenge, and Federal law requires them to meet it. Despite their noble efforts, many of them have been unable to keep up with the demand. It is time we lend them a helping hand. This is an access issue, and no one should be denied justice or access to our courts merely because of a language barrier, so I strongly urge my colleagues to support this critical legislation.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 702

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''State Court Interpreter Grant Program Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the fair administration of justice depends on the ability of all participants in a courtroom proceeding to understand that proceeding, regardless of their English proficiency;

(2) 19 percent of the population of the United States over 5 years of age speaks a language other than English at home;

(3) only qualified court interpreters can ensure that persons with limited English proficiency comprehend judicial proceedings in which they are a party;

(4) the knowledge and skills required of a qualified court interpreter differ substantially from those required in other interpretation settings, such as social service, medical, diplomatic, and conference interpreting;

(5) the Federal Government has demonstrated its commitment to equal administration of justice regardless of English proficiency;

(6) regulations implementing title VI of the Civil Rights Act of 1964, as well as the guidance issued by the Department of Justice pursuant to Executive Order 13166, issued August 11, 2000, clarify that all recipients of Federal financial assistance, including State courts, are required to take reasonable steps to provide meaningful access to their proceedings for persons with limited English proficiency;

(7) 36 States have developed, or are developing, qualified court interpreting programs;

(8) robust, effective court interpreter programs—

(A) actively recruit skilled individuals to be court interpreters;

(B) train those individuals in the interpretation of court proceedings;

(C) develop and use a thorough, systematic certification process for court interpreters; and

(D) have sufficient funding to ensure that a qualified interpreter will be available to the court whenever necessary; and

(9) Federal funding is necessary to—

(A) encourage State courts that do not have court interpreter programs to develop them;

(B) assist State courts with nascent court interpreter programs to implement them;

(C) assist State courts with limited court interpreter programs to enhance them; and

(D) assist State courts with robust court interpreter programs to make further improvements and share successful programs with other States.

SEC. 3. STATE COURT INTERPRETER PROGRAM.

(a) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Administrator of the Office of Justice Programs of the Department of Justice (referred to in this section as the ''Administrator'') shall make grants, in accordance with such regulations as the Attorney General may prescribe, to State courts to develop and implement programs to assist individuals with limited English proficiency to access and understand State court proceedings in which they are a party.

(2) TECHNICAL ASSISTANCE.—The Administrator shall allocate, for each fiscal year, $500,000 of the amount appropriated pursuant to section 4 to be used to establish a court interpreter technical assistance program to assist State courts receiving grants under this Act.

(b) USE OF GRANTS.—Grants awarded under subsection (a) may be used by State courts to—

(1) assess regional language demands;

(2) develop a court interpreter program for the State courts;

(3) develop, institute, and administer language certification examinations;

(4) recruit, train, and certify qualified court interpreters;

(5) pay for salaries, transportation, and technology necessary to implement the court interpreter program developed under paragraph (2); and

(6) engage in other related activities, as prescribed by the Attorney General.

(c) APPLICATION.—

(1) IN GENERAL.—The highest State court of each State desiring a grant under this section shall submit an application to the Administrator at such time, in such manner, and accompanied by such information as the Administrator may reasonably require.

(2) STATE COURTS.—The highest State court of each State submitting an application under paragraph (1) shall include in the application—

(A) an identification of each State court in that State which would receive funds from the grant;

(B) the amount of funds each State court identified under subparagraph (A) would receive from the grant; and

(C) the procedures the highest State court would use to directly distribute grant funds to State courts identified under subparagraph (A).

(d) STATE COURT ALLOTMENTS.—

(1) BASE ALLOTMENT.—From amounts appropriated for each fiscal year pursuant to section 4, the Administrator shall allocate $100,000 to each of the highest State court of each State, which has an application approved under subsection (c).

(2) DISCRETIONARY ALLOTMENT.—From amounts appropriated for each fiscal year pursuant to section 4, the Administrator shall allocate a total of $5,000,000 to the highest State court of States that have extraordinary needs that are required to be addressed in order to develop, implement, or expand a State court interpreter program.

(3) ADDITIONAL ALLOTMENT.—In addition to the allocations made under paragraphs (1) and (2), the Administrator shall allocate to each of the highest State court of each State, which has an application approved under subsection (c), an amount equal to the product reached by multiplying—

(A) the unallocated balance of the amount appropriated for each fiscal year pursuant to section 4; and

(B) the ratio between the number of people over 5 years of age who speak a language other than English at home in the State and the number of people over 5 years of age who speak a language other than English at home in all the States that receive an allocation under paragraph (1), as those numbers are determined by the Bureau of the Census.

(4) TREATMENT OF DISTRICT OF COLUMBIA.—For purposes of this section—

(A) the District of Columbia shall be treated as a State; and

(B) the District of Columbia Court of Appeals shall act as the highest State court for the District of Columbia.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $15,000,000 for each of the fiscal years 2008 through 2012 to carry out this Act.

By Mr. KOHL (for himself and Mr. KENNEDY):

S. 703. A bill to expand the definition of immediate relative for purposes of the Immigration and Nationality Act; to the Committee on the Judiciary.

Mr. KOHL. Mr. President, I rise today with Senator KENNEDY to introduce the Family Reunification Act, a measure designed to remedy a regrettable injustice in our immigration laws. A minor oversight in the law has led to an unfortunate, and likely unintended, consequence. Parents of U.S. citizens are currently able to enter the country as legal permanent residents, but our laws do not permit their minor children to join them. Simply put, the Family Reunification Act will close this loophole by including the minor siblings of U.S. citizens in the legal definition of ''immediate relative.'' This legislation will ensure that our immigration laws can better accomplish one of the most important policy goals behind them—the goal of strengthening the family unit.

Congress took an important first step in promoting family reunification when it enacted the Immigration and Nationality Act. By qualifying as ''immediate relatives,'' this law currently offers parents, spouses and children of U.S. citizens the ability to obtain an immigrant visas to enter the country.

We can all agree that this is good immigration policy. Unfortunately, an oversight in this law has undermined the effectiveness of the important principle of family reunification. Each year, a number of families—in Wisconsin and across the country—are finding that they cannot take advantage of this family reunification provision.

Today, U.S. citizens often petition for their parents to be admitted to the United States as ''immediate relatives.'' As I have said, that is clearly allowed under current law. It is not always quite that simple, though. In a small number of cases, a problem arises when these U.S. citizens have minor siblings. Since they do not qualify as an ''immediate relative,'' the minor siblings are denied admission. So, a young man or woman can bring his parents into the country, but not his or her five year old brother or sister. Because the parents are unable to leave a young child behind, the child is not the only family member who does not come to the United States. The parents—forced to choose between their children—are effectively prevented from coming to this country as well. The result, then, is that we are unnecessarily keeping families apart by excluding minor siblings from the definition of immediate relative.

For example, one family in my home State of Wisconsin is truly a textbook example of what is wrong with this law. Effiong and Ekom Okon, both U.S. citizens by birth, requested that their parents, who were living in Nigeria, be admitted to as ''immediate relatives.'' The law clearly allows for this. Their father, Leo, had already joined them in Wisconsin, and their mother, Grace, was in possession of a visa, ready to join the rest of her family. However, Grace was unable to join her husband and sons in the United States because their six-year-old daughter, Daramfon, did not qualify as an ''immediate relative.'' Because it would be unthinkable for her to abandon her small child, Grace was forced to stay behind in Nigeria, separated from the rest of her family. That is not what this law was intended to accomplish.

It is difficult to determine the full extent of this problem. Because minor siblings do not qualify for visas, the Department of Homeland Security (DHS) does not keep track of how many families have been adversely affected. What we do know, however, is that the cases in my home State are not unique. Though the number is admittedly not large, DHS has notified us that they run into this problem regularly, with the number reaching into the hundreds each year. So, this change will not lead to an influx of many immigrants, but it will reunite a number of families who have unnecessarily been kept apart.

If only one family suffers because of this loophole, I would suggest that changes should be made. The fact that there have been numerous cases, probably in the hundreds, demands that we address this issue now.

Many parts of our immigration laws are outdated and in need of repair. The definition of ''immediate relative'' is no different. Congress's intent when it granted ''immediate relatives'' the right to obtain immigrant visas was to promote family reunification, but the unfortunate oversight which Senator KENNEDY and I have highlighted has interfered with many families' opportunity to do just that. The legislation introduced today would expand the definition of ''immediate relative'' to include the minor siblings of U.S. citizens. By doing so, we can truly provide our fellow citizens with the ability to reunite with their family members. This is a simple and modest solution to an unfortunate problem that too many families have already had to face. I urge my colleagues to support this important legislation.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 703

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEFINITION OF IMMEDIATE RELATIVE.

Section 201(b)(2)(A)(i) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(2)(A)(i)) is amended by inserting ''For purposes of this subsection, a child of a parent of a citizen of the United States shall be considered an immediate relative if the child is accompanying or following to join the parent.'' after ''at least 21 years of age.''.

By Mr. NELSON of Florida (for himself and Ms. SNOWE):

S. 704. A bill to amend the Communications Act of 1934 to prohibit manipulation of caller identification information; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON of Florida. Mr. President, American consumers and public safety officials increasingly find themselves confronted by scams in the digital age. The latest scam is known as caller I.D. ''spoofing.'' Today, I am introducing a bipartisan bill with Senator SNOWE—The Truth in Caller I.D. Act of 2007—to put an end to fraudulent caller I.D. spoofing.

It seems like every week we hear of new threats to our privacy and new ways to use telecommunications networks to endanger consumers' financial security and physical safety. For several years now, I have been fighting back against these threats, pushing legislation to combat frauds such as identity theft, the unauthorized sale of consumer telephone records and spyware. It's now time to put an end to the practice of caller I.D. spoofing.

What is caller I.D. spoofing? It's a technique that allows a telephone caller to alter the phone number that appears on the recipient's caller I.D. system. In other words, spoofing allows

someone to hide behind a misleading telephone number to try to scam consumers or trick law enforcement officers.

Let me give you a few shocking examples of how caller I.D. spoofing has been exploited during the past two years:

In one very dangerous hoax, a sharpshooting SWAT team was forced to shut down a neighborhood in New Brunswick, NJ, after receiving what they believed was a legitimate distress call. But what really happened was a caller used spoofing to trick law enforcement into thinking that the emergency call was coming from a certain apartment in that neighborhood. It was all a cruel trick perpetrated with a deceptive telephone number.

In another example, identity thieves bought a number of stolen credit card numbers. They then called Western Union, set up caller I.D. information to make it look like the call originated from the credit card holder's phone line, and used the credit card numbers to order cash transfers, which the thieves then picked up.

In other instances, callers have used spoofing to pose as government officials. In recent months, there have been numerous instances of fraudsters using caller I.D. fraud to pose as court officers calling to say that a person has missed jury duty. The caller then says that a warrant will be issued for their arrest, unless a fine is paid during the call. The victim is then induced to provide credit card or bank information over the phone to pay the ''fine.''

Furthermore, while these examples are serious enough, think about what would happen if a stalker used caller I.D. spoofing to trick his victim into answering the telephone, giving out personal information, or telling the person on the other end of the line about their current whereabouts. The results could be tragic.

According to experts, there are a number of Internet websites—with names like Tricktel.com and Spooftel.com—that sell their services to criminal and identity thieves. Any person can go to one of these websites, pay money to order a spoofed telephone number, tell the website which phone number to reach, and then place the call through a toll-free line. The recipient is then tricked when he or she sees the misleading phone number on his or her caller I.D. screen.

In essence, these websites provide the high-tech tools that identity thieves need to do their dirty work. Armed with a misleading phone number, an identity thief can call a consumer pretending to be a representative of the consumer's credit card company or bank. The thief can then ask the consumer to authenticate a request for personal account information. Once a thief gets hold of this sensitive personal information, he can access a consumer's bank account, credit card account, health information, and who knows what else.

Furthermore, even if a consumer does not become a victim of stalking or identity theft, there is a simple concept at work here. Consumers pay money for their caller I.D. service. Consumers expect caller I.D. to be accurate because it helps them decide whether to answer a phone call and trust the person on the other end of the line.

If the caller I.D. says that my wife is calling me, when I pick up the phone I expect my wife to actually be on the other end of the line. Instead, we have fraudsters and others who want to abuse the system and disguise their true identities. That defeats the whole purpose of caller I.D.

Unfortunately, the Federal Communications Commission and the Federal Trade Commission have been slow to act on this latest scam. In the meantime, many spoofing companies and the fraudsters that use them believe their activities are, in fact, legal. Well, it's time to make it crystal clear that spoofing is a scam and is not legal.

How does the bipartisan Truth in Caller I.D. Act of 2007 address the problem of caller I.D. spoofing?

Quite simply, this bill plugs the hole in the current law and prohibits fraudsters from using caller identification services to transmit misleading or inaccurate caller I.D. information. This prohibition covers both traditional telephone calls and calls made using Voice-Over-Internet (VoIP) service.

Anyone who violates this anti-spoofing law would be subject to a penalty of $10,000 per violation or up to one year in jail, as set out in the Communications Act. Additionally, this bill empowers States to help the Federal Government track down and punish these fraudsters.

I invite my colleagues to join Senator SNOWE and myself in supporting the Truth in Caller I.D. Act of 2007. We should waste no time in protecting consumers and law enforcement authorities against caller I.D. spoofing.

I ask unanimous consent that the text of the Truth in Caller I.D. Act of 2007 be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 704

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Truth in Caller ID Act of 2007''.

SEC. 2. PROHIBITION REGARDING MANIPULATION OF CALLER IDENTIFICATION INFORMATION.

Section 227 of the Communications Act of 1934 (47 U.S.C. 227) is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (f), (g), and (h), respectively; and

(2) by inserting after subsection (d) the following new subsection:

''(e) PROHIBITION ON PROVISION OF INACCURATE CALLER IDENTIFICATION INFORMATION.—

''(1) IN GENERAL.—It shall be unlawful for any person within the United States, in connection with any telecommunications service or IP-enabled voice service, to cause any caller identification service to transmit misleading or inaccurate caller identification information, unless such transmission is exempted pursuant to paragraph (3)(B).

''(2) PROTECTION FOR BLOCKING CALLER IDENTIFICATION INFORMATION.—Nothing in this subsection may be construed to prevent or restrict any person from blocking the capability of any caller identification service to transmit caller identification information.

''(3) REGULATIONS.—

''(A) IN GENERAL.—Not later than 6 months after the enactment of this subsection, the Commission shall prescribe regulations to implement this subsection.

''(B) CONTENT OF REGULATIONS.—

''(i) IN GENERAL.—The regulations required under subparagraph (A) shall include such exemptions from the prohibition under paragraph (1) as the Commission determines appropriate.

''(ii) SPECIFIC EXEMPTION FOR LAW ENFORCEMENT AGENCIES OR COURT ORDERS.—The regulations required under subparagraph (A) shall exempt from the prohibition under paragraph (1) transmissions in connection with—

''(I) any authorized activity of a law enforcement agency; or

''(II) a court order that specifically authorizes the use of caller identification manipulation.

''(4) REPORT.—Not later than 6 months after the enactment of this subsection, the Commission shall report to Congress whether additional legislation is necessary to prohibit the provision of inaccurate caller identification information in technologies that are successor or replacement technologies to telecommunications service or IP-enabled voice service.

''(5) PENALTIES.—

''(A) CIVIL FORFEITURE.—

''(i) IN GENERAL.—Any person that is determined by the Commission, in accordance with paragraphs (3) and (4) of section 503(b), to have violated this subsection shall be liable to the United States for a forfeiture penalty. A forfeiture penalty under this paragraph shall be in addition to any other penalty provided for by this Act. The amount of the forfeiture penalty determined under this paragraph shall not exceed $10,000 for each violation, or 3 times that amount for each day of a continuing violation, except that the amount assessed for any continuing violation shall not exceed a total of $1,000,000 for any single act or failure to act.

''(ii) RECOVERY.—Any forfeiture penalty determined under clause (i) shall be recoverable pursuant to section 504(a).

''(iii) PROCEDURE.—No forfeiture liability shall be determined under clause (i) against any person unless such person receives the notice required by section 503(b)(3) or section 503(b)(4).

''(iv) 2-YEAR STATUTE OF LIMITATIONS.—No forfeiture penalty shall be determined or imposed against any person under clause (i) if the violation charged occurred more than 2 years prior to the date of issuance of the required notice or notice or apparent liability.

''(B) CRIMINAL FINE.—Any person who willfully and knowingly violates this subsection shall upon conviction thereof be fined not more than $10,000 for each violation, or 3 times that amount for each day of a continuing violation, in lieu of the fine provided by section 501 for such a violation. This subparagraph does not supersede the provisions of section 501 relating to imprisonment or the imposition of a penalty of both fine and imprisonment.

''(6) ENFORCEMENT BY STATES.—

''(A) IN GENERAL.—The chief legal officer of a State, or any other State officer authorized by law to bring actions on behalf of the residents of a State, may bring a civil action, as parens patriae, on behalf of the residents of that State in an appropriate district court of the United States to enforce this subsection or to impose the civil penalties for violation of this subsection, whenever the chief legal officer or other State officer has reason to believe that the interests of the residents of the State have been or are being threatened or adversely affected by a violation of this subsection or a regulation under this subsection.

''(B) NOTICE.—The chief legal officer or other State officer shall serve written notice on the Commission of any civil action under subparagraph (A) prior to initiating such civil action. The notice shall include a copy of the complaint to be filed to initiate such civil action, except that if it is not feasible for the State to provide such prior notice, the State shall provide such notice immediately upon instituting such civil action.

''(C) AUTHORITY TO INTERVENE.—Upon receiving the notice required by subparagraph (B), the Commission may intervene in such civil action and upon intervening—

''(i) be heard on all matters arising in such civil action; and

''(ii) file petitions for appeal of a decision in such civil action.

''(D) CONSTRUCTION.—For purposes of bringing any civil action under subparagraph (A), nothing in this paragraph shall prevent the chief legal officer or other State officer from exercising the powers conferred on that officer by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses or the production of documentary and other evidence.

''(E) VENUE; SERVICE OR PROCESS.—

''(i) VENUE.—An action brought under subparagraph (A) shall be brought in a district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code.

''(ii) SERVICE OF PROCESS.—In an action brought under subparagraph (A)—

''(I) process may be served without regard to the territorial limits of the district or of the State in which the action is instituted; and

''(II) a person who participated in an alleged violation that is being litigated in the civil action may be joined in the civil action without regard to the residence of the person.

''(F) LIMITATION ON STATE ACTION WHILE FEDERAL ACTION IS PENDING.—If the Commission has instituted an enforcement action or proceeding for violation of this subsection, the chief legal officer or other State officer of the State in which the violation occurred may not bring an action under this section during the pendency of the proceeding against any person with respect to whom the Commission has instituted the proceeding.

''(7) DEFINITIONS.—For purposes of this subsection:

''(A) CALLER IDENTIFICATION INFORMATION.—The term 'caller identification information' means information provided by a caller identification service regarding the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or IP-enabled voice service.

''(B) CALLER IDENTIFICATION SERVICE.—The term 'caller identification service' means any service or device designed to provide the user of the service or device with the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or IP-enabled voice service. Such term includes automatic number identification services.

''(C) IP-ENABLED VOICE SERVICE.—The term 'IP-enabled voice service' means the provision of real-time 2-way voice communications offered to the public, or such classes of users as to be effectively available to the public, transmitted through customer premises equipment using TCP/IP protocol, or a successor protocol, for a fee (whether part of a bundle of services or separately) with interconnection capability such that the service can originate traffic to, or terminate traffic from, the public switched telephone network.

''(8) LIMITATION.—Notwithstanding any other provision of this section, subsection (f) shall not apply to this subsection or to the regulations under this subsection.''

By Mr. LEVIN (for himself, Mr. THOMAS, Ms. STABENOW, Mr. GRASSLEY, and Mr. HARKIN):

S. 705. A bill to amend the Office of Federal Procurement Policy Act to establish a governmentwide policy requiring competition in certain executive agency procurements, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. LEVIN. Mr. President, I am pleased to join with Senators CRAIG THOMAS, DEBBIE STABENOW, CHUCK GRASSLEY and TOM HARKIN in introducing the Federal Prison Industries Competition in Contracting Act. Our bill is based on a straightforward premise: it is unfair for Federal Prison Industries to deny businesses in the private sector an opportunity to compete for sales to their own government.

We have made immeasurable progress on this issue since I first introduced a similar bill ten years ago. It may seem incredible, but at that time, Federal Prison Industries (FPI) could bar private sector companies from competing for a Federal contract. Under the law establishing Federal Prison Industries, if Federal Prison Industries said that it wanted a contract, it would get that contract, regardless whether a company in the private sector could provide the product better, cheaper, or faster.

Six years ago, the Senate took a giant step toward addressing this inequity when we voted 74–24 to end Federal Prison Industries' monopoly on Department of Defense contracts. Not only was that provision enacted into law, we were able to strengthen it with a second provision a year later. In 2004, we took another important step, enacting an appropriations provision which extends the DOD rules to other Federal agencies. This means that, for the first time, private sector companies should be able to compete against for contracts awarded by all Federal agencies.

Despite this progress, work remains to be done. We have heard reports from Federal procurement officials and from small businesses that FPI continues to claim that it retains the mandatory source status that protected it from competition for so long. This kind of misleading statement may undermine the right to compete that we have fought so hard for so long to establish.

In addition, FPI continues to sell its services into interstate commerce on an unlimited basis. I am concerned that the sale of prison labor into commerce could have the effect of undermining companies and work forces that are already in a weakened position as a result of foreign competition. We have long taken the position as a Nation that prison-made goods should not be sold into commerce, where prison wages of a few cents per hour could too easily undercut private sector competition. It is hard for me to understand why the sale of services should be treated any differently than the sale of products.

The bill that we are introducing today would address these issues by making it absolutely clear that FPI no longer has a mandatory source status, by reaffirming the critical requirement that FPI must compete for its contracts, and by carefully limiting the circumstances under which prison services may be sold into the private sector economy.

I look forward to working with my colleagues on these important issues.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. 707. A bill to provide all low-income students with the same opportunity to receive a Pell Grant by suspending the tuition sensitivity provision in the Pell Grant program; to the Committee on Health, Education, Labor, and Pensions.

Mrs. FEINSTEIN. Mr. President, I am pleased to join Senator BOXER as a co-sponsor of the ''Pell Grant Equity Act of 2007'' that would provide all low-income students with the same opportunity to receive a Federal Pell Grant by eliminating the current tuition sensitivity provision in the Pell Grant Program.

Federal Pell Grants are the cornerstone of our need-based financial aid system ensuring that all students have access to higher education.

However, the Pell Grant program's eligibility formula penalizes low-income students who attend very low-cost colleges by reducing the amount of the Pell Grant they can receive.

The formula bases eligibility for Pell Grant awards on the amount of tuition charged by the college and provides a lower ''alternate'' amount for low tuition colleges, known as the ''tuition sensitivity'' provision.

Community college students are significantly impacted by the tuition sensitivity provision because of low student tuition fees.

In California, due to a drop in tuition fees from $26 per unit to $20 unit, community college students enrolling this spring will otherwise be penalized with a $56 reduction in their 2007 Pell Grants and will endure another $112 hit in the 2007–2008 academic year if the tuition sensitivity provision is not eliminated.

Community college students represent approximately 46 percent of higher education students in California

receiving Pell Grants and are the only ones negatively impacted by this provision.

Any reduction of these vital grants to our lowest income students would have a major impact in their ability to afford college and continue their education, and we cannot allow this to happen.

This bill would ensure that our nation's community college students are not unduly penalized for receiving an affordable education at a low-cost college.

We must continue to do all we can to make a college education more accessible and affordable for all of our Nation's students.

I urge my colleagues to join Senator BOXER and I in supporting this important legislation.

By Mr. INOUYE (for himself and Mr. AKAKA):

S. 710. A bill to reauthorize the programs for the Department of Housing and Urban Development for housing assistance for Native Hawaiians; to the Committee on Indian Affairs.

Mr. INOUYE. Mr. President, I rise to introduce a bill to reauthorize Title VIII of the Native American Housing Assistance and Self-Determination Act. Senator AKAKA joins me in sponsoring this measure. Title VIII provides authority for the appropriation of funds for the construction of low-income housing for Native Hawaiians and further provides authority for access to loan guarantees associated with the construction of housing to serve Native Hawaiians.

Three studies have documented the acute housing needs of Native Hawaiians—which include the highest rates of overcrowding and homelessness in the State of Hawaii. Those same studies indicate that inadequate housing rates for Native Hawaiians are amongst the highest in the Nation.

The reauthorization of Title VIII will support the continuation of efforts to assure that the native people of Hawaii may one day have access to housing opportunities that are comparable to those now enjoyed by other Americans.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 710

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Hawaiian Homeownership Opportunity Act of 2007''.

SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR HOUSING ASSISTANCE.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4243), as added by section 513 of Public Law 106–569 (114 Stat. 2969), is amended by striking ''fiscal years'' and all that follows and inserting the following: ''fiscal years 2008, 2009, 2010, 2011, and 2012.''.

SEC. 3. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

Section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b), as added by section 514 of Public Law 106–569 (114 Stat. 2989), is amended as follows:

(1) AUTHORIZATION OF APPROPRIATIONS.—In subsection (j)(7), by striking ''fiscal years'' and all that follows and inserting the following: ''fiscal years 2008, 2009, 2010, 2011, and 2012.''.

(2) AUTHORITY.—In subsection (b), by striking ''or as a result of a lack of access to private financial markets''.

(3) ELIGIBLE HOUSING.—In subsection (c), by striking paragraph (2) and inserting the following new paragraph:

''(2) ELIGIBLE HOUSING.—The loan will be used to construct, acquire, refinance, or rehabilitate 1- to 4-family dwellings that are standard housing and are located on Hawaiian Home Lands.''.

SEC. 4. ELIGIBILITY OF DEPARTMENT OF HAWAIIAN HOME LANDS FOR TITLE VI LOAN GUARANTEES.

Title VI of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4191 et seq.) is amended as follows:

(1) HEADING.—In the heading for the title, by inserting ''**AND NATIVE HAWAIIAN**'' after ''**TRIBAL**''.

(2) AUTHORITY AND REQUIREMENTS.—In section 601 (25 U.S.C. 4191)——

(A) in subsection (a)—

(i) by inserting ''or by the Department of Hawaiian Home Lands,'' after ''tribal approval,''; and

(ii) by inserting ''or 810, as applicable,'' after ''section 202'' ; and

(B) in subsection (c), by inserting ''or VIII, as applicable'' before the period at the end.

(3) SECURITY AND REPAYMENT.—In section 602 (25 U.S.C. 4192)—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking ''or housing entity'' and inserting '', housing entity, or Department of Hawaiian Home Lands''; and

(ii) in paragraph (3)—

(I) by inserting ''or Department'' after ''tribe'';

(II) by inserting ''or VIII, as applicable,'' after ''title I''; and

(III) by inserting ''or 811(b), as applicable'' before the semicolon; and

(B) in subsection (b)(2), by striking ''or housing entity'' and inserting '', housing entity, or the Department of Hawaiian Home Lands''.

(4) PAYMENT OF INTEREST.—In the first sentence of section 603 (25 U.S.C. 4193), by striking ''or housing entity'' and inserting '', housing entity, or the Department of Hawaiian Home Lands''.

(5) AUTHORIZATION OF APPROPRIATIONS FOR CREDIT SUBSIDY.—In section 605(b) (25 U.S.C. 4195(b)), by striking ''1997 through 2007'' and inserting ''2008 through 2012''.

By Mr. OBAMA. (for himself, Mrs. MCCASKILL, Mr. BAUCUS, Mr. BAYH, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. DORGAN, Mr. DURBIN, Mr. FEINGOLD, Mr. KERRY, Ms. KLOBUCHAR, Ms. LANDRIEU, Ms. MIKULSKI, Ms. MURKOWSKI, Mr. PRYOR, Mr. ROCKEFELLER, Mr. SANDERS, Ms. SNOWE, and Mr. CONRAD):

S. 713. A bill to ensure dignity in care for members of the Armed Forces recovering from injuries; to the Committee on Armed Services.

Mr. OBAMA. Mr. President, I rise today to speak about the ''Dignity for Wounded Warriors Act,'' which I am proud to introduce with Senator MCCASKILL.

Last week, the Nation learned of the serious problems at Walter Reed Army Medical Center including decaying, cockroach-infested facilities and an overwhelmed patient-care bureaucracy. As described in a series of articles in the Washington Post by Dana Priest and Anne Hull, wounded soldiers are returning home from the battle in Iraq only to face a new battle to get the care and benefits they have earned.

These stories should not have come as a complete surprise to those who have followed the issue closely. We have long known that troops returning from battle face numerous bureaucratic hurdles when they get home. That's why I introduced legislation last year to smooth the transition from active duty to civilian life. The Lane Evans Bill expands and improves electronic medical records, face-to-face physical exams, better tracking of veterans, and other approaches to make life easier for returning veterans.

However, the stories out of Walter Reed last week did shock my conscience because, like many Senators, I have made the half-hour trek from the Capitol to visit Walter Reed. And I saw what the Army wanted the world to see: a shining world-class facility where the wounded can heal with state-of-the-art care. I never saw mold growing on the walls, or broken elevators, or the lack of adequate support for soldiers and their families. Walter Reed was supposed to be the flagship of military health care. Instead it has become an emblem of much that is wrong with the system, and a harbinger of more severe problems that may be hiding at other military hospitals and facilities that are not in the spotlight.

The problems at Walter Reed stem from complex causes, the most important of which is that the military and VA have not yet prepared for the growing flood of casualties from the Iraq war. Our injured troops did not hesitate to fight for us on the battlefield—we shouldn't make them fight again at home in order to receive the care they deserve. That is why Senator MCCASKILL and I are introducing the bipartisan Dignity for Wounded Warriors Act today. The bill will fix the problems at Walter Reed and improve care at our military hospitals and facilities.

Our bill would fix deplorable conditions at outpatient residence facilities by setting high standards and increasing accountability. Under this bipartisan measure, the standards will be clear. First, recovering soldiers' rooms will be as good or better as the best standard rooms for active-duty troops. Second, our injured heroes will not have to wait more than two weeks for maintenance problems to be repaired. Third, we will have zero tolerance for pest infestations. And finally, emergency medical personnel and crisis counselors will be available to recovering troops 24 hours a day.

The bill also tackles accountability problems. In the days following the Post stories, the Army vice chief of staff, and the Assistant Secretary of Defense for Health Affairs both said they were surprised by conditions at Walter Reed and directed blame on lower-ranking officers and noncommissioned officers. I also read in the Army Times that soldiers at Walter Reed have been warned not to talk to the media. Under our bill, we won't have to rely on the media to inform the Congress and the American people of the conditions at military hospitals. It requires that the Inspector General inspect facilities twice a year and report conditions to high-level officials and the public. Under our bill, military leaders will no longer be able to use the excuse that they didn't know conditions on the ground.

When injured servicemembers return home, they along with their family members face a mountain of paperwork and bureaucracy. From the moment a doctor determines a soldier may be unable to return to duty, it takes an average of 209 days for the military to figure out what to do with the soldier. The system is broken, and soldiers and their families are the ones who pay the price. Our bill addresses this problem by bringing the far flung parts of the military's Physical Disability Evaluation System (PDES) under one roof in each branch of the military. It also puts much of the system online so that caseworkers and servicemembers can manage their documents electronically. Today, students can apply to go to law school or business school online, without ever having to touch a piece of paper. Navigating the Pentagon bureaucracy should be that easy.

Our bill also calls for injury-specific procedures so that the most severely injured servicemembers can skip unnecessary steps. There's no reason why a soldier with a gunshot injury to the spine should face the same procedural hurdles in order to prove his injury was service-related as a soldier with less severe injuries. At the same time, nothing in our bill will prevent those servicemembers who wish to stay in the military from appealing decisions. Our bill also helps soldiers and their families navigate the PDES system with new hotlines, manuals, and an ombudsman to help answer questions.

Another problem at Walter Reed is casework. The caseworkers are doing amazing work helping soldiers schedule medical appointments, prepare paperwork, and obtain their everyday needs. However, the caseworkers are overwhelmed. Some have to care for 50 or more recovering soldiers at a time, more than double the ideal ratio. The Dignity for Wounded Warriors Act fixes this problem by forcing the Pentagon to work with each military hospital to set the ideal ratio of caseworkers to patients based on the particular needs of that facility. In the interim, our bill requires a temporary ratio of 1 caseworker for every 20 recovering servicemembers. This will push the Pentagon to begin hiring and training caseworkers right away.

This legislation also provides important new support for family members who often have to endure economic and emotional hardship to accompany their loved one through the recovery process and the currently flawed PDES process. It clarifies that non-medical attendees and family members on invitational orders may receive medical care and mental health counseling while caring for injured loved ones at military facilities. It extends employment and job placement training services to family members. And most important, this bipartisan legislation provides federal protections against a family member on invitational orders being fired. I think we can all agree that a mother should never have to choose between caring for a wounded son or daughter and keeping her job.

Secretary Gates promised a thorough investigation by outside experts and accountability for those responsible. Our bill builds on that model by establishing an Oversight Board of outside experts to review the Pentagon's progress in implementing this bill. The Board would be appointed by Congress and the executive branch and be made up of veterans, wounded soldiers, family members and experts on military medicine. The Oversight Board will be an important check to make sure the Defense Department is following through to care for recovering troops.

We cannot move fast enough to make sure our wounded troops are getting the care they need. No cost is too great. We must pass the Dignity for Wounded Warriors Act quickly and follow up with the adequate resources to ensure the men and women recovering at military hospitals across the world get the best care we can offer.

Mrs. MCCASKILL. Mr. President, it is my honor to join my distinguished colleague from Illinois, Senator OBAMA, today in introducing the Dignity for Wounded Warriors Act, a bill that serves to better the experience so many recovering military servicemembers and their families have in dealing with the military healthcare system and its bureaucracy.

It is not often that you read something in the paper that makes you sick, but this is precisely the feeling I had just over a week ago as I read a Washington Post article that spoke of awful living conditions and an interminable bureaucracy being experienced by our war wounded who are receiving outpatient care at Walter Reed Army Medical Center.

I will not stand aside as those who have fought for our country come home to fight new battles against a crippling bureaucracy just to get the compensation they have more than earned. They shouldn't have to live in substandard conditions while they are recovering from their injuries.

Our legislation directly tackles these problems. The principle is simple: our wounded and recovering servicemembers must receive the best treatment. They can't live in substandard housing as they recover. And they must have a user-friendly system to help them apply for the appropriate disability and benefits compensation. It's the least we can do for all they have done for us.

For example, each military department has a standard for their dormitories and barracks. I know that not every dormitory or barracks meets the highest standard that the service sets, but that each service is steadily working to reach this standard across their facilities. It is my belief, and this bill serves to establish, that the lowest standard acceptable for a returning wounded servicemember should be the highest existing standard in each military service. Facing the daunting challenge of recovering from war wounds—both psychological and physical—our returning servicemembers should not be living among vermin and mold. They should not be placed in temporary, cramped, makeshift, ancient or transient quarters. We're not demanding the Taj Mahal. We are demanding decent living conditions to help these injured men and women.

Further, when problems exist in the living quarters of our recovering servicemembers, they should be identified and repaired quickly. This bill establishes strict measures to facilitate reporting of unsatisfactory living conditions and to mandate timely repair. It also establishes measures to ensure that independent parties are inspecting living quarters in order to prevent any syndrome whereby those closely engaged in dealing with these facilities are overly focused on completing the mission with what they have as opposed to what they should have.

I was also appalled to learn of the extensive, confusing bureaucracy that greeted our recovering servicemembers in the outpatient care process. With numerous commands, organizations, advocates, doctors, commanders and any number of others involved in the process, recovering servicemembers found themselves navigating a complicated process and often without a map. They also have to fill out numerous forms, request records, check off bureaucratic blocks, get the right language in their doctor's evaluations, document their illnesses, capture the symptoms they are experiencing and more. It is safe to say that the process poses a daunting challenge to even a fully healthy individual—but imagine the challenge for someone far from home and facing the realities of the wounds of war.

Complicating the challenges, those tasked to provide these servicemembers and their families with assistance have been faced with large caseloads and insufficient resources. This legislation requires responsible caseloads for military leaders and caseworkers—and it requires that those providing this assistance not just have

a caseload that guarantees a recovering servicemember the attention they need and deserve, but that these caseworkers are well trained.

I also learned that those who come to military treatment facilities like Walter Reed to help their loved ones often face uphill battles. I am proud that this legislation reaches out to protect those loved ones who risk their livelihood to care for our recovering servicemembers by providing them medical care as well as protections to secure the jobs they leave behind.

Today, I visited Walter Reed, talked with our recovering servicemembers, toured the facilities and discussed these issues with Walter Reed's leaders. I can confidently say that those treating our servicemembers are with me—they want the very best for our recovering servicemembers and for their families. I know that the quality of care being provided at Walter Reed and at many other military hospitals is exceptional and I applaud the caregivers.

But I also know that we have all failed to provide the best service and support to many during the outpatient care process. Their living quarters were not the best. The Physical Disability Evaluation System they experience is too bureaucratic. It is time to deliver the best. This legislation seeks to provide it.

This is fair legislation. It balances requiring immediate changes with letting the Department of Defense study what is necessary and to subsequently implement incremental change. It empowers our physicians by not requiring random timelines for medical processing or medical care, but it requires that care and processing happen with manageable, understandable and streamlined procedures that equally empowers the servicemember. And this bill requires that trained, professional and caring providers be available to recovering servicemembers and their families in sufficient numbers and in the appropriate places throughout the care process.

In closing, I want to thank Senator OBAMA for his efforts in teaming with me to produce this important legislation. But mostly I want to thank all those serving our nation in uniform today. Their sense of duty is remarkable. Their sacrifice is great. Their heroism unmatched. They have given their best to our country and our country is committed to giving them the best in return.

By Mr. AKAKA:

S. 714. A bill to amend the Animal Welfare Act to ensure that all dogs and cats used by research facilities are obtained legally; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. AKAKA. Mr. President, I rise today to introduce the Pet Protection Act of 2007. In 1966, Congress passed the Animal Welfare Act to prevent the abuse and mistreatment of animals and to provide assurance that family pets would not be sold for laboratory experiments. Although the Animal Welfare Act provides a solid foundation to stop the mistreatment of animals, more needs to be done to protect pets and pet owners from the actions of Class B animal dealers, also known as ''random source'' dealers.

Across the Nation, random source animal dealers acquire tens of thousands of dogs and cats, many of them family pets, through deceit and fraud. Some of their tactics include tricking animals owners into giving away their dogs and cats by posing as someone interested in pet adoption and the outright theft of family pets left unattended. The treatment of the animals captured and sold by random source dealers is often shocking and cruel. Hundreds of animals are kept in squalid conditions with just enough food and water to keep them alive until sold.

This bill does not address the larger issue of whether animals should or should not be used in research facilities. Medical research is one of our primary weapons in the discovery of new drugs and surgical techniques that help develop cures for life-threatening diseases and animal research has been, and continues to be, a fundamental part of scientific advances. Instead, this legislation targets the unethical practice of selling stolen pets and stray animals to research facilities. While I do not believe that research laboratories intentionally seek out fraudulently obtained animals, it does happen. And it does need to be stopped.

My bill will strengthen the Animal Welfare Act by prohibiting the use of random source animal dealers as suppliers of dogs and cats to research laboratories by making funds unavailable to research facilities that purchase animals from a dealer that holds a Class B license under the Animal Welfare Act. In doing so, it also simultaneously encourages the use of legitimate sources such as USDA-licensed Class A dealers. I urge my colleagues to join me in my efforts to curb the abusive practices of random source dealers by supporting this bill.

By Ms. LANDRIEU (for herself, Mr. KERRY, Ms. SNOWE, and Mr. VITTER):

S. 715. A bill to amend the Small Business Act to provide expedited disaster assistance, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Ms. LANDRIEU. Mr. President, as we all know, there was a tremendous amount of criticism of the Federal Government's response to Hurricanes Katrina and Rita last year. Things are better now and the region is slowly recovering. But, having luckily survived the 2006 hurricane season with no major storms, and with the 2007 season a few months away, we must be sure that if we have another disaster, the Federal Government's response will be better this time around. Disaster response agencies have to be better organized, more efficient, and more responsive in order to avoid the problems, the delays, mismanagement, and the seeming incompetence that occurred in 2005.

Today, I am proud to sponsor legislation to improve the disaster response of one agency that had a great deal of problems last year, the Small Business Administration (SBA). This bill, the ''Small Business Disaster Recovery Improvement Act,'' makes a major improvement to the SBA's disaster response and provides them with an essential tool to ensure that they are more efficient and better prepared for future disasters—big and small. I should note that this bill is a result of intensive bipartisan work over the past couple of months on a larger SBA Disaster Reforms bill, S. 137, the ''Small Business Disaster Response and Loan Improvements Act,'' which was introduced early in the 110th Congress. I feel strongly that this provision, an Expedited Disaster Assistance Loan Program for businesses, should be passed during this session of Congress, therefore I wanted to also introduce it in separate legislation for the 110th Congress. That said, I will continue to work with my colleagues on the Small Business Committee, Senators KERRY and SNOWE, respectively Chair and Ranking Member of the Senate Small Business Committee, as well as with my colleague Senator VITTER to include this provision along with more comprehensive SBA Disaster Assistance reforms that we hope to enact in the coming months.

After Hurricanes Katrina and Rita hit, our businesses and homeowners had to wait months for loan approvals. I do not know how many businesses we lost because help did not come in time. What these businesses needed was immediate, short-term assistance to hold them over until SBA was ready to process the tens of thousands of loan applications it received.

That is why this legislation provides the SBA Administrator with the ability to set up an expedited disaster assistance business loan program to make short-term, low- interest loans to keep them afloat. These loans will allow businesses to make payroll, begin making repairs, and address other immediate needs while they are awaiting insurance payouts or regular SBA Disaster Loans. However, I realize that every disaster is different and could range from a disaster on the scale of Hurricanes Katrina or Rita or 9–11, to an ice storm or drought. This legislation gives the SBA additional options and flexibility in the kinds of relief they can offer a community. When a tornado destroys 20 businesses in a small town in the Midwest, SBA can get the regular disaster program up and running fairly quickly. You may not need short-term loans in this instance. But if you know that SBA's resources would be overwhelmed by a storm—just as they were initially with the storms of 2005—these expedited business loans would be very helpful.

The Small Business Disaster Recovery Improvement Act will provide an

essential tool to make the SBA more proactive, flexible, and most important, more efficient during future disasters. If SBA is not in the business of short-term assistance for future disasters, I feel that we will again see businesses fail while waiting for SBA to get its act together. The agency has implemented some major changes to its Disaster Assistance Program but, if the storms of 2005 taught us anything it was that the best laid plans can fail. This Expedited Disaster Assistance Loan Program would ensure that SBA has a backup tool to provide immediate assistance to impacted businesses. Again, I look forward to working with both Senator SNOWE and Senator KERRY during the coming weeks to ensure that the SBA has everything it needs to respond to future disasters.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 715

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Business Disaster Recovery Assistance Improvement Act of 2007''.

SEC. 2. BUSINESS EXPEDITED DISASTER ASSISTANCE LOAN PROGRAM.

(a) DEFINITIONS.—In this section—

(1) the terms ''Administration'' and ''Administrator'' mean the Small Business Administration and the Administrator thereof, respectively;

(2) the term ''immediate disaster assistance'' means assistance provided during the period beginning on the date on which a disaster declaration is made and ending on the date that an impacted small business concern is able to secure funding through insurance claims, Federal assistance programs, or other sources;

(3) the term ''program'' means the expedited disaster assistance business loan program established under subsection (b); and

(4) the term ''small business concern'' has the meaning given that term in section 3 of the Small Business Act (15 U.S.C. 632).

(b) CREATION OF PROGRAM.—The Administrator shall take such administrative action as is necessary to establish and implement an expedited disaster assistance business loan program to provide small business concerns with immediate disaster assistance under section 7(b) of the Small Business Act (15 U.S.C. 636(b)).

(c) CONSULTATION REQUIRED.—In establishing the program, the Administrator shall consult with—

(1) appropriate personnel of the Administration (including District Office personnel of the Administration);

(2) appropriate technical assistance providers (including small business development centers);

(3) appropriate lenders and credit unions;

(4) the Committee on Small Business and Entrepreneurship of the Senate; and

(5) the Committee on Small Business of the House of Representatives.

(d) RULES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall promulgate rules establishing and implementing the program in accordance with this section. Such rules shall apply as provided for in this section, beginning 90 days after their issuance in final form.

(2) CONTENTS.—The rules promulgated under paragraph (1) shall—

(A) identify whether appropriate uses of funds under the program may include—

(i) paying employees;

(ii) paying bills and other financial obligations;

(iii) making repairs;

(iv) purchasing inventory;

(v) restarting or operating a small business concern in the community in which it was conducting operations prior to the declared disaster, or to a neighboring area, county, or parish in the disaster area; or

(vi) covering additional costs until the small business concern is able to obtain funding through insurance claims, Federal assistance programs, or other sources; and

(B) set the terms and conditions of any loan made under the program, subject to paragraph (3).

(3) TERMS AND CONDITIONS.—A loan made by the Administration under this section—

(A) shall be a short-term loan, not to exceed 180 days, except that the Administrator may extend such term as the Administrator determines necessary or appropriate on a case-by-case basis;

(B) shall have an interest rate not to exceed 1 percentage point above the prime rate of interest that a private lender may charge;

(C) shall have no prepayment penalty;

(D) may be refinanced as part of any subsequent disaster assistance provided under section 7(b) of the Small Business Act; and

(E) shall be subject to such additional terms as the Administrator determines necessary or appropriate.

(e) REPORT TO CONGRESS.—Not later than 5 months after the date of enactment of this Act, the Administrator shall report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives on the progress of the Administrator in establishing the program.

(f) AUTHORIZATION.—There are authorized to be appropriated to the Administrator such sums as are necessary to carry out this section.

By Mr. COLEMAN (for himself, Mr. REID, Mr. MARTINEZ, Mr. SMITH, and Mr. KOHL):

S. 716. A bill to establish a Consortium on the Impact of Technology in Aging Health Services; to the Committee on Health, Education, Labor, and Pensions.

Mr. COLEMAN. Mr. President, I ask unanimous consent that my legislation, Consortium on the Impact of Technology in Aging Health Services Act of 2007, be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 716

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Consortium on the Impact of Technology in Aging Health Services Act of 2007''.

SEC. 2. ESTABLISHMENT OF CONSORTIUM.

(a) ESTABLISHMENT.—There is established a Consortium to be known as the ''Consortium on the Impact of Technology in Aging Health Services'' (referred to in this Act as the ''Consortium'').

(b) PURPOSE.—The purpose of the Consortium is to evaluate the potential of new technologies to help the United States prepare for the unprecedented demographic changes that will occur during the next 10 years in the Nation's healthcare system.

(c) MEMBERSHIP.—

(1) COMPOSITION.—The Consortium shall be composed of 17 members, of whom—

(A) 1 member shall be appointed by the President and designated by the President as Chairperson of the Consortium;

(B) 4 members shall be appointed by the Majority Leader of the Senate;

(C) 4 members shall be appointed by the Minority Leader of the Senate;

(D) 4 members shall be appointed by the Speaker of the House of Representatives; and

(E) 4 members shall be appointed by the Minority Leader of the House of Representatives.

(2) QUALIFICATIONS.—

(A) IN GENERAL.—Appointments to the Consortium shall be made from individuals who are senior-level executives from the Federal Government or the private-sector who have demonstrated experience as—

(i) providers of senior, geriatric, and other assistive services, including housing, nursing care, home-and-community based services, and assisted living and caregiver organizations;

(ii) technology developers or producers of products for aged individuals;

(iii) Federal, State, or academic researchers that focus on aging issues;

(iv) physicians and other health care providers;

(v) insurers and other payer organizations; and

(vi) representatives of the pharmaceutical industry.

(B) INCLUSION OF SENIORS AND INDIVIDUALS WITH DISABILITIES.—At least 2 appointees shall be—

(i) age 65 or older; or

(ii) an individual with a disability.

(3) DATE OF APPOINTMENTS.—The appointment of a member of the Consortium shall be made not later than 30 days after the date of enactment of this Act.

(d) TERM; VACANCIES.—

(1) TERM.—A member shall be appointed for the life of the Consortium.

(2) VACANCIES.—A vacancy on the Consortium—

(A) shall not affect the powers of the Consortium; and

(B) shall be filled, not later than 30 days after the Consortium is given notice of the vacancy, in the same manner as the original appointment was made.

(e) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Consortium have been appointed, the Consortium shall hold the initial meeting of the Consortium.

(f) MEETINGS.—The Consortium shall meet at the call of the Chairperson.

(g) QUORUM.—A majority of the members of the Consortium shall constitute a quorum, but a lesser number of members may hold hearings.

SEC. 3. DUTIES.

(a) STUDY.—

(1) IN GENERAL.—The Consortium shall conduct a study of all matters relating to the potential use of new technology to assist older adults and their caregivers throughout the aging process.

(2) MATTERS TO BE STUDIED.—The matters to be studied by the Consortium shall include—

(A) methods for identifying technology that can be adapted to meet the needs of seniors, individuals with disabilities, and the caregivers of such seniors and individuals across all aging services settings;

(B) methods for fostering scientific innovation with respect to aging services technology within the business and academic communities;

(C) identifying barriers to innovation in aging services technology and devising strategies for removing such barriers ;

(D) developments in aging services technology in other countries that may be applied in the United States;

(E) methods for ensuring that businesses in the United States have a leadership role in the rapidly expanding global market of aging services technology; and

(F) identifying barriers to the adoption of aging services technology by health care providers and consumers and devising strategies to removing such barriers.

(b) RECOMMENDATIONS.—The Consortium shall develop recommendations with respect to the following:

(1) Identification of developments in current aging services technologies that may result in increased efficiency and cost savings to the healthcare system.

(2) Opportunities for ongoing research and development by the public and private sectors to accelerate the development and adoption of aging services technology in order to—

(A) promote the independence of seniors and individuals with disabilities;

(B) facilitate early disease detection;

(C) delay the physical, cognitive, social, and emotional decline resulting from disease and the aging process;

(D) support wellness activities and preventive behaviors;

(E) promote greater support to community- and facility-based caregivers;

(F) develop systems that improve the quality and efficiency of facility-based care, such as pharmacy distribution programs and secure electronic clinical records;

(G) enhance the utilization of technology by caregivers to reduce the burden of paperwork ;

(H) minimize caregiver burnout; and

(I) reduce medication errors and improve overall compliance.

(3) Identification of methods to ensure that necessary technology infrastructure is in place to deliver aging services to rural and urban areas.

(4) Whether to establish—

(A) a permanent Federal interagency task force that will facilitate the development and distribution of aging services technology; and

(B) a National Resource Center that would stimulate research, oversee demonstration projects, and provide training and technical assistance to Federal, State, and private sector organizations and entities that provide aging services.

(5) Assignment of responsibilities for aging services with respect to jurisdiction, funding, and reporting relationships.

(c) REPORT.—Not later than 24 months after the date of enactment of this Act, the Consortium shall submit to the President and the appropriate committees of Congress a report that contains the recommendations of the Consortium with respect to the following:

(1) DEVELOPMENT OF NATIONAL POLICY.—The development of a national policy to address issues with respect to technology and assistive health services for seniors, including the appropriate roles and responsibilities for the Federal Government, State and local governments, and the private sector.

(2) LEGISLATIVE AND PROGRAM CHANGES.—The specific legislative and regulatory changes with respect to Federal laws and programs that would support and encourage the private sector to develop and make widely available consumer-empowered technology solutions.

(3) ESTABLISHMENT OF NATIONAL RESOURCE CENTER.—The establishment of a National Resource Center on Aging Services Technologies to offer training and assistance to the Federal Government, State and local governments, and the private sector in the application of technology in pilots and trials with respect to assistive health services for seniors.

SEC. 4. POWERS.

(a) HEARINGS.—The Consortium may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Consortium considers advisable to carry out this Act.

(b) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Consortium may secure directly from a Federal agency such information as the Consortium considers necessary to carry out this Act.

(2) PROVISION OF INFORMATION.—Except as otherwise provided by law, on request of the Chairperson of the Consortium, the head of the agency shall provide the information to the Consortium.

(c) POSTAL SERVICES.—The Consortium may use the United States mails in the same manner and under the same conditions as other agencies of the Federal Government.

(d) CONTRACT AUTHORITY.—The Consortium may contract with and compensate government and private agencies or persons for services, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

(e) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Consortium may, if authorized by the Consortium, take any action which the Consortium is authorized to take by this section.

(f) GIFTS.—The Consortium may accept, use, and dispose of gifts or donations of services or property.

(g) PRINTING.—For purposes of costs relating to printing and binding, including the costs of personnel detailed from the Government Printing Office, the Consortium shall be deemed to be a committee of Congress.

SEC. 5. CONSORTIUM PERSONNEL MATTERS.

(a) COMPENSATION OF MEMBERS.—Members of the Consortium shall receive no additional pay, allowances, or benefits by reason of their service on the Consortium.

(b) TRAVEL EXPENSES.—A member of the Consortium shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Consortium.

(c) STAFF.—

(1) IN GENERAL.—The Chairperson of the Consortium may, without regard to the civil service laws (including regulations), appoint and terminate an executive director and such other additional personnel as are necessary to enable the Consortium to perform the duties of the Consortium.

(2) COMPENSATION.—

(A) EXECUTIVE DIRECTOR.—The executive director shall be paid the rate of basic pay for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(B) OTHER STAFF.—The staff shall be appointed subject to the provisions of title 5, United States Code, government appointments in the competitive service, and shall be paid in accordance with the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

(d) DETAIL OF FEDERAL GOVERNMENT EMPLOYEES.—

(1) IN GENERAL.—An employee of the Federal Government may be detailed to the Consortium without reimbursement.

(2) CIVIL SERVICE STATUS.—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(e) PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.—The Chairperson of the Consortium may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the maximum annual rate of basic pay payable for the General Schedule.

(f) PHYSICAL FACILITIES.—The Administrator of the General Services Administration shall locate suitable office space for the operation of the Consortium. The facilities shall serve as the headquarters of the Consortium and shall include all necessary equipment and incidentals required for the proper functioning of the Consortium.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act $1,500,000, for the period of fiscal years 2008 through 2011, to remain available until expended.

SEC. 7. TERMINATION OF CONSORTIUM.

The Consortium shall terminate 180 days after the date on which the Consortium submits the report required under section 3(c).

Mr. REED. Mr. President, I am pleased to join my colleagues, Senator COLEMAN, and Representatives ESHOO and RAMSTAD, in reintroducing the Consortium on the Impact of Technology in Health Services Act.

We face a challenging and exciting time in the evolution of America's health care system. Today, roughly 45 million men and women are over age 65. A full doubling of the elderly population is predicted to occur by the year 2030—with the first of the baby boom generation turning 65 in the year 2011—only four years from now.

Nowhere is the aging of the population more apparent than in my home State of Rhode Island. We exceed the national average in terms of citizens over the age of 65 as well as those over the age of 85. In a State of slightly more than a million people, almost 15 percent of the population is over the age of 65 today. According to Census Bureau estimates, the number of elderly is expected to increase to 18.8 percent of Rhode Island's population by 2025.

Dramatic increases in life expectancy over the last century can be attributed to tremendous advances in health and medical research. These demographic changes also pose new challenges to our health care system that require creative and innovative solutions.

In addition to Americans living longer, keeping up with advancements in medical science poses unique burdens and challenges for our health care system. We are facing shortages in a number of critical health care fields—nurses, primary care physicians, and geriatricians—to name a few. These workforce issues further hinder our ability to keep up with the health care needs of aging Americans.

Greater use of technology has the potential to enhance the quality of care to our aging population and enable seniors to remain healthy and live independently longer. The overwhelming

majority of seniors in my State and across the Nation want to ''age in place''—in their homes—close to their loved ones. Indeed, a growing number of the baby boom generation support funding aging services technology research, and believe technology will allow them to live longer and more independently.

The application of technology in the aging health care services field would also help mitigate the burden on providers, by allowing physicians, home health care workers, and family members to keep in regular contact with patients and loved ones. Better monitoring of elderly patients would also serve to identify changes in their health condition before a serious problem arises.

The bill we are introducing today would build on groundbreaking research and public-private partnerships to find evidence-based approaches to behavioral assessment and non-intrusive health monitoring. Improving in-home monitoring technologies and remote diagnostics will provide seniors and their caregivers with greater independence and flexibility. A recent study found that Americans, particularly those with chronic conditions, are already utilizing the Internet and online tools to better manage their health. Using technology to enhance health care professionals ability to access vital health information will not only improve diagnosis and treatment, but it will also inform the health decisions of seniors and their families.

Smarter applications of technology in caring for the aged could also address some of the growing concerns with skyrocketing budget deficits. As we grapple with Medicare and Medicaid taking up a growing proportion of overall federal spending, we need to carefully balance health care expenditures while also improving the quality of care. We need to use precious health care dollars wisely and prudently as we seek creative ways to continue to provide quality health services to the elderly.

The Consortium on the Impact of Technology in Health Services Act will bring together experts from the medical, aging, and technology fields to build a vision and a framework for the development and implementation of a 21st century health care system able to meet the needs of our burgeoning aging population.

We need to change the way we think about health care for our Nation's seniors. We need a model that is oriented toward health promotion and disease prevention. This legislation gives us a jumpstart on developing and implementing the tools and strategies to serve the senior population of America more effectively and with greater cost savings.

I am pleased to join with my colleagues in introducing this important initiative and hope the Senate will give it careful consideration.

By Mr. AKAKA (for himself, Mr. SUNUNU, Mr. LEAHY, and Mr. TESTER):

S. 717. A bill to repeal title II of the REAL ID Act of 2005, to restore section 7212 of the Intelligence Reform and Terrorism Prevention Act of 2004, which provides States additional regulatory flexibility and funding authorization to more rapidly produce tamper- and counterfeit-resistant driver's licenses, and to protect privacy and civil liberties by providing interested stakeholders on a negotiated rulemaking with guidance to achieve improved 21st century licenses to improve national security; to the Committee on the Judiciary.

Mr. AKAKA. Mr. President, I rise today with my colleagues from New Hampshire, Vermont, and Montana, Senators SUNUNU, LEAHY and TESTER, to reintroduce legislation to address problems with the REAL ID Act of 2005.

Last year, Senator SUNUNU and I introduced S. 4117, the Identity Security Enhancement Act, which would repeal the REAL ID Act and reinstitute the shared rulemaking process and more reasonable guidelines established in the Intelligence Reform and Terrorism Prevention Act of 2004. We joined together to convey our concerns with REAL ID to the Department of Homeland Security (DHS) and to urge the Department to ensure that the forthcoming regulations implementing REAL ID addressed our concerns. Now, on the eve of DHS releasing the proposed REAL ID regulations, we once again introduce our legislation as a placeholder as Congress and the American people review how DHS proposes to implement this costly and controversial law.

I plan to hold a hearing on the REAL ID regulations in the Oversight of Government Management Subcommittee shortly, and I will develop comprehensive legislation to address any privacy and civil liberties issues arising under the Act and any unrealistic burdens placed on the states.

From the time the REAL ID Act became law nearly two years ago, hundreds of organizations—ranging from the National Governor's Association (NGA) to the American Civil Liberties Union (ACLU)—have voice their strong opposition to REAL ID. None of these groups were heard by Congress before the bill was passed in May 2005 as there were no hearings to understand the repercussions of such sweeping legislation.

Rather, the REAL ID Act was attached to the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief Act (P.L. 109–13) in Conference. It was wrong to include the legislation that has such a massive impact on State and local governments without their input. Not having a full debate on the measure to determine its impact has led an increasing number of State legislatures to introduce and pass legislation to condemn REAL ID and, in some cases, prohibit the state from spending money to implement the Act.

My two primary concerns with REAL ID are that the law places an unrealistic and unfunded burden on state governments and erodes Americans' civil liberties and privacy rights.

There is nothing realistic about REAL ID. The extremely costly and complex set of electronic systems that will be required to connect the thousands of local Departments of Motor Vehicles (DMVs) to one another and to a host of Federal agencies as required under REAL ID may not be practical. This would cost $1.42 billion according to a September 2006 report issued by the NGA, the National Conference of State Legislatures (NCSL), and the American Association of Motor Vehicle Administrators (AAMVA). In addition, the costs to re-issue every current driver's license under the new screening process is estimated to cost approximately $8 billion over five years. Combined with the other requirements imposed on states by REAL ID, such as new design requirements for the ID cards and on-site security, REAL ID will cost over $11 billion. Congress has appropriated only $40 million for REAL ID implementation, which leaves a hefty price tag for the states, especially for legislation that was passed with no review.

In addition to the unrealistic burden REAL ID places on states, REAL ID is a serious threat to our privacy rights and civil liberties.

As I said last year, the REAL ID Act will require every driver's licensing agency to collect and store substantial numbers of records containing licensees' most sensitive personally identifiable information, including one's social security number, proof of residence, and biometric identifiers such as a digital photograph and signature. If the state databases are compromised, they will provide one-stop access to virtually all information necessary to commit identity theft.

Moreover, the sharing of the aggregated personally identifiable information of licensees between and amongst various government agencies and employees at the federal, state, and local level, as contemplated by the REAL ID Act, potentially allows millions of individuals access to that information without protections or safeguards.

Despite these obvious threats to Americans' privacy, the REAL ID Act fails to mandate privacy protections for individuals' information nor does it provide states with the means to implement data security and anti-hacking protections that will be required to safeguard the new databases mandated by the Act.

REAL ID exacerbates the threat of identity theft which threatens our security by giving us a false sense of security.

Unfunded mandates and the lack of privacy and security requirements are real problems that deserve real consideration and real solutions. Congress

has a responsibility to ensure that driver's licenses and ID cards issued in the United States are secure—both from would-be terrorists and identity thieves—affordable, and practical.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 717

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Identification Security Enhancement Act of 2007''.

SEC. 2. REPEAL.

Title II of the REAL ID Act of 2005 (division B of Public Law 109–13; 49 U.S.C. 30301 note) is repealed.

SEC. 3. DRIVER'S LICENSES AND PERSONAL IDENTIFICATION CARDS.

(a) DEFINITIONS.—In this section:

(1) DRIVER'S LICENSE.—The term ''driver's license'' means a motor vehicle operator's license (as defined in section 30301(5) of title 49, United States Code).

(2) PERSONAL IDENTIFICATION CARD.—The term ''personal identification card'' means an identification document (as defined in section 1028(d)(3) of title 18, United States Code) issued by a State.

(b) STANDARDS FOR ACCEPTANCE BY FEDERAL AGENCIES.—

(1) IN GENERAL.—

(A) LIMITATION ON ACCEPTANCE.—No Federal agency may accept, for any official purpose, a driver's license or personal identification card newly issued by a State more than 2 years after the promulgation of the minimum standards under paragraph (2) unless the driver's license or personal identification card conforms to such minimum standards.

(B) DATE FOR FULL CONFORMANCE.—

(i) IN GENERAL.—Except as provided under clause (ii), beginning on the date that is 5 years after the promulgation of minimum standards under paragraph (2), no Federal agency may accept, for any official purpose, a driver's license or personal identification card issued by a State unless such driver's license or personal identification card conforms to such minimum standards.

(ii) ALTERNATIVE DATE FOR FULL CONFORMANCE.—If the Secretary determines that it is impracticable for States to replace all State-issued driver's licenses and personal identification cards before the deadline set forth in clause (i), the Secretary, in consultation with the Secretary of Transportation, may set a later, alternative deadline to the extent necessary for States to complete such replacement with reasonable efforts.

(C) STATE CERTIFICATION.—

(i) IN GENERAL.—Each State shall certify to the Secretary that the State is in compliance with the requirements of this section.

(ii) FREQUENCY.—Certifications under clause (i) shall be made at such intervals and in such a manner as the Secretary, with the concurrence of the Secretary of Transportation, may prescribe by regulation.

(iii) AUDITS.—The Secretary may conduct periodic audits of each State's compliance with the requirements of this section.

(2) MINIMUM STANDARDS.—Not later than 12 months after the date of the enactment of this Act, the Secretary, in consultation with the Secretary of Transportation, shall by regulation, establish by minimum standards for driver's licenses or personal identification cards issued by a State for use by Federal agencies for identification purposes that shall include—

(A) standards for documentation required as proof of identity of an applicant for a driver's license or personal identification card;

(B) standards for the verifiability of documents used to obtain a driver's license or personal identification card;

(C) standards for the processing of applications for driver's licenses and personal identification cards to prevent fraud;

(D) standards for information to be included on each driver's license or personal identification card, including—

(i) the person's full legal name;

(ii) the person's date of birth;

(iii) the person's gender;

(iv) the person's driver's license or personal identification card number;

(v) a photograph of the person;

(vi) the person's address of principal residence; and

(vii) the person's signature;

(E) standards for common machine-readable identity information to be included on each driver's license or personal identification card, including defined minimum data elements;

(F) security standards to ensure that driver's licenses and personal identification cards are—

(i) resistant to tampering, alteration, or counterfeiting; and

(ii) capable of accommodating and ensuring the security of a photograph or other unique identifier; and

(G) a requirement that a State confiscate a driver's license or personal identification card if any component or security feature of the license or identification card is compromised.

(c) NEGOTIATED RULEMAKING.—

(1) IN GENERAL.—Before publishing the proposed regulations required by subsection (b)(2) to carry out this title, the Secretary shall establish a negotiated rulemaking process pursuant to subchapter IV of chapter 5 of title 5, United States Code (5 U.S.C. 561 et seq.).

(2) TIME REQUIREMENT.—The process described in paragraph (1) shall be conducted in a timely manner to ensure that—

(A) any recommendation for a proposed rule or report—

(i) is provided to the Secretary not later than 9 months after the date of the enactment of this Act; and

(ii) includes an assessment of the benefits and costs of the recommendation; and

(B) a final rule is promulgated not later than 12 months after the date of the enactment of this Act.

(3) REPRESENTATION ON NEGOTIATED RULEMAKING COMMITTEE.—Any negotiated rulemaking committee established by the Secretary pursuant to paragraph (1) shall include equal numbers of representatives from—

(A) among State offices that issue driver's licenses or personal identification cards;

(B) among State elected officials;

(C) the Department of Transportation; and

(D) among interested parties, including experts in privacy protection, experts in civil liberties and protection of constitutional rights, and experts in immigration law.

(4) CONTENT OF REGULATIONS.—The regulations required by subsection (b)(2)—

(A) shall facilitate communication between the chief driver licensing official of a State, an appropriate official of a Federal agency and other relevant officials, to verify the authenticity of documents, as appropriate, issued by such Federal agency or entity and presented to prove the identity of an individual;

(B) may not infringe on a State's power to set criteria concerning what categories of individuals are eligible to obtain a driver's license or personal identification card from that State;

(C) may not require a State to comply with any such regulation that conflicts with or otherwise interferes with the full enforcement of State criteria concerning the categories of individuals that are eligible to obtain a driver's license or personal identification card from that State;

(D) may not require a single design to which driver's licenses or personal identification cards issued by all States must conform; and

(E) shall include procedures and requirements to protect the privacy rights of individuals who apply for and hold driver's licenses and personal identification cards.

(F) shall include procedures and requirements to protect the federal and state constitutional rights and civil liberties of individuals who apply for and hold driver's licenses and personal identification cards;

(G) shall not permit the transmission of any personally identifiable information except for in encrypted format;

(H) shall provide individuals with procedural and substantive due process, including promulgating rules and rights of appeal, to challenge errors in data records contained within the databases created to implement this Act;

(I) shall not permit private entities to scan the information contained on the face of a license, or in the machine readable component of the license, and resell, share or trade that information with any other third parties, nor shall private entities be permitted to store the information collected for any other than fraud prevention purposes;

(J) shall not preempt state privacy laws that are more protective of personal privacy than the standards, or regulations promulgated to implement this Act; and

(K) shall neither permit nor require verification of birth certificates until a nationwide system is designed to facilitate such verification.

(d) GRANTS TO STATES.—

(1) ASSISTANCE IN MEETING FEDERAL STANDARDS.—Beginning on the date a final regulation is promulgated under subsection (b)(2), the Secretary shall award grants to States to assist them in conforming to the minimum standards for driver's licenses and personal identification cards set forth in the regulation.

(2) ALLOCATION OF GRANTS.—The Secretary shall award grants to States under this subsection based on the proportion that the estimated average annual number of driver's licenses and personal identification cards issued by a State applying for a grant bears to the average annual number of such documents issued by all States.

(3) MINIMUM ALLOCATION.—Notwithstanding paragraph (2), each State shall receive not less than 0.5 percent of the grant funds made available under this subsection.

(4) SEPARATE FUNDING.—Funds appropriated for grants under this section may not be commingled with other grant funds administered by the Department and may not be used for any purpose other than the purpose set forth in paragraph (1).

(e) EXTENSION OF EFFECTIVE DATE.—The Secretary may extend the date specified under subsection (b)(1)(A) for not more than 2 years for driver's licenses issued by a State if the Secretary determines that the State made reasonable efforts to comply with the date under such subsection but was unable to do so.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary $300,000,000 for each of the fiscal years 2007 through 2013 to carry out this Act.

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

S. 718. A bill to optimize the delivery of critical care medicine and expand the critical care workforce; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, why hold off for tomorrow what we can do today? The current healthcare crisis in our Nation did not happen overnight. It has been accumulating as a result of a lack of serious attention to the most pressing healthcare issues, including healthcare workforce shortages. As a husband and a parent, I pray every day that my wife and children will have access to the quality healthcare they deserve when they need it. As a public official, I believe that it is my responsibility to help make that care available for not only my own family, but also for the families in the State of Illinois and across the Nation.

The growing shortage of critical care physicians undermines the quality and availability of health care services in the United States. This shortage can be expected to disproportionately impact rural and other areas of the United States that already often suffer from a sub-optimal level of critical care services. When a loved one needs a critical care doctor, would we not want one to be available? If research tells us that their recovery may be better and their recovery time faster, would we not want our loved one to have access to a critical care doctor?

The Leap Frog Group has clearly documented that significant improvement in outcomes—in both quality and cost—result when a critically ill or injured patient is seen by an intensivist. With a greater use of intensivists, an estimated 54,000 deaths that currently occur in ICUs could be avoided. Unfortunately, only one-third of our critically ill citizens are treated by physicians and nurses specifically trained to manage their complex health issues.

In June 2003, Congress asked the Health Resources and Services Administration—HRSA—to examine the healthcare needs of a growing population and the availability of pulmonary and critical care physicians. In its May 2006 report to Congress entitled ''The Critical Care Workforce: A Study of the Supply and Demand for Critical Care Physicians,'' HRSA found that the country does not have enough physicians trained in critical care medicine to treat all those in need of the care. The report projected future demand for these services and found that, as a result of having to staff ICUs with critical care doctors, a total of 4,300 intensivist physicians will be needed when only 2,800 are available. The HRSA report recognized that the demand in the United States for critical care medical services is rising sharply and will continue to do so.

To proactively address the healthcare needs of our nation, I am pleased to join with my colleague Senator CRAPO today to introduce legislation to address the looming shortage of critical care providers. Our bill, The Patient-Focused Critical Care Enhancement Act authorizes a series of modest and sensible measures that—if enacted now instead of waiting for this shortage to worsen—can help to obviate the problem.

First, the Patient-Focused Critical Care Enhancement Act would direct the Agency for Health Research and Quality to assess the current state of and recommend ''best practices'' for critical care medicine. The authorization of demonstration projects on innovations in ICU services and on family-centered, multi-disciplinary approaches to critical care services are important for determining how to improve the quality of the care delivered and how to best make use of our existing resources of critical care doctors.

Our bill would also expand telemedicine opportunities for critical care physicians to promote efforts relating to critical care and ensure that all communities have greater access to this important, lifesaving care. For our rural communities and medically underserved areas, the need for critical care doctors is exacerbated. This bill will hopefully expand the effectiveness of existing critical care providers in environments where intensivists are in short supply.

Finally, to address the supply problem, the bill would allow for the National Health Service Corps to support and encourage critical care providers to practice in medically underserved areas.

The Patient-Focused Critical Care Enhancement Act is strongly endorsed by the key medical specialty societies and patient groups involved in critical care medicine, including the American College of Chest Physicians, the American Thoracic Society, the Society for Critical Care Medicine, the Association of Critical Care Nurses and the Acute Respiratory Distress Syndrome Foundation.

This multipronged approach is to look at both short term and long term solutions to a growing concern. But in today's complex healthcare situation, multiple solutions are a necessity. We do not want to face this shortage in the future in a direr situation as the nursing shortage currently is.

The answer to the opening question is simple. We must not hold off for tomorrow what we can do today, and we must not wait for our healthcare crisis to worsen. Our country will face a critical care workforce shortage. I want my family to have access to the best quality care when they need it, and this includes having access to a critical care doctor. Passage of the Patient-Focused Critical Care Enhancement Act is a step in that direction.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 718

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Patient-Focused Critical Care Enhancement Act''.

SEC. 2. PURPOSE.

The purpose of this Act is to optimize the delivery of critical care medicine and expand the critical care workforce.

SEC. 3. FINDINGS.

Based on the Health Resources and Services Administration's May 2006 Report to Congress, The Critical Care Workforce: A Study of the Supply and Demand for Critical Care Physicians, the Senate makes the following findings:

(1) In 2000, an estimated 18,000,000 inpatient days of ICU care were provided in the United States through approximately 59,000 ICU beds in 3,200 hospitals.

(2) Patient outcomes and the quality of care in the ICU are related to who delivers that care and how care is organized.

(3) The demand in the United States for critical care medical services is rising sharply and will continue to rise sharply largely as a result of the following 3 factors:

(A) There is strong evidence demonstrating improvements in outcomes and efficiency when intensive care services are provided by nurses and intensivist physicians who have advanced specialty training in critical care medicine.

(B) The Leapfrog Group, health care payors, and providers are encouraging greater use of such personnel in intensive care settings.

(C) Critical care services are overwhelmingly consumed by patients over the age of 65 and the aging of the United States population is driving demand for these services.

(4) The future growth in the number of critical care physicians in ICU settings will be insufficient to keep pace with growing demand.

(5) This growing shortage of critical care physicians presents a serious threat to the quality and availability of health care services in the United States.

(6) This shortage will disproportionately impact rural and other areas of the United States that already often suffer from a sub-optimal level of critical care services.

SEC. 4. RESEARCH.

(a) IN GENERAL.—The Secretary of Health and Human Services, through the Agency for Healthcare Research and Quality, shall conduct research to assess—

(1) the standardization of critical care protocols, intensive care unit layout, equipment interoperability, and medical informatics;

(2) the impact of differences in staffing, organization, size, and structure of intensive care units on access, quality, and efficiency of care; and

(3) coordinated community and regional approaches to providing critical care services, including approaches whereby critical care patients are assessed and provided care based upon intensity of services required.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Agency for Healthcare Research and Quality shall submit a report to Congress, that, based on the review under subsection (a), evaluates and makes recommendations regarding best practices in critical care medicine.

SEC. 5. INNOVATIVE APPROACHES TO CRITICAL CARE SERVICES.

The Secretary of Health and Human Services shall undertake the following demonstration projects:

(1) OPTIMIZATION OF CRITICAL CARE SERVICES.—

(A) IN GENERAL.—The Administrator of the Centers for Medicare & Medicaid Services shall solicit proposals submitted by inpatient providers of critical care services who propose to demonstrate methods to optimize the provision of critical care services to Medicare beneficiaries through innovations in such areas as staffing, ICU arrangement, and utilization of technology.

(B) FUNDING OF PROPOSALS.—The Administrator of the Centers for Medicare & Medicaid Services shall fund not more than 5 proposals, not less than 1 of which shall focus on the training of hospital-based physicians in rural or community, or both, hospital facilities in the provision of critical care medicine. Such projects shall emphasize outcome measures based on the Institute of Medicine's following 6 domains of quality care:

(i) Care should be safe.

(ii) Care should be effective.

(iii) Care should be patient-centered.

(iv) Care should be timely.

(v) Care should be efficient.

(vi) Care should be equitable.

(2) FAMILY ASSISTANCE PROGRAMS FOR THE CRITICALLY ILL.—

(A) IN GENERAL.—The Secretary of Health and Human Services shall solicit proposals and make an award to support a consortium consisting of 1 or more providers of inpatient critical care services and a medical specialty society involved in the education and training of critical care providers.

(B) MEASUREMENT AND EVALUATION.—A provider that receives support under subparagraph (A) shall measure and evaluate outcomes derived from a ''family-centered'' approach to the provision of inpatient critical care services that includes direct and sustained communication and contact with beneficiary family members, involvement of family members in the critical care decision-making process, and responsiveness of critical care providers to family requests. Such project shall evaluate the impact of a family-centered, multiprofessional team approach on, and the correlation between—

(i) family satisfaction;

(ii) staff satisfaction;

(iii) length of patient stay in an intensive care unit; and

(iv) cost of care.

(C) OUTCOME MEASURES.—A provider that receives support under subparagraph (A) shall emphasize outcome measures based on the Institute of Medicine's following 6 domains of quality care:

(i) Care should be safe.

(ii) Care should be effective.

(iii) Care should be patient-centered.

(iv) Care should be timely.

(v) Care should be efficient.

(vi) Care should be equitable.

SEC. 6. USE OF TELEMEDICINE TO ENHANCE CRITICAL CARE SERVICES IN RURAL AREAS.

(a) AMENDMENT TO RURAL UTILITIES SERVICE DISTANCE LEARNING AND TELEMEDICINE PROGRAM.—Chapter 1 of subtitle D of title XXIII of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa et seq.) is amended by adding at the end the following:

''SEC. 2335B. ADDITIONAL AUTHORIZATION OF APPROPRIATIONS FOR TELEMEDICINE CRITICAL CARE INITIATIVES.

''In addition to amounts authorized under section 2335A, there is authorized to be appropriated $5,000,000 in each of fiscal years 2008 through 2013 to carry out telemedicine initiatives under this chapter whereby 1 or more rural providers of inpatient critical care services propose, through collaboration with other providers, to augment the delivery of critical care services in the rural inpatient setting through the use of telecommunications systems that allow for consultation with critical care providers not located in the rural facility regarding the care of such patients.''.

(b) AMENDMENT TO TELEHEALTH NETWORK GRANT PROGRAM.—Section 330I(i)(1)(B) of the Public Health Service Act (42 U.S.C. 254c–14(i)(1)(B)) is amended by striking the period at the end and inserting '', or that augment the delivery of critical care services in rural inpatient settings through consultation with providers located elsewhere.''.

SEC. 7. INCREASING THE SUPPLY OF CRITICAL CARE PROVIDERS.

Section 338B of the Public Health Service Act (42 U.S.C. 254l–1) is amended by adding at the end the following:

''(i) CRITICAL CARE INITIATIVE.—

''(1) ESTABLISHMENT.—The Secretary shall undertake an initiative that has as its goal the annual recruitment of not less than 50 providers of critical care services into the National Health Service Corps Loan Repayment Program. Providers recruited pursuant to this initiative shall be additional to, and not detract from, existing recruitment activities otherwise authorized by this section.

''(2) CLARIFYING AMENDMENT.—The initiative described in paragraph (1) shall be undertaken pursuant to the authority of this section, and for purposes of the initiative—

''(A) the term 'primary health services' as used in subsection (a) shall be understood to include critical care services; and

''(B) 'an approved graduate training program' as that term is used in subsection (b)(1)(B) shall be limited to pulmonary fellowships or critical care fellowships, or both, for physicians.''.

SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act—

(1) $5,000,000 for the research to be conducted under section 4; and

(2) $4,000,000 for the demonstration projects authorized under section 5.

By Mr. LAUTENBERG (for himself, Mr. MENENDEZ, Mr. KENNEDY, and Mr. REED):

S. 719. A bill to amend section 10501 of title 49, United States Code, to exclude solid waste disposal from the jurisdiction of the Surface Transportation Board; to the Committee on Commerce, Science, and Transportation.

Mr. LAUTENBERG. Mr. President, I rise today to re-introduce legislation that will close an egregious loophole in federal law. Currently, this loophole permits solid waste management facilities operated near railroads to go unregulated—free from meeting any minimum level of safety, health, and environmental standards. Basically, this loophole prevents state or local law from regulating the operation of these facilities on property owned or controlled by railroads.

In fact, just last week, a United States District Court judge declared this loophole alive and well. By shutting down the State of New Jersey's efforts to regulate solid waste rail facilities, this ruling allows the continuing proliferation of these unregulated facilities—which are already spreading quickly throughout the Northeast United States.

These unregulated facilities present an imminent threat to public health and the environment. My bill, the Clean Railroads Act of 2007, will close this loophole once and for all. Almost 2 years ago, I first introduced legislation to address this problem, and I renew that effort today.

This problem could easily be solved by proper interpretation of current federal law. Such an interpretation could be made by the federal Surface Transportation Board (STB), an independent board charged with economic regulation of railroads. However, despite several opportunities, the STB has chosen not to define a clear position on this issue. I have urged the Board members to address this problem, as the loophole in federal law has allowed even more of these unregulated facilities to operate.

Last week's court ruling has highlighted the need to find a solution to this problem immediately, and my bill would do just that.

Let me be clear that my concern is not the transport of solid waste by rail. Railroads provide a vital role in commerce in the United States and the benefits of rail transportation are numerous, as we in New Jersey know. Further, the transportation of waste via rail is not at issue here, and I am not opposed to the operation of solid waste management facilities on property owned or controlled by railroads.

My chief concern is the lawful management of solid waste facilities. If a solid waste management facility is to be operated on rail property, it must be regulated like any other such facility. That is not happening today.

The threats posed by unregulated waste management facilities operating on property owned or controlled by railroads are so great that a broad and diverse coalition of public and private sector entities have been formed to oppose these rogue operations. I thank these coalition members for their continued efforts, and will be looking forward to the day in which their fears over this issue can be permanently assuaged.

Responsible management of solid waste requires safeguards to protect public health and the environment. As Chairman of the Commerce Committee's Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security, which has jurisdiction over railroads and the Surface Transportation Board, I will work to ensure this loophole does not continue to let the hazards of unregulated solid waste rail facilities affect the lives of New Jerseyans and other Americans.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 719

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clean Railroads Act of 2007''.

SEC. 2. AMENDMENTS TO EXCLUDE SOLID WASTE FACILITIES FROM THE JURISDICTION OF THE BOARD.

Section 10501 of title 49, United States Code, is amended—

(1) by striking ''facilities,'' in subsection (b)(2) and inserting ''facilities (except solid waste management facilities (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903))),''; and

(2) by striking ''over mass transportation provided by a local governmental authority.'' in subsection (c)(2) and inserting ''over—

''(A) mass transportation provided by a local governmental authority; or

''(B) the processing or sorting of solid waste.''.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 88—HONORING THE EXTRAORDINARY ACHIEVEMENTS OF MASSACHUSETTS GOVERNOR DEVAL PATRICK

Mr. KERRY (for himself and Mr. KENNEDY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 88

Whereas February is widely recognized as Black History Month;

Whereas Deval Patrick was born in Chicago, Illinois but, after receiving what he has described as a life-changing education at Milton Academy, has made Milton, Massachusetts his home;

Whereas Deval Patrick is the second African American elected Governor in the history of the United States;

Whereas Deval Patrick has been a pioneer his entire life and was the first member of his family to attend college;

Whereas Deval Patrick graduated with honors from Harvard College in 1978;

Whereas Deval Patrick was elected president of the Legal Aid Bureau while attending Harvard Law School and worked to defend poor families in Middlesex County, Massachusetts during law school;

Whereas Deval Patrick spent many successful years at the National Association for the Advancement of Colored People Legal Defense Fund, devoting his efforts to antidiscrimination and voting rights cases;

Whereas Deval Patrick served as a partner at the Boston law firm of Hill and Barlow and took on many pro bono cases, including a landmark lending scam case filed on behalf of the Commonwealth of Massachusetts;

Whereas Deval Patrick was appointed Assistant Attorney General for Civil Rights, the Nation's top civil rights enforcement post, by President Bill Clinton;

Whereas Deval Patrick served with distinction as Assistant Attorney General for Civil Rights, investigating church burnings, prosecuting hate crimes and abortion clinic violence, holding public employers accountable for job discrimination, ensuring access to housing free of discrimination, protecting the right to vote, and enforcing the Americans with Disabilities Act (42 U.S.C. 12101 et seq.) and other important civil rights laws;

Whereas Deval Patrick returned to private practice with the Boston law firm Day, Berry, and Howard in 1997;

Whereas Deval Patrick was appointed by a Federal district court in 1997 to serve as the first chairperson of Texaco's Equality and Fairness Task Force, and was charged with rebuilding the company's system of employment practices following the settlement of a significant race discrimination case against the company;

Whereas, beginning in 1999, Deval Patrick served as president and general counsel of Texaco and subsequently executive vice president and general counsel of Coca-Cola before returning to Massachusetts to run for Governor;

Whereas Deval Patrick shows great promise as the Commonwealth's new Governor; and

Whereas Deval Patrick is aided in his service to Massachusetts by his loving wife Diane and his daughters Sarah and Katherine: Now, therefore, be it

Resolved, That the Senate—

(1) honors the extraordinary achievements of Massachusetts Governor Deval Patrick;

(2) offers its appreciation for Deval Patrick's continuing devotion to the people of Massachusetts; and

(3) congratulates Deval Patrick on his historic election as Governor of Massachusetts and becoming the second African-American Governor in the history of the United States.

Mr. KERRY. Mr. President, I would like to take a moment to honor an extraordinary man, a dedicated public servant, and, now, the Governor of my home State, Massachusetts: Deval Patrick. It is particularly fitting that we honor Deval today—during Black History Month—because not only is Deval an outstanding choice to lead our State, but he is only the second African American to be elected governor in American History.

Think about that: the second African American to be elected governor in any of the 50 States of our great Nation. That is pretty amazing. But what is more amazing is that the people of Massachusetts did not elect him because they wanted to make history, they elected him because they knew he was the best man for the job. They recognized that ''Together We Can'' was more than just a catchy campaign slogan—it's a philosophy about how to treat people and how to lead them. And it embodies the kind of leadership our State and our Nation are crying out for at this time.

Throughout his entire life, Deval Patrick has been pushing the envelope, striving to achieve what many thought was impossible, overcoming obstacles that might have made others of lesser conviction or determination turn back. After all, this is a man who went from the South Side of Chicago to the Harvard Law Review.

This is a man who was elected President of the Legal Aid Bureau while attending Harvard Law School and who defended poor families in Middlesex County, MA prior to graduation. Let me tell you something, I attended law school, and I worked in the DA's office prior to my graduation. It is no easy task to balance these competing demands, to work with families day in and day out on issues that their lives depend on. It is a truly remarkable achievement.

Yet, Deval's commitment to public service did not end there. In fact, it was just beginning. Deval went on to spend many successful years at the NAACP Legal Defense Fund, devoting his efforts to discrimination and voting rights cases. Then, after serving as a Partner at the Boston law firm of Hill & Barlow, he was appointed Assistant Attorney General for Civil Rights by President Bill Clinton.

At the Justice Department, Deval served with distinction in this—the Nation's top civil rights post—investigating church burnings, prosecuting hate crimes and abortion clinic violence; holding public employers accountable for job discrimination; ensuring access to housing free of discrimination; protecting the right to vote; and enforcing the Americans with Disabilities Act, and other important civil rights laws.

During his time at Justice, Deval proved that he would fight for justice, that he would fight for individual rights, and that he was not afraid to hold people accountable, even if others found it politically difficult or distasteful.

These are just a few of Deval Patrick's tremendous career accomplishments that lead him to this point in time as my state's newest Governor.

For generations, too many young Americans have grown up with a gnawing sense of doubt: that maybe the best that America has to offer doesn't really apply to them. That's why I am so happy that a generation of children will see men like Deval Patrick in great positions of leadership. And it is my great hope that positive examples like his will lead a new generation of people of color to push this country to ever greater heights.

SENATE RESOLUTION 89—AUTHORIZING EXPENDITURES BY COMMITTEES OF THE SENATE FOR THE PERIODS MARCH 1, 2007, THROUGH SEPTEMBER 30, 2007, AND OCTOBER 1, 2007, THROUGH SEPTEMBER 30, 2008, AND OCTOBER 1, 2008, THROUGH FEBRUARY 28, 2009

Mrs. FEINSTEIN submitted the following resolution; from the Committee on Rules and Administration; which was placed on the calendar:

S. RES. 89

Resolved,

SECTION 1. AGGREGATE AUTHORIZATION.

(a) IN GENERAL.—For purposes of carrying out the powers, duties, and functions under the Standing Rules of the Senate, and under the appropriate authorizing resolutions of the Senate there is authorized for the period March 1, 2007, through September 30, 2007, in the aggregate of $55,446,216, for the period October 1, 2007, through September 30, 2008, in the aggregate of $97,164,714, and for the period October 1, 2008, through February 28, 2009, in the aggregate of $41,263,116, in accordance with the provisions of this resolution, for standing committees of the Senate, the Special Committee on Aging, the Select Committee on Intelligence, and the Committee on Indian Affairs.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committees for the period March 1, 2007, through September 30, 2007, for the period October 1, 2007,