grade 12, to provide for the assessment of student proficiency benchmarked against such standards, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 225. A bill to amend title 38, United States Code, to expand the number of individuals qualifying for retroactive benefits from traumatic injury protection coverage under Servicemembers' Group Life Insurance; to the Committee on Veterans' Affairs.

By Mr. GRASSLEY:

S. 226. A bill to direct the Inspector General of the Department of Justice to submit semi-annual reports regarding settlements relating to false claims and fraud against the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ALLARD (for himself and Mr. SALAZAR):

S. 227. A bill to establish the Granada Relocation Center National Historic Site as an affiliated unit of the National Park System; to the Committee on Energy and Natural Resources.

By Mr. ROBERTS (for himself, Mr. STEVENS, and Mr. ALEXANDER):

S. 228. A bill to establish a small business child care grant program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 229. A bill to redesignate a Federal building in Albuquerque, New Mexico, as the ''Raymond G. Murphy Department of Veterans Affairs Medical Center''; to the Committee on Veterans' Affairs.

By Mr. FEINGOLD (for himself, Mr. OBAMA, Mr. LIEBERMAN, and Mr. TESTER):

S. 230. A bill to provide greater transparency in the legislative process; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FEINSTEIN (for herself, Mr. CHAMBLISS, Ms. MIKULSKI, Mr. CORNYN, Mr. OBAMA, Ms. SNOWE, Ms. STABENOW, Ms. COLLINS, Mr. KOHL, Mr. LEVIN, Mr. DURBIN, Mr. BAUCUS, Mr. BINGAMAN, Mr. KERRY, Mr. BIDEN, Mr. ROCKEFELLER, and Mr. SALAZAR):

S. 231. A bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012; to the Committee on the Judiciary.

By Mr. WYDEN:

S. 232. A bill to make permanent the authorization for watershed restoration and enhancement agreements; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (for himself, Mr. LEAHY, Mrs. BOXER, Mr. SANDERS, Mr. HARKIN, and Mr. KERRY):

S. 233. A bill to prohibit the use of funds for an escalation of United States military forces in Iraq above the numbers existing as of January 9, 2007; to the Committee on Foreign Relations.

By Mr. KERRY:

S. 234. A bill to require the FCC to issue a final order regarding television white spaces; to the Committee on Commerce, Science, and Transportation.

ADDITIONAL COSPONSORS

S. 1

At the request of Mr. SALAZAR, his name was added as a cosponsor of S. 1, a bill to provide greater transparency in the legislative process.

S. 5

At the request of Mr. REID, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 5, a bill to amend the Public Health Service Act to provide for human embryonic stem cell research.

S. 80

At the request of Mr. STEVENS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 80, a bill to amend title 5, United States Code, to provide for 8 weeks of paid leave for Federal employees giving birth and for other purposes.

S. 85

At the request of Mr. MCCAIN, the names of the Senator from New Mexico (Mr. BINGAMAN), the Senator from California (Mrs. BOXER) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 85, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to clarify that territories and Indian tribes are eligible to receive grants for confronting the use of methamphetamine.

S. 95

At the request of Mr. KERRY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 95, a bill to amend titles XIX and XXI of the Social Security Act to ensure that every uninsured child in America has health insurance coverage, and for other purposes.

S. 105

At the request of Mr. VITTER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 105, a bill to prohibit the spouse of a Member of Congress previously employed as a lobbyist from lobbying the Member after the Member is elected.

S. 113

At the request of Mr. INHOFE, the names of the Senator from Maine (Ms. COLLINS), the Senator from New Mexico (Mr. DOMENICI), the Senator from Utah (Mr. BENNETT), the Senator from Kentucky (Mr. BUNNING), the Senator from Louisiana (Mr. VITTER), the Senator from Wyoming (Mr. ENZI) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 113, a bill to make appropriations for military construction and family housing projects for the Department of Defense for fiscal year 2007.

S. 138

At the request of Mr. SCHUMER, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of S. 138, a bill to amend the Internal Revenue Code of 1986 to apply the joint return limitation for capital gains exclusion to certain post-marriage sales of principal residences by surviving spouses.

S. 143

At the request of Ms. CANTWELL, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 143, a bill to amend the Internal Revenue Code of 1986 to make permanent the deduction of State and local general sales taxes.

S. 147

At the request of Mrs. BOXER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 147, a bill to empower women in Afghanistan, and for other purposes.

S. 184

At the request of Mr. INOUYE, the names of the Senator from Illinois (Mr. DURBIN), the Senator from North Dakota (Mr. DORGAN), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 184, a bill to provide improved rail and surface transportation security.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Ms. COLLINS, Mr. LAUTENBERG, and Ms. SNOWE):

S. 206. A bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions; to the Committee on Finance.

Mrs. FEINSTEIN. Mr. President, I rise today with my colleague, Senator COLLINS, to introduce legislation that protects the retirement benefits earned by public employees and eliminates barriers which discourage many Americans from pursuing careers in public service. This bill will repeal two provisions of the Social Security Act—the Government Pension Offset and Windfall Elimination Provision—which unfairly reduce the retirement benefits earned by public employees such as teachers, police officers, and firefighters.

The Government Pension Offset reduces a public employee's Social Security spousal or survivor benefits by an amount equal to two-thirds of his or her public pension.

Take the case of a widowed, retired police officer who receives a public pension of $600 per month. His job in the local police department was not covered by Social Security, yet his wife's private-sector employment was. An amount equal to two-thirds of his public pension, or $400 each month, would be cut from his Social Security survivor benefits. If this individual is eligible for $500 in survivor benefits, the Government Pension Offset provision would reduce his monthly benefits to $100.

In most cases, the Government Pension Offset eliminates the spousal benefit for which an individual qualifies. In fact, 9 out of 10 public employees affected by the Government Pension Offset lose their entire spousal benefit, even though their spouse paid Social Security taxes for many years.

The Windfall Elimination Provision reduces Social Security benefits by up to 50 percent for retirees who have paid into Social Security and also receive a public pension, such as from a teacher retirement fund.

While the reforms that led to the creation of the Government Pension Offset and Windfall Elimination Provision were meant to prevent public employees from being unduly enriched, the

practical effect is that those providing critical public services are unjustly penalized.

According to the Congressional Budget Office, the Government Pension Offset provision alone reduces earned benefits for more than 300,000 Americans each year, by upwards of $3,600. In some cases, for those living on fixed incomes, this represents the difference between a comfortable retirement and poverty.

Nearly one million Federal, State, and municipal workers, as well as teachers and other school district employees, are unfairly held to a different standard when it comes to retirement benefits.

Private-sector retirees receive monthly Social Security checks equal to 90 percent of their first $656 in average monthly career earnings. However, under the Windfall Elimination Provision, retired public employees are only allowed to receive 40 percent of the first $656 in career monthly earnings, a penalty of over $300 per month.

This unfair reduction in retirement benefits is inequitable. The Social Security Fairness Act will allow government pensioners the chance to receive the same 90 percent of their benefits to which nongovernment pension recipients are entitled.

We must do more to encourage people to pursue careers in public service. Unfortunately, the Government Pension Offset and Windfall Elimination Provision make it more difficult to recruit teachers, police officers, and fire fighters; and, it does so at a time when we should be doing everything we can to recruit the best and brightest to these careers.

California's police force needs to add more than 10,000 new officers by 2014—a growth of nearly 15 percent—while hiring more than 15,000 additional officers to replace those who leave the force.

It is estimated that public schools will need to hire between 2.2 million and 2.7 million new teachers nationwide by 2009 because of record enrollments. The projected retirements of thousands of veteran teachers and critical efforts to reduce class sizes also necessitate hiring additional teachers.

California currently has more than 300,000 teachers but will need to double this number by 2010, to 600,000 teachers, in order to keep up with student enrollment levels.

Most importantly, the Government Pension Offset and Windfall Elimination Provision hinder efforts to recruit new math and science teachers from the private sector. As our world becomes increasingly interconnected, it is imperative that our school children receive the finest math and science education to ensure our Nation's future competitiveness in the global economy.

It is counterintuitive that on the one-hand, policymakers seek to encourage people to change careers and enter the teaching profession, while on the other hand, those wishing to do so are discouraged because they are clearly told that their Social Security retirement benefits will be significantly reduced.

Now that we are witnessing the practical effects of these 20 year old provisions, I hope that Congress will pass legislation to address the unfair reduction of benefits that essentially sends the message that if you do enter public service, your family will suffer and will be unable to receive the full retirement benefits to which they would otherwise be entitled.

I understand that we are facing deficits and repealing the Government Pension Offset and Windfall Elimination Provision will be costly.

I am open to considering all options that move us toward our goal of removing this inequity by allowing individuals to keep the Social Security benefits to which they are entitled while promoting public sector employment.

We should respect, not penalize, our public service employees. I hope that my colleagues will join me in sending this long overdue message to our Nation's public servants, that we value their contributions and support giving all Americans the retirement benefits they have earned and deserve.

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. 206

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 ''Social Security Fairness Act of 2007''.

SEC. 2. REPEAL OF GOVERNMENT PENSION OFFSET PROVISION.

(a) IN GENERAL.—Section 202(k) of the Social Security Act (42 U.S.C. 402(k)) is amended by striking paragraph (5).

(b) CONFORMING AMENDMENTS.—

(1) Section 202(b)(2) of the Social Security Act (42 U.S.C. 402(b)(2)) is amended by striking ''subsections (k)(5) and (q)'' and inserting ''subsection (q)''.

(2) Section 202(c)(2) of such Act (42 U.S.C. 402(c)(2)) is amended by striking ''subsections (k)(5) and (q)'' and inserting ''subsection (q)''.

(3) Section 202(e)(2)(A) of such Act (42 U.S.C. 402(e)(2)(A)) is amended by striking ''subsections (k)(5), subsection (q),'' and inserting ''subsection (q)''.

(4) Section 202(f)(2)(A) of such Act (42 U.S.C. 402(f)(2)(A)) is amended by striking ''subsections (k)(5), subsection (q)'' and inserting ''subsection (q)''.

SEC. 3. REPEAL OF WINDFALL ELIMINATION PROVISIONS.

(a) IN GENERAL.—Section 215 of the Social Security Act (42 U.S.C. 415) is amended—

(1) in subsection (a), by striking paragraph (7);

(2) in subsection (d), by striking paragraph (3); and

(3) in subsection (f), by striking paragraph (9).

(b) CONFORMING AMENDMENTS.—Subsections (e)(2) and (f)(2) of section 202 of such Act (42 U.S.C. 402) are each amended by striking ''section 215(f)(5), 215(f)(6), or 215(f)(9)(B)'' in subparagraphs (C) and (D)(i) and inserting ''paragraph (5) or (6) of section 215(f)''.

SEC. 4. EFFECTIVE DATE.

The amendments made by this Act shall apply with respect to monthly insurance benefits payable under title II of the Social Security Act for months after December 2007. Notwithstanding section 215(f) of the Social Security Act, the Commissioner of Social Security shall adjust primary insurance amounts to the extent necessary to take into account the amendments made by section 3.

Ms. COLLINS. Mr. President, I am pleased to join with my colleague from California, Senator FEINSTEIN, in introducing the Social Security Fairness Act. This bill repeals two provisions of current law—the windfall elimination provision (WEP) and the government pension offset (GPO) that unfairly reduce earned Social Security benefits for many public employees when they retire.

Individuals affected by both the GPO and the WEP are those who are eligible for Federal, State or local pensions from work that was not covered by Social Security, but who also qualify for Social Security benefits based on their own work in covered employment or that of their spouses. While the two provisions were intended to equalize Social Security's treatment of workers, we are concerned that they unfairly penalize individuals for holding jobs in public service when the time comes for them to retire.

These two provisions have enormous financial implications not just for Federal employees, but for our teachers, police officers, firefighters and other public employees as well. Given their important responsibilities, it is unfair to penalize them when it comes to their Social Security benefits. These public servants—or their spouses—have all paid taxes into the Social Security system. So have their employers. Yet, because of these two provisions, they are unable to collect all of the Social Security benefits to which they otherwis'e would be entitled.

While the GPO and WEP affect public employees and retirees in virtually every State, their impact is most acute in 15 States, including Maine. Nationwide, more than one-third of teachers and education employees, and more than one-fifth of other public employees, are affected by the GPO and/or the WEP.

Almost one million retired government workers across the country have already been adversely affected by these provisions. Many more stand to be affected by them in the future. Moreover, at a time when we should be doing all that we can to attract qualified people to public service, this reduction in Social Security benefits makes it even more difficult for our Federal, State and local governments to recruit and retain the teachers, police officers, firefighters and other public servants who are so critical to the safety and well-being of our families.

The Social Security windfall elimination provision reduces Social Security benefits for retirees who paid into Social Security and who receive a government pension from work not covered under Social Security, such as pensions from the Maine State Retirement Fund. While private sector retirees receive Social Security checks based on 90 percent of their first $656 average monthly career earnings, government pensioners checks are based on 40 percent—a harsh penalty of more than $300 per month.

The government pension offset reduces an individual's survivor benefit under Social Security by two-thirds of the amount of his or her public pension. It is estimated that 9 out of 10 public employees affected by the GPO lose their entire spousal benefit, even though their deceased spouses paid Social Security taxes for many years.

What is most troubling is that this offset is most harsh for those who can least afford the loss—lower-income women. In fact, of those affected by the GPO, 73 percent are women. According to the Congressional Budget Office, the GPO reduces benefits for more than 200,000 of these individuals by more than $3,600 a year—an amount that can make the difference between a comfortable retirement and poverty.

Our teachers and other public employees face difficult enough challenges in their day-to-day work. Individuals who have devoted their lives to public service should not have the added burden of worrying about their retirement. Many Maine teachers, in particular, have talked with me about this issue. They love their jobs and the children they teach, but they worry about the future and about their financial security in retirement.

I hear a lot about this issue in my constituent mail, as well. Patricia Dupont, for example, of Orland, ME, wrote that, because she taught for 15 years under Social Security in New Hampshire, she is living on a retirement income of less than $13,000 after 45 years in education. Since she also lost survivors' benefits from her husband's Social Security, she calculates that a repeal of the WEP and the GPO would double her current retirement income.

These provisions also penalize private sector employees who leave their jobs to become public school teachers. Ruth Wilson, a teacher from Otisfield, ME, wrote:

''I entered the teaching profession two years ago, partly in response to the nationwide pleas for educators. As the current pool of educators near retirement in the next few years, our schools face a crisis. Low wages and long hard hours are not great selling points to young students when selecting a career.

I love teaching and only regretted my decision when I found out about the penalties I will unfairly suffer. In my former life as a well-paid systems manager at State Street Bank in Boston, I contributed the maximum to Social Security each year. When I decided to become an educator, I figured that because of my many years of maximum Social Security contributions, I would still have a livable retirement 'wage.' I was unaware that I would be penalized as an educator in your State.''

In September of 2003, I chaired a Governmental Affairs Committee hearing to examine the effect that the GPO and the WEP have had on public employees and retirees. We heard compelling testimony from Julia Worcester of Columbia, ME—who was then 73. Mrs. Worcester told the Committee about her work in both Social Security-covered employment and as a Maine teacher, and about the effect that the GPO and WEP have had on her income in retirement. Mrs. Worcester worked for more than 20 years as a waitress and in factory jobs before deciding, at the age of 49, to go back to school to pursue her life-long dream of becoming a teacher. She began teaching at the age of 52 and taught full-time for 15 years before retiring at the age of 68. Since she was only in the Maine State Retirement System for 15 years, Mrs. Worcester does not receive a full State pension. Yet she is still subject to the full penalties under the GPO and WEP. As a consequence, she receives just $171 a month in Social Security benefits, even though she worked hard and paid into the Social Security system for more than 20 years. After paying for her health insurance, she receives less than $500 a month in total pension income.

After a lifetime of hard work, Mrs. Worcester, is still substitute teaching just to make ends meet. This simply is not fair. I am therefore pleased to join Senator FEINSTEIN in introducing this legislation to repeal these two unfair provisions, and I urge my colleagues to join us as cosponsors.

By Mr. COLEMAN:

S. 207. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate part or all of any income tax refund to support reservists and National Guard members; to the Committee on Finance.

Mr. COLEMAN. Mr. President, I rise today to introduce legislation to assist the families of our reservists and National Guard members. With our reservists and National Guard members bravely answering our country's call to service, we must do all we can to meet the calls of help from those families left behind who are struggling financially as a result of their loved ones' wartime service.

All too often, the families of reservists and National Guard members must contend not only with the physical absence of a loved one but also with the loss of income that makes paying house, car, medical and other bills too great of a burden to bear without help. According to the latest available statistics, some 55 percent of married Guard members and reservists have experienced a loss in income, with nearly 50 percent experiencing a loss of $1,000 in pay per month and 15 percent experiencing a loss of $30,000 or more in pay a year. With our Guard and reservists putting their lives on the line, they should not also have to put their families' financial lives on the line due to their service.

In an effort to provide relief to these families, I am introducing today the Voluntary Support for Reservists and National Guard Members Act that would bolster the financial assistance available to these families. More specifically, the Voluntary Support for Reservists and National Guard Members Act would provide taxpayers the option of contributing part of their tax refund to the Reserve Income Replacement Program which provides financial assistance to those families who have experienced an income loss due to a call-up to active duty. In 2005, the IRS issued 106 million refunds that totaled $227 billion with the average refund coming in at $2,141.36. Even a small percentage of this amount could make a significant difference in the lives of these reservist and National Guard families.

While we can do little to ease the emotional burden experienced by families regarding the service of their loved ones, we can at least try to give them some peace of mind when it comes to their day-to-day finances. These families already have made a great sacrifice to the nation, and they should not also have to sacrifice their financial well-being due to their loved ones' service. Beyond our gratitude, care packages and gifts, we can thank our troops for their service by helping to meet the everyday needs of their families who are facing financial hardships. My bill would provide Americans a convenient way to thank our troops by contributing a portion of their tax refunds to give much-needed help to the loved ones of our reservists and National Guard members .

I ask unanimous consent that my legislation, the Voluntary Support for Reservists and National Guard Members Act, and the accompanying remarks 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. 207

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 ''Voluntary Support for Reservists and National Guard Members Act''.

SEC. 2. DESIGNATION OF OVERPAYMENTS TO SUPPORT RESERVISTS AND NATIONAL GUARD MEMBERS.

(a) DESIGNATION.—Subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by adding at the end the following new part:

''PART IX—DESIGNATION OF OVERPAYMENTS TO RESERVE INCOME REPLACEMENT PROGRAM

''Sec. 6097. Designation

''SEC. 6097. DESIGNATION.

''(a) IN GENERAL.—In the case of an individual, with respect to each taxpayer's return for the taxable year of the tax imposed by chapter 1, such taxpayer may designate

that a specified portion (not less than $1) of any overpayment of tax for such taxable year be paid over to the Reserve Income Replacement Program (RIRP) under section 910 of title 37, United States Code.

''(b) MANNER AND TIME OF DESIGNATION.—A designation under subsection (a) may be made with respect to any taxable year only at the time of filing the return of the tax imposed by chapter 1 for such taxable year. Such designation shall be made in such manner as the Secretary prescribes by regulations except that such designation shall be made either on the first page of the return or on the page bearing the taxpayer's signature.

''(c) OVERPAYMENTS TREATED AS REFUNDED.—For purposes of this title, any portion of an overpayment of tax designated under subsection (a) shall be treated as—

''(1) being refunded to the taxpayer as of the last date prescribed for filing the return of tax imposed by chapter 1 (determined without regard to extensions) or, if later, the date the return is filed, and

''(2) a contribution made by such taxpayer on such date to the United States.''.

(b) TRANSFERS TO RESERVE INCOME REPLACEMENT PROGRAM.—The Secretary of the Treasury shall, from time to time, transfer to the Reserve Income Replacement Program (RIRP) under section 910 of title 37, United States Code, the amounts designated under section 6097 of the Internal Revenue Code of 1986, under regulations jointly prescribed by the Secretary of the Treasury and the Secretary of Defense.

(c) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

''PART IX. DESIGNATION OF OVERPAYMENTS TO RESERVE INCOME REPLACEMENT PROGRAM''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

By Mrs. CLINTON (for herself, Mrs. DOLE, Mr. AKAKA, Mr. BAYH, Mr. NELSON of Florida, Mrs. BOXER, Mr. BURR, Ms. CANTWELL, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. HAGEL, Mr. HARKIN, Mr. INOUYE, Mr. KERRY, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MENENDEZ, Mrs. MURRAY, Ms. MIKULSKI, Ms. SNOWE, Mr. VITTER, Mr. CASEY, Mr. BENNETT, and Ms. STABENOW):

S. 211. A bill to facilitate nationwide availability of 2–2–1 telephone service for information and referral on human services, volunteer services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. CLINTON. Mr. President, I rise today to introduce the Calling for 2–1–1 Act. I'm thrilled to be a part of the new Democratic Congress as we move to pass the kind of bipartisan legislation I'm talking about today—a bill that could make an invaluable difference in the lives of citizens in New York and the country.

I'd first like to thank my colleague Senator DOLE for joining me in this effort. Because of her long history with the Red Cross, the Senator understands the importance of 2–1–1, and I am so pleased to be working with her again in this new Congress to champion this important cause.

Every hour of every day, someone in the United States needs essential services—from finding an after-school program to securing adequate care for an aging parent. Faced with a dramatic increase in the number of agencies and help-lines, people often don't know where to turn. In many cases, people end up going without necessary services because they do not know where to start. The 2–1–1 system is a user-friendly social-services network, providing an easy-to-remember and universally available phone number that links individuals and families in need to the appropriate nonprofit and government agencies. 2–1–1 helps people find and give help by providing information on job training, schools, volunteer opportunities, elder care housing, and countless other community needs.

However, the importance of this system extends far beyond the day to day needs of our citizens. The need for effective communication was made crystal clear in the immediate aftermath of the devastation of September 11, when most people did not know where to turn for information about their loved ones. Fortunately for those who knew about it, 2–1–1 was already operating in Connecticut, and it was critical in helping identify the whereabouts of victims, connecting frightened children with their parents, providing information on terrorist suspects, and linking ready volunteers with coordinated efforts and victims with necessary mental and physical health services. 2–1–1 provided locations of vigils and support groups, and information on bioterrorism for those concerned about future attacks.

As time went by, many people needed help getting back on their feet. More than 100,000 people lost their jobs. Close to 2,000 families applied for housing assistance because they couldn't pay their rent or mortgage. 90,000 people developed symptoms of post-traumatic stress disorder or clinical depression within eight weeks of the attacks. Another 34,000 people met the criteria for both diagnoses. And 2–1–1 was there to help.

The needs were great and the people of America rose to the challenge. But our infrastructure struggled to keep up with this outpouring of support. In fact, a Brookings Institution and Urban Institute study of the aftermath of September 11 found that many dislocated workers struggled to obtain available assistance. The devastation of natural disasters Hurricanes Katrina and Rita further demonstrated the need to connect people to services quickly in a time of crisis. That's what 2–1–1 is all about: providing a single, efficient, coordinated way for people who need help to connect with those who can provide it.

There is broad, bi-partisan support for this legislation—because the need for it has been proven. Unfortunately, in many States, limited resources have slowed the process of connecting communities with this vital service. Without adequate Federal support, 2–1–1 will not reach a nationwide population for decades. The University of Texas developed a national cost-benefit analysis that found there would be a savings to society of nearly $1.1 billion over ten years if 2–1–1 were operational nationwide. The Federal Government, States, counties, businesses and citizens all stand to benefit from a nationwide 2–1–1 service.

As this new Congress moves in a positive direction for America, we must enact legislation that best protects and prepares ourselves for the future. All fifty States deserve to be equipped with the proper communication to respond effectively in an emergency situation.

Every single American should have a number they can call to cut through the chaos of an emergency. That number is 2–1–1. It's time to make our citizens and our country safer by making this resource available nationwide.

By Mr. DORGAN (for himself, Ms. SNOWE, Mr. KERRY, Mrs. BOXER, Mr. HARKIN, Mr. LEAHY, Mrs. CLINTON, Mr. OBAMA, and Mr. WYDEN):

S. 215 A bill to amend the communications act of 1934 to ensure net neutrality: to the Committee on Commerce, Science, and Transportation.

Mr. DORGAN. Mr. President, the issue of Internet freedom, which is also known as net neutrality, is one that is very important to me. I have long fought in Congress against media concentration, to prevent the consolidation of control over what Americans see, read and hear in the media. Americans have recognized how important this issue is and millions spoke out when the FCC sought to loosen the ownership rules to allow for more consolidation.

But now, Americans face an equally great threat to the democratic vehicle of the Internet. The Internet, which we have always taken for granted as an open and free engine for economic and creative growth, is now also at risk, and this must also become a front burner issue for consumers and businesses.

The Internet became a robust engine of economic development by enabling anyone with a good idea to connect to consumers and compete on a level playing field for consumers' business. The marketplace picked winners and losers, and not some central gatekeeper. Our economy, small businesses and consumers benefited tremendously from that dynamic marketplace.

But now we face a situation where the FCC has removed nondiscrimination rules that applied to Internet providers for years, and that enabled the Internet to flourish, and consumers and innovation to thrive.

The FCC removed these rules, and broadband operators soon thereafter announced their interest in acting in discriminatory ways, planning to create tiers on the Internet that could restrict content providers' access to the

Internet unless they pay extra for faster speeds or better service. Under their plan, the Internet would become a new world where those content providers who can afford to pay special fees would have better access to consumers.

On November 7, 2005 then-SBC, now AT&T, CEO Ed Whitacre was quoted in Business Week as saying: ''They don't have any fiber out there. They don't have any wires. They don't have anything . . . They use my lines for free—and that's bull. For a Google or a Yahoo! or a Vonage or anybody to expect to use these pipes for free is nuts!''

In another article a senior executive from Verizon was quoted as saying: ''(Google) is enjoying a free lunch that should, by any rational account, be the lunch of the facilities providers.''

Now perhaps if we had a competitive broadband market we would not need to be concerned about the discriminatory intentions of some providers. In a market with many competitors, there is a reasonable chance that market forces would discipline bad behavior.

But this is not the case today: FCC statistics on broadband show that the local cable and telephone companies have a 98 percent share of the national broadband residential access market.

For those that say, the market will take care of competition, and ensure that those that own the broadband networks won't discriminate, that cannot be so when at best consumers have a choice of two providers.

Furthermore, these broadband operators have their own content and services, video, VOIP, media content. They have an incentive to favor their own services and to act in an anti-competitive fashion. Last year Cablevision's Tom Rutledge talking about Vonage made the following statement: ''So, anyone who buys Vonage on our network using our data service doesn't really know what they are doing . . . Our service is better, its quality of service. We actually prioritize the bits so that the voice product is a better product.''

With these developments, consumers' ability to use content, services and applications could now be subject to decisions made by their broadband providers. The broadband operator will become a gatekeeper, capable of deciding who can get through to a consumer, who can get special deals, faster speeds, better access to the consumer.

This fundamentally changes the way the Internet has operated and threaten to derail the democratic nature of the Internet. American consumers and businesses will be worse off for it.

It is for this reason that Senator SNOWE and I are reintroducing the Internet Freedom Preservation Act, with the support of Internet businesses large and small, consumer groups, labor and education groups, religious organizations, and many others.

Last year we faced an uphill battle: broadband providers were spending millions of dollars on print and television advertisements and efforts to convince lawmakers to let them act as gatekeepers on the Internet, removing the power from the consumers that drive Internet choice today.

We still face the vast resources of broadband operators that seek to authorize their ability to control content on the Internet. But more importantly on the side of our legislation we have the grass roots support for and the substantive merits of Internet freedom.

In addition, we have proof that it can be done- nondiscrimination rules and Internet freedom can co-exist with profitable business plans. Recently AT&T accepted as a condition of its merger with BellSouth a net neutrality provision written by the FCC. Wall Street immediately reported that it expected no impact on AT&T's bottom line by the acceptance of these conditions, and AT&T is forging ahead, while at the same time having committed to protecting Internet freedom.

It is clear that an open and neutral Internet can co-exist and thrive along with competitive and profitable business models.

But legislation is still critical. The merger conditions are an important step but are not enough. We must restore Internet freedom mandates to the entire broadband industry and make them permanent, ensuring that consumers can continue to receive the benefits of an open and vibrant Internet not only in the short term from AT&T, but from any broadband provider in the longer term.

Today we introduce the Internet Freedom Preservation Act to ensure that the Internet remains a platform that spawns innovation and economic development for generations to come. We look forward to working with our colleagues in Congress to enact these important measures into law.

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. 215

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 ''Internet Freedom Preservation Act''.

SEC. 2. INTERNET NEUTRALITY.

Title I of the Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by adding at the end the following:

''SEC. 12. INTERNET NEUTRALITY.

''(a) DUTY OF BROADBAND SERVICE PROVIDERS.—With respect to any broadband service offered to the public, each broadband service provider shall—

''(1) not block, interfere with, discriminate against, impair, or degrade the ability of any person to use a broadband service to access, use, send, post, receive, or offer any lawful content, application, or service made available via the Internet;

''(2) not prevent or obstruct a user from attaching or using any device to the network of such broadband service provider, only if such device does not physically damage or substantially degrade the use of such network by other subscribers;

''(3) provide and make available to each user information about such user's access to the Internet, and the speed, nature, and limitations of such user's broadband service;

''(4) enable any content, application, or service made available via the Internet to be offered, provided, or posted on a basis that—

''(A) is reasonable and nondiscriminatory, including with respect to quality of service, access, speed, and bandwidth;

''(B) is at least equivalent to the access, speed, quality of service, and bandwidth that such broadband service provider offers to affiliated content, applications, or services made available via the public Internet into the network of such broadband service provider; and

''(C) does not impose a charge on the basis of the type of content, applications, or services made available via the Internet into the network of such broadband service provider;

''(5) only prioritize content, applications, or services accessed by a user that is made available via the Internet within the network of such broadband service provider based on the type of content, applications, or services and the level of service purchased by the user, without charge for such prioritization; and

''(6) not install or utilize network features, functions, or capabilities that impede or hinder compliance with this section.

''(b) CERTAIN MANAGEMENT AND BUSINESS-RELATED PRACTICES.—Nothing in this section shall be construed to prohibit a broadband service provider from engaging in any activity, provided that such activity is not inconsistent with the requirements of subsection (a), including—

''(1) protecting the security of a user's computer on the network of such broadband service provider, or managing such network in a manner that does not distinguish based on the source or ownership of content, application, or service;

''(2) offering directly to each user broadband service that does not distinguish based on the source or ownership of content, application, or service, at different prices based on defined levels of bandwidth or the actual quantity of data flow over a user's connection;

''(3) offering consumer protection services (including parental controls for indecency or unwanted content, software for the prevention of unsolicited commercial electronic messages, or other similar capabilities), if each user is provided clear and accurate advance notice of the ability of such user to refuse or disable individually provided consumer protection capabilities;

''(4) handling breaches of the terms of service offered by such broadband service provider by a subscriber, provided that such terms of service are not inconsistent with the requirements of subsection (a); or

''(5) where otherwise required by law, to prevent any violation of Federal or State law.

''(c) EXCEPTION.—Nothing in this section shall apply to any service regulated under title VI, regardless of the physical transmission facilities used to provide or transmit such service.

''(d) STAND-ALONE BROADBAND SERVICE.—A broadband service provider shall not require a subscriber, as a condition on the purchase of any broadband service offered by such broadband service provider, to purchase any cable service, telecommunications service, or IP-enabled voice service.

''(e) IMPLEMENTATION.—Not later than 180 days after the date of enactment of the Internet Freedom Preservation Act, the Commission shall prescribe rules to implement this section that—

''(1) permit any aggrieved person to file a complaint with the Commission concerning any violation of this section; and

''(2) establish enforcement and expedited adjudicatory review procedures consistent with the objectives of this section, including the resolution of any complaint described in paragraph (1) not later than 90 days after such complaint was filed, except for good cause shown.

''(f) ENFORCEMENT.—

''(1) IN GENERAL.—The Commission shall enforce compliance with this section under title V, except that—

''(A) no forfeiture liability shall be determined under section 503(b) against any person unless such person receives the notice required by section 503(b)(3) or section 503(b)(4); and

''(B) the provisions of section 503(b)(5) shall not apply.

''(2) SPECIAL ORDERS.—In addition to any other remedy provided under this Act, the Commission may issue any appropriate order, including an order directing a broadband service provider—

''(A) to pay damages to a complaining party for a violation of this section or the regulations hereunder; or

''(B) to enforce the provisions of this section.

''(g) DEFINITIONS.—In this section, the following definitions shall apply:

''(1) AFFILIATED.—The term 'affiliated' includes—

''(A) a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person; or

''(B) a person that has a contract or other arrangement with a content, applications, or service provider relating to access to or distribution of such content, applications, or service.

''(2) BROADBAND SERVICE.—The term 'broadband service' means a 2-way transmission that—

''(A) connects to the Internet regardless of the physical transmission facilities used; and

''(B) transmits information at an average rate of at least 200 kilobits per second in at least 1 direction.

''(3) BROADBAND SERVICE PROVIDER.—The term 'broadband service provider' means a person or entity that controls, operates, or resells and controls any facility used to provide broadband service to the public, whether provided for a fee or for free.

''(4) 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 service can originate traffic to, and terminate traffic from, the public switched telephone network

''(5) USER.—The term 'user' means any residential or business subscriber who, by way of a broadband service, takes and utilizes Internet services, whether provided for a fee, in exchange for an explicit benefit, or for free.''.

SEC. 3. REPORT ON DELIVERY OF CONTENT, APPLICATIONS, AND SERVICES.

Not later than 270 days after the date of enactment of this Act, and annually thereafter, the Federal Communications Commission shall transmit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives on the—

(1) ability of providers of content, applications, or services to transmit and send such information into and over broadband networks;

(2) ability of competing providers of transmission capability to transmit and send such information into and over broadband networks;

(3) price, terms, and conditions for transmitting and sending such information into and over broadband networks;

(4) number of entities that transmit and send information into and over broadband networks; and

(5) state of competition among those entities that transmit and send information into and over broadband networks.

By Mr. BINGAMAN (for himself and Mr. DOMENICI):

S. 216. A bill to provide for the exchange of certain Federal land in the Santa Fe National Forest and certain non-Federal land in the Pecos National Historical Park in the State of New Mexico; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, today, I am introducing along with Mr. DOMENICI the ''Pecos National Historical Park Land Exchange Act of 2007''. This bill will authorize a land exchange between the Federal Government and a private landowner that will benefit the Pecos National Historical Park in my State of New Mexico.

Specifically, the bill will enable the Park Service to acquire a private inholding within the Park's boundaries in exchange for the transfer of a nearby tract of National Forest System land. The National Forest parcel has been identified as available for exchange in the Santa Fe National Forest Land and Resource Management Plan and is surrounded by private lands on three sides.

The Pecos National Historical Park possesses exceptional historic and archaeological resources. The Park preserves the ruins of the great Pecos pueblo, which was a major trade center, and the ruins of two Spanish colonial missions dating from the 17th and 18th centuries.

The Glorieta unit of the park protects key sites associated with the 1862 Civil War Battle of Glorieta Pass, a significant event that ended the Confederate attempt to expand the war into the West. This unit will directly benefit from the land exchange.

Similar bills passed the Senate in the 106th, 108th, and 109th Congresses, and I hope it finally will be enacted this Congress.

I ask unanimous consent that the full text of the bill I have introduced today 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. 216

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 ''Pecos National Historical Park Land Exchange Act of 2007''.

SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL LAND.—The term ''Federal land'' means the approximately 160 acres of Federal land within the Santa Fe National Forest in the State, as depicted on the map.

(2) LANDOWNER.—The term ''landowner'' means the 1 or more owners of the non-Federal land.

(3) MAP.—The term ''map'' means the map entitled ''Proposed Land Exchange for Pecos National Historical Park'', numbered 430/80,054, dated November 19, 1999, and revised September 18, 2000.

(4) NON-FEDERAL LAND.—The term ''non-Federal land'' means the approximately 154 acres of non-Federal land in the Park, as depicted on the map.

(5) PARK.—The term ''Park'' means the Pecos National Historical Park in the State.

(6) SECRETARIES.—The term ''Secretaries'' means the Secretary of the Interior and the Secretary of Agriculture, acting jointly.

(7) STATE.—The term ''State'' means the State of New Mexico.

SEC. 3. LAND EXCHANGE.

(a) IN GENERAL.—On conveyance by the landowner to the Secretary of the Interior of the non-Federal land, title to which is acceptable to the Secretary of the Interior—

(1) the Secretary of Agriculture shall, subject to the conditions of this Act, convey to the landowner the Federal land; and

(2) the Secretary of the Interior shall, subject to the conditions of this Act, grant to the landowner the easement described in subsection (b).

(b) EASEMENT.—

(1) IN GENERAL.—The easement referred to in subsection (a)(2) is an easement (including an easement for service access) for water pipelines to 2 well sites located in the Park, as generally depicted on the map.

(2) ROUTE.—The Secretary of the Interior, in consultation with the landowner, shall determine the appropriate route of the easement through the Park.

(3) TERMS AND CONDITIONS.—The easement shall include such terms and conditions relating to the use of, and access to, the well sites and pipeline, as the Secretary of the Interior, in consultation with the landowner, determines to be appropriate.

(4) APPLICABLE LAW.—The easement shall be established, operated, and maintained in compliance with applicable Federal law.

(c) VALUATION, APPRAISALS, AND EQUALIZATION.—

(1) IN GENERAL.—The value of the Federal land and non-Federal land—

(A) shall be equal, as determined by appraisals conducted in accordance with paragraph (2); or

(B) if the value is not equal, shall be equalized in accordance with paragraph (3).

(2) APPRAISALS.—

(A) IN GENERAL.—The Federal land and non-Federal land shall be appraised by an independent appraiser selected by the Secretaries.

(B) REQUIREMENTS.—An appraisal conducted under subparagraph (A) shall be conducted in accordance with—

(i) the Uniform Appraisal Standards for Federal Land Acquisition; and

(ii) the Uniform Standards of Professional Appraisal Practice.

(C) APPROVAL.—The appraisals conducted under this paragraph shall be submitted to the Secretaries for approval.

(3) EQUALIZATION OF VALUES.—

(A) IN GENERAL.—If the values of the non-Federal land and the Federal land are not equal, the values may be equalized by—

(i) the Secretary of the Interior making a cash equalization payment to the landowner;

(ii) the landowner making a cash equalization payment to the Secretary of Agriculture; or

(iii) reducing the acreage of the non-Federal land or the Federal land, as appropriate.

(B) CASH EQUALIZATION PAYMENTS.—Any amounts received by the Secretary of Agriculture as a cash equalization payment under section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)) shall—

(i) be deposited in the fund established by Public Law 90–171 (commonly known as the ''Sisk Act'') (16 U.S.C. 484a); and

(ii) be available for expenditure, without further appropriation, for the acquisition of land and interests in land in the State.

(d) COSTS.—Before the completion of the exchange under this section, the Secretaries and the landowner shall enter into an agreement that allocates the costs of the exchange among the Secretaries and the landowner.

(e) APPLICABLE LAW.—Except as otherwise provided in this Act, the exchange of land and interests in land under this Act shall be in accordance with—

(1) section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716); and

(2) other applicable laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(f) ADDITIONAL TERMS AND CONDITIONS.—The Secretaries may require, in addition to any requirements under this Act, such terms and conditions relating to the exchange of Federal land and non-Federal land and the granting of easements under this Act as the Secretaries determine to be appropriate to protect the interests of the United States.

(g) COMPLETION OF THE EXCHANGE.—

(1) IN GENERAL.—The exchange of Federal land and non-Federal land shall be completed not later than 180 days after the later of—

(A) the date on which the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) have been met;

(B) the date on which the Secretary of the Interior approves the appraisals under subsection (c)(2)(C); or

(C) the date on which the Secretaries and the landowner agree on the costs of the exchange and any other terms and conditions of the exchange under this section.

(2) NOTICE.—The Secretaries shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives notice of the completion of the exchange of Federal land and non-Federal land under this Act.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The Secretary of the Interior shall administer the non-Federal land acquired under this Act in accordance with the laws generally applicable to units of the National Park System, including the Act of August 25, 1916 (commonly known as the ''National Park Service Organic Act'') (16 U.S.C. 1 et seq.).

(b) MAPS.—

(1) IN GENERAL.—The map shall be on file and available for public inspection in the appropriate offices of the Secretaries.

(2) TRANSMITTAL OF REVISED MAP TO CONGRESS.—Not later than 180 days after completion of the exchange, the Secretaries shall transmit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a revised map that depicts—

(A) the Federal land and non-Federal land exchanged under this Act; and

(B) the easement described in section 3(b).

By Mr. COLEMAN:

S. 217. A bill to require the United States Trade Representative to initiate a section 301 investigation into abuses by the Australian Wheat Board with respect to the United Nations Oil-for-Food Programme, and for other purposes; to the Committee on Finance.

Mr. COLEMAN. 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. 217

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 ''Australian Wheat Board Accountability Act of 2007''.

SEC. 2. INVESTIGATION.

(a) IN GENERAL.—Notwithstanding any other provision of law, not later than 30 days after the date of the enactment of this Act, the United States Trade Representative shall initiate an investigation in accordance with title III of the Trade Act of 1974 (19 U.S.C. 2411 et seq.) to determine if actions by the Australian Wheat Board with respect to the Board's abuse of the United Nations Oil-for-Food Programme constitutes an act, policy, or practice and justifies taking action described in section 301(a)(1) of such Act (19 U.S.C. 2411(a)(1)).

(b) ACT, POLICY, OR PRACTICE.—For purposes of this Act, any economic damage suffered by United States wheat farmers as a result of the practices of the Australian Wheat Board related to the United Nations Oil-for-Food Programme during the period 1999 to 2003 shall be deemed to be an act, policy, or practice under section 301(a)(1) of the Trade Act of 1974.

SEC. 3. ACTIONS.

(a) NEGOTIATED SETTLEMENT.—

(1) IN GENERAL.—If as a result of the investigation required by section 2 an affirmative determination is made that the actions of the Australian Wheat Board have resulted in barriers to United States wheat exports or meet the requirements for mandatory action described in section 301(a)(1) of the Trade Act of 1974 (19 U.S.C. 2411(a)(1)), the United States Trade Representative shall seek a negotiated settlement with the Government of Australia for compensation under section 301(c)(1)(D) of such Act (19 U.S.C. 2411(c)(1)(D)).

(2) AMOUNT OF COMPENSATION.—In seeking a settlement under paragraph (1), the Trade Representative shall seek compensation in an amount equal to the economic damages suffered by United States wheat farmers as a result of the actions of the Australian Wheat Board with respect to the Board's abuse of the United Nations Oil-for-Food Programme.

(b) IMPOSITION OF DUTIES.—

(1) IN GENERAL.—If the United States Trade Representative fails to reach a settlement with the Government of Australia on or before the date that is 6 months after the date that the United States Trade Representative begins the negotiations described in subsection (a), the United States Trade Representative shall establish a retaliation list (as described in section 306(b)(2)(E) of the Trade Act of 1974; 19 U.S.C. 2416(b)(2)(E)) and shall impose a rate of duty of 100 percent ad valorem on articles on that list that are imported directly or indirectly from Australia. The duties shall be imposed in a manner consistent with section 301(a)(3) of the Trade Act of 1974 (19 U.S.C. 2411(a)(3)).

(2) DURATION OF ADDITIONAL DUTIES.—The duties imposed pursuant to paragraph (1) shall remain in effect until the date that the United States Trade Representative certifies to Congress that the imposition of such duties is no longer appropriate because adequate compensation has been obtained and the Australian Wheat Board is no longer engaging in the acts, policies, or practices that were the basis for the imposition of the duties.

By Ms. SNOWE (for herself, Mrs. LINCOLN, Mr. OBAMA, and Mr. ROCKEFELLER):

S. 218. A bill to amend the Internal Revenue Code of 1986 to modify the income threshold used to calculate the refundable portion of the child tax credit; to the Committee on Finance.

Ms. SNOWE. Mr. President, today Congress is confronted with how to best provide tax relief to American families earning slightly more than the minimum wage. We can do that by expanding the availability of the child tax credit to more working families.

In 2001, I pushed to make the child tax credit refundable for workers making around the minimum wage. As enacted in 2001, a portion of a taxpayer's child tax credit would be refundable—up to 10 percent of earnings above $10,000.

In 2004, Congress passed the Working Families Tax Relief of 2004, which increased from 10 percent to 15 percent the portion of the child tax credit that is refundable. Although the legislation increased the amount of the refundable child credit, it failed to increase the number of families eligible for the benefit. The consequences are serious for low-income Americans living paycheck-to-paycheck. It means that tens of thousands of low-income families will be completely ineligible for a credit they should receive.

This year, because the income threshold is indexed, only taxpayers earning over $11,750 are eligible to receive the refundable portion of the child tax credit. Low-income families earning less than $11,750 are shut out of the child tax credit completely.

For example, a single mother who earns the current minimum wage and works a 40 hour week, for all 52 weeks of the year, fails to qualify for the refundable portion of the child tax credit. Since the mother earns $10,700, she is a mere $300 away from qualifying for the credit. Worse, if the single mother does not receive a raise the following year, it will be even tougher to qualify because the $11,750 she originally needed to earn is adjusted for inflation and will increase.

Today, I am introducing legislation, the Working Family Child Assistance Act, with Senators LINCOLN, OBAMA, and ROCKEFELLER that will enable more hard-working, low-income families to receive the refundable child credit this year. My legislation returns the amount of income a family must earn to qualify for the child tax credit to $10,000. Moreover, my bill would ''deindex'' the $10,000 threshold for inflation, so families failing to get a raise each year would not lose benefits.

Most notably, my bill is identical to the refundable child credit proposal the Senate passed in May 2001 as part of its version of that year's tax bill. Although I was able to ensure that a refundable child credit would be part of the final bill sent to President Bush, conferees did index the $10,000 threshold to inflation despite my best efforts.

The staff of the Joint Committee on Taxation has estimated that this legislation will allow an additional 600,000 families to benefit from the refundable child tax credit. The Maine Department of Revenue estimates that 16,700 families in Maine alone would benefit from our proposal. Two thousand of these Maine families would otherwise be completely locked out of the refundable child tax credit under current law.

For example, my legislation provides a $113 child credit to a mom who earns $10,750 per year. That's money she could use to buy groceries, school books, other family necessities, and even pay rent.

Our families and our country are better off when government lets people keep more of what they earn. Parents deserve their per-child tax credit, and my bill rewards families for work.

I am committed to this issue and have called on President Bush to work with Congress so we can help an additional one million children, whose parents and guardians struggle every day to take care of them.

Mrs. LINCOLN. Mr. President, I come before the Senate to once again raise an issue that is near and dear to my heart—an issue that is of great importance to working families across this country. In 2001 and again in 2003, Senator SNOWE and I worked together to ensure that low-income working families with children receive the benefit of the Child Tax Credit. I come here today to again ask my colleagues to help me ensure that low-income families aren't forgotten as we discuss tax relief in the 110th Congress.

Unfortunately, although we have made great strides in ensuring that the credit is a useful tool for our working families, in its current form it isn't working for everyone. We can and should take an important additional step to improve it.

As some of my colleagues may be aware, to be eligible for the refundable child tax credit, working families must meet an income threshold. If they don't earn enough, then they don't qualify for the credit. The problem is that some of our working parents are working full-time, every week of the year and yet they still don't earn enough to meet the income threshold to qualify for the credit, much less to receive a meaningful refund.

In 2006, the New York Times highlighted a report which shows that almost one-third of our children live in families that do not qualify for the child tax credit because family earnings are too low. When you break the findings down by race, it's even more disheartening—about half of all African American children and half of all Latino children are left out of the full child tax credit because their family's earnings are just too low to qualify.

It is wrong to provide this credit to some hardworking Americans, while leaving others behind. The single, working parent that is stocking shelves at your local grocery store is every bit as deserving as the teacher, accountant or insurance salesman that qualifies for the credit in its current form. We must address this inequity and we must ensure that our tax code works for all Americans, especially those working parents forced to get by on the minimum wage.

In response, Senator SNOWE and I have proposed a solution that will build on our previous efforts to make this credit work for those that need it the most. Today, we are reintroducing the Working Child Family Assistance Act, legislation which de-indexes the income threshold and sets it at a reasonable level so that all working parents, including those making the minimum wage, qualify for the credit. This is a simple, easy solution to a serious problem.

I look forward to working with my colleagues and the Administration to correct this inequity and to ensure that those low-income, hard-working families that need this credit the most do receive its benefits.

Mr. OBAMA. Mr. President, I rise to speak about the Child Tax Credit and to support S. 218, a bill I've worked on with Senators SNOWE and LINCOLN. Working families should get the tax relief they deserve, and I am proud to cosponsor this bill to help realize this aspiration. The Child Credit is an important component of our Federal tax code, and S. 218 is an important step in making the credit more valuable and more fair for those who need it most.

Raising children is expensive and has become even more so in recent years. The Child Tax Credit allows middle class families to claim a credit of $1,000 per child against their Federal income tax. That's a big help in covering these rising costs.

Importantly, the Child Credit also recognizes the particular vulnerability low-income families with children. Since the credit is refundable to the extent of 15 percent of a taxpayer's earned income in excess of $11,300, families earning more than that threshold level of income get at least a partial benefit even if they have no Federal income tax liability. The benefit may be small for families with low incomes, but every penny helps defray the rising costs of being a working parent in America today.

Unfortunately, as currently structured, the Child Credit leaves more and more families out of the benefit each year. That's because the income threshold for eligibility rises annually at the rate of inflation even though family incomes may not rise as fast. That means that if you earn the minimum wage, or if your wage is low and you didn't get a raise, or if you worked fewer hours than the year before, then your tax refund probably shrunk. It may even have disappeared. Given that an estimated four and a half million households with children experienced this decline last year alone, we must reverse this unintended—and unfair—effect.

In many cases, indexing the parameters of the tax system for inflation makes sense because it neutralizes the effects of inflation on the tax system. In this case, however, indexing the threshold results in an unfair tax increase for low-income, working families whose incomes are not keeping up with rising costs. Recent data indicates that the typical low-income household actually saw its earnings decline during the first few years ofthis decade. At the same time, the costs of housing, childcare, and driving to work have increased sharply.

This bill returns the threshold to its original level of $10,000 and freezes it, thereby expanding the benefit to include more kids and protecting those families from unfair tax increases due to inflation. This is an important step in improving the fairness of our tax code and providing necessary support to working families.

In time, I hope we will do more. It is unfair that more than eight million children in families with incomes too low to qualify for even a partial credit get no benefit at all. These are families whose incomes are far below the Federal poverty level and whose children ironically have the greatest needs—even as their parents pay an enormous share of their incomes in taxes and basic services, such as food, housing, and clothing.

America can do better. In the new Congress, I hope we will tackle the broader challenge of ensuring that their parents have jobs that pay living wages, a home they can afford, a school district that enables a life of opportunity, a community that cares for its children, and the faith that hard work and personal commitment payoff. America can do this.

I urge my colleagues to join me in supporting this important bill as a first step in addressing the broader goal of equal opportunity for all Americans.

By Mr. CRAIG:

S. 220. A bill to authorize early repayment of obligations to the Bureau of Reclamation within the A & B Irrigation District in the State of Idaho; to the Committee on Energy and Natural Resources.

Mr. CRAIG. Mr. President, I rise today to introduce the Southern Idaho Bureau of Reclamation Repayment Act of 2007. This Act authorizes prepayment by landowners of their allocated portion of the obligations to the Bureau of Reclamation within A&B Irrigation District and will allow individual landowners to prepay their obligations if they so desire. Additionally, the Act will allow the landowners who

have prepaid to be exempt from the acreage limitation provisions set in the Reclamation Reform Act of 1982, thereby creating an appropriate market for the sale of those lands now owned by landowners who have either died or have retired.

I look forward to working with my colleagues to move this necessary bill through the legislative process quickly.

By Mr. GRASSLEY (for himself, Mr. FEINGOLD, Mr. KOHL, Mr. HARKIN, Mr. HAGEL, and Mr. LEAHY):

S. 221. A bill amend title 9, United States Code, to provide for greater fairness in the arbitration process relating to livestock and poultry contracts; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I rise to re-introduce the Fair Contracts for Growers Act of 2007. This bill would simply instill fairness into contractual dealings between farmers and processors. It ensures that parties to a dispute related to agricultural contracts have a true choice of venues.

I introduce this legislation because I believe that anti-competitive activity has become a grave threat to the family farmer. During the last Farm Bill debate, I brought this same bill forward, along with several others. Despite this policy passing the Senate, remarkably the final Farm Bill included no provisions to address concentration.

So, earlier this year, I announced that I will be putting forward a package of bills that will focus on anti-competitive activity in the agriculture industry. This bill is the first step of my agriculture concentration agenda.

Today's legislation is one piece of the puzzle to help stop the unfair impact that vertical integration is having on the family farmer. In the last several years we've seen a tremendous shift in agriculture toward contract production. Under many of these contract arrangements, large, vertically integrated agribusiness firms have the power to dictate the terms of ''take-it-or-leave-it'' production contracts to farmers.

Then, when there is a dispute between the packer and the family farmer, and the contract between the two includes an arbitration clause, the family farmer has no alternative but to accept arbitration to resolve the dispute. These clauses limit farmers' abilities to pursue remedies in court, even when violations of Federal or State law are at issue. This mandatory arbitration process puts the farmer at a see disadvantage. Even in a situation where discrimination or fraud is suspected, a farmer's only recourse under such a contract is to submit to arbitration. The farmer cannot seek redress in court, even if the result is bankruptcy or financial ruin.

Make no mistake, arbitration is very useful in certain situations. It reduces the load on our courts, and can save parties the expense of drawn-out litigation. This bill would not rule out arbitration-just forced arbitration.

The Fair Contracts for Growers Act would amend the Packers and Stockyards Act to require that any contract arbitration be voluntarily agreed upon by both parties to settle disputes at the time a dispute arises, not when the contract is signed. This would allow farmers the opportunity to choose the best form of dispute resolution and not have to submit to the packers. It ensures that a farmer, most often the ''little guy'' in these dealings, is able to maintain his constitutional right to a jury trial. It also gives him a chance to compel disclosure of relevant information, held by the company, which is necessary for a fair decision.

During consideration of the Farm Bill, the Senate passed, by a vote of 64–31, the Feingold-Grassley amendment to give farmers a choice of venues to resolve disputes associated with agricultural contracts. I urge my colleagues to join with Senator FEINGOLD and me, along with our other cosponsors, in supporting this important legislation.

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

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

IOWA FARMERS UNION,
Ames, IA, January 3, 2007.

Hon. CHARLES GRASSLEY,
U.S. Senate,
Washington, DC.

DEAR SENATOR GRASSLEY: I am writing on behalf of Iowa Farmers Union, Women, Food and Agriculture Network (WFAN) and the Iowa Chapter of National Farmers Organization to reiterate our strong support for the Fair Contracts for Growers Act, and to thank you for your leadership in introducing this legislation.

Contract livestock and poultry producers are being forced to sign mandatory arbitration clauses, as part of a take-it-or-leave-it, non-negotiable contract with large, vertically integrated processing firms. These producers forfeit their basic constitutional right to a jury trial, and instead must accept an alternative dispute resolution forum that severely limits their rights and is often prohibitively expensive. These clauses are signed before any dispute arises, leaving farmers little if any ability to seek justice if they become the victim of fraudulent or abusive trade practices.

Because basic legal processes such as discovery are waived in arbitration, it becomes very difficult for a farmer or grower to prove their case. In these cases, the company has control over the information needed for growers to argue their case. In a civil court case, this evidence would be available to a grower's attorney through discovery. In an arbitration proceeding, the company is not required to provide access to this information, thus placing the farmer/grower at an extreme disadvantage. Other standard legal rights that are waived through arbitration are access to mediation and appeal as well as the right to an explanation of the decision.

Many assume that arbitration is a less costly way of resolving dispute than going to court, but for the producer, the opposite is usually true. The high cost of arbitration is often a significant barrier to most farmers. The up-front filing fees and arbitrator fees can exceed the magnitude of the dispute itself, with farmers being required to pay fees in the thousands of dollars just to start the arbitration process.

Arbitration can be a valid and effective method of dispute resolution when agreed to voluntarily through negotiation by two parties of similar power, but when used by a dominant party to limit the legal recourse of a weaker party in a non-negotiable contract, it becomes an abusive weapon. Independent family farmers all over the U.S. will benefit from a law that stops the abuse of arbitration clauses in livestock and poultry contracts.

Sincerely,

CHRIS PETERSEN,
President.

JANUARY 4, 2007.

Hon. CHARLES GRASSLEY,
U.S. Senate,
Washington DC.

DEAR SENATOR GRASSLEY, On behalf of the Campaign for Contract Agriculture Reform, I would like to thank you for your leadership in introducing the Fair Contracts for Growers Act.

With the rapid rise of vertically integrated methods of agricultural production, farmers are increasingly producing agricultural products under contract with large processors. In many cases, particularly in the livestock and poultry sector, the farmer never actually owns the product they produce, but instead makes large capital investments on their own land to build the facilities necessary to raise animals for an ''integrator.''

Under such contract arrangements, farmers and growers are often given take-it-or-leave-it, non-negotiable contracts, with language drafted by the integrator in a manner designed to maximize the company's profits and shift risk to the grower. In many cases, the farmer has little choice but to sign the contract presented to them, or accept bankruptcy. The legal term for such contracts is ''contract of adhesion.'' As contracts of adhesion become more commonplace in agriculture, the abuses that often characterize such contracts are also becoming more commonplace and more egregious.

One practice that has become common in livestock and poultry production contracts is the use of mandatory arbitration clauses, where growers are forced to sign away their constitutional rights to jury trial upon signing a contract with an integrator, and instead accept a dispute resolution forum that denies their basic legal rights and is too costly for most growers to pursue.

Because basic legal processes such as discovery are waived in arbitration, it becomes very difficult for a farmer or grower to prove their case. In these cases, the company has control of the information needed for a grower to argue their case. In a civil court case, this evidence would be available to a growers' attorney through discovery. In an arbitration proceeding, the company is generally not required to provide access to this information, thus placing the farmer/grower at an extreme disadvantage. Other standard legal rights that are waived through arbitration are access to mediation and appeal, as well as the right to an explanation of the decision.

In addition, it is often assumed that arbitration is a less costly way of resolving dispute than going to court. Yet for the farmer, the opposite is usually true. The high cost of arbitration is often a significant barrier to most farmers. The up-front filing fees and arbitrator fees can exceed the magnitude of the dispute itself. For example, in one Mississippi case, filing fees for a poultry grower to begin an arbitration proceeding were $11,000. In contrast, filing fees for a civil

court case are $150 to $250. Lawyer fees in a civil case are often paid on a contingent-fee basis.

In addition, the potential for mandatory arbitration clauses to be used abusively by a dominant party in a contract has also been recognized by Congress with regard to other sectors of our economy. In 2002, legislation was enacted with broad bipartisan support that prohibits the use of pre-dispute, mandatory arbitration clauses in contracts between car dealers and car manufacturers and distributors. The Fair Contract for Growers Act is nearly identical in structure to the ''car dealer'' arbitration bill passed by Congress in 2002.

Thank you again for introducing the Fair Contracts for Growers Act, to assure that arbitration in livestock and poultry contracts is truly voluntary, after mutual agreement of both parties after a dispute arises. If used, arbitration should be a tool for honest dispute resolution, not a weapon used to limit a farmers' right to seek justice for abusive trade practices.

I look forward to working with you toward enactment of this important legislation.

Sincerely,

STEVEN D. ETKA
Legislative Coordinator, Campaign for Contract Agriculture Reform.

NATIONAL FAMILY FARM COALITION,
Washington, DC, January 9, 2007.

Senator CHARLES GRASSLEY,
Hart Building,
Washington, DC.

DEAR SENATOR GRASSLEY; I am writing as president of the National Family Farm Coalition to express our strong support for the Fair Contracts for Growers Act, and to thank you for your leadership in introducing this legislation. As you know, the National Family Farm Coalition provides a voice for grassroots groups on farm, food, trade and rural economic issues to ensure fair prices for family farmers, safe and healthy food, and vibrant, environmentally sound rural communities. Our organization is committed to promoting justice in agriculture, which is stymied by current practices that give farmers unfair and unjust difficulties when they wish to arbitrate a contract dispute.

Therefore, the Fair Contracts for Growers Act is very timely. With the rapid rise of vertically integrated methods of agricultural production, farmers are increasingly producing agricultural products under contract with large processors. Under these contracts, it is common for farmers and growers to be forced to sign mandatory arbitration clauses, as part of a take-it-or-leave-it, non-negotiable contract with a large, vertically integrated processing firm. In doing so, the farmer is forced to give up their basic constitutional right to a jury trial, and instead must accept an alternative dispute resolution forum that severely limits their rights and is often prohibitively expensive. These clauses are signed before any dispute arises, leaving farmers little if any ability to seek justice if they become the victim of fraudulent or abusive trade practices.

Because basic legal processes such as discovery are waived in arbitration, it becomes very difficult for a farmer or grower to prove their case. In these cases, the company has control of the information needed for a grower to argue their case. In a civil court case, this evidence would be available to a growers' attorney through discovery. In an arbitration proceeding, the company is not required to provide access to this information, thus placing the farmer/grower at an extreme disadvantage. Other standard legal rights that are waived through arbitration are access to mediation and appeal, as well as the right to an explanation of the decision.

In addition, it is often assumed that arbitration is a less costly way of resolving dispute than going to court. Yet for the farmer, the opposite is usually true. The high cost of arbitration is often a significant barrier to most farmers. The up-front filing fees and arbitrator fees can exceed the magnitude of the dispute itself, with farmers being required to pay fees in the thousands of dollars just to start the arbitration process.

Arbitration can be a valid and effective method of dispute resolution when agreed to voluntarily through negotiation by two parties of similar power, but when used by a dominant party to limit the legal recourse of a weaker party in a non-negotiable contract, it becomes an abusive weapon.

Thank you for your leadership in recognizing these concerns, and your willingness to introduce common sense legislation to stop the abuse of arbitration clauses in the livestock and poultry contracts.

Sincerely,

GEORGE NAYLOR,
President.

SUSTAINABLE AGRICULTURE COALITION,
Washington, DC, January 8, 2007.

Senator CHUCK GRASSLEY,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR GRASSLEY: I am writing on behalf of the Sustainable Agriculture Coalition in support of the Fair Contract for Growers Act and to thank you for your leadership in introducing this legislation.

The Fair Contracts for Growers Act is necessary to help level the playing field for our farmers and ranchers who enter into production contracts with packers and processors. The rapid rise of vertically integrated production chains, combined with the high degree of concentration of poultry processors and meatpackers, leaves farmers and ranchers in many regions of the country with few choices, or only a single choice, of buyers for their products. Increasingly, farmers and ranchers are confronted with ''take-it-or-leave-it,'' non-negotiable contracts, written by the company. These contracts require that farmers and ranchers give up the basic constitutional right of access to the courts and sign mandatory binding arbitration clauses if they want access to a market for their products. These clauses are signed before any dispute arises, leaving the producers little, if any, ability to seek justice if they become the victim of fraudulent or abusive trade practices.

Arbitration can be a valid and effective method of dispute resolution when agreed to voluntarily through negotiation by two parties of similar power, but when used by a dominant party to limit the legal recourse of a weaker party in a non-negotiable contract, it becomes an abusive weapon. Many basic legal processes are not available to farmers and ranchers in arbitration. In most agricultural production contract disputes, the company has control of the information needed for a grower to argue a case. In a civil court case, this evidence would be available to the grower's attorney through discovery. In an arbitration proceeding, however, the company is not required to provide access to this information, thus placing the grower at an extreme disadvantage. In addition, in most arbitration proceedings, a decision is issued without an opinion providing an explanation of the principles and standards or even the facts considered in reaching the decision. The arbitration proceeding is a private, closed to effective public safeguards, and the arbitration decisions are often confidential and rarely subject to public oversight or judicial review.

Moreover, there is a growing perception that the arbitration system is biased towards the companies. This private system is basically supported financially by the companies which are involved repeatedly in arbitration cases. The companies also know the history of previous arbitrations, including which arbitrators generally decide in the companies' favor. This arbitration history is rarely available to a farmer or rancher involved in a single arbitration proceeding.

Arbitration is often assumed to be a less costly way of resolving disputes than litigation. But this assumption must be tested in light of the relative resources of the parties. For most farmers and ranchers, arbitration is a significant expense in relation to their income. One immediate financial barrier is filing fees and case service fees, which in arbitration are usually divided between the parties. A few thousand dollars out of pocket is a minuscule expense for a well-heeled company but can be an insurmountable barrier for a farmer with a modest income who is in conflict with the farmer's chief source of income. This significant cost barrier to most farmers, when coupled with the disadvantages of the arbitration process, can deny farmers an effective remedy in contract dispute cases with merit.

The Sustainable Agriculture Coalition represents family farm, rural development, and conservation and environmental organizations that share a commitment to federal policy reform to promote sustainable agriculture and rural development. Coalition member organizations include the Agriculture and Land Based Training Association, American Natural Heritage Foundation, C.A.S.A. del Llano (Communities Assuring a Sustainable Agriculture), Center for Rural Affairs, Dakota Rural Action, Delta Land and Community, Inc., Future HarvestCASA (Chesapeake Alliance for Sustainable Agriculture), Illinois Stewardship Alliance, Institute for Agriculture and Trade Policy, Iowa Environmental Council, Iowa Natural Heritage Foundation, Kansas Rural Center, Kerr Center for Sustainable Agriculture, Land Stewardship Project, Michael Fields Agricultural Institute, Michigan Agricultural Stewardship Association, Michigan Land Use Institute, Midwest Organic and Sustainable Education Service, The Minnesota Project, National Catholic Rural Life Conference, National Center for Appropriate Technology, Northern Plains Sustainable Agriculture Society, Ohio Ecological Food and Farm Association, Organic Farming Research Foundation, Pennsylvania Association for Sustainable Agriculture, Rural Advancement Foundation International-USA, the Sierra Club Agriculture Committee, and the Washington Sustainable Food and Farming Network. Our member organizations included thousands of farmers and ranchers with small and mid-size operations, a number of whom have entered into agricultural production contracts or are considering whether to sign these contracts. As individuals, these farmers and ranchers do not have the financial power or negotiating position that companies enjoy in virtually every contract dispute. We agree with Senator Grassley that, in the face of such unequal bargaining power, the Fair Contract for Growers Act is a modest and appropriate step which allows growers the choice of entering into arbitration or mediation or choosing to exercise the basic legal right of access to the courts.

Thank you for your leadership in recognizing these concerns, and your willingness to introduce commonsense legislation to stop the abuse of mandatory arbitration clauses in livestock and poultry contracts.

Sincerely,

MARTHA L. NOBLE,
Senior Policy Associate.

S. 221

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 ''Fair Contracts for Growers Act of 2007''.

SEC. 2. ELECTION OF ARBITRATION.

(a) IN GENERAL.—Chapter 1 of title 9, United States Code, is amended by adding at the end the following:

''§ 17. Livestock and poultry contracts

''(a) DEFINITIONS.—In this section:

''(1) LIVESTOCK.—The term 'livestock' has the meaning given the term in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

''(2) LIVESTOCK OR POULTRY CONTRACT.—The term 'livestock or poultry contract' means any growout contract, marketing agreement, or other arrangement under which a livestock or poultry grower raises and cares for livestock or poultry.

''(3) LIVESTOCK OR POULTRY GROWER.—The term 'livestock or poultry grower' means any person engaged in the business of raising and caring for livestock or poultry in accordance with a livestock or poultry contract, whether the livestock or poultry is owned by the person or by another person.

''(4) POULTRY.—The term 'poultry' has the meaning given the term in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182(a)).

''(b) CONSENT TO ARBITRATION.—If a livestock or poultry contract provides for the use of arbitration to resolve a controversy under the livestock or poultry contract, arbitration may be used to settle the controversy only if, after the controversy arises, both parties consent in writing to use arbitration to settle the controversy.

''(c) EXPLANATION OF BASIS FOR AWARDS.—If arbitration is elected to settle a dispute under a livestock or poultry contract, the arbitrator shall provide to the parties to the contract a written explanation of the factual and legal basis for the award.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 1 of title 9, United States Code, is amended by adding at the end the following:

''17. Livestock and poultry contracts.''.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 2 shall apply to a contract entered into, amended, altered, modified, renewed, or extended after the date of enactment of this Act.

By Mr. FEINGOLD (for himself, Mr. COCHRAN, Mr. MCCAIN, Mr. DURBIN, Mr. ALLARD, Mr. LUGAR, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. GRASSLEY, Mrs. HUTCHISON, Mr. LEVIN, Ms. MURKOWSKI, Mr. CORNYN, Mr. GRAHAM, Mr. KERRY, Mr. SALAZAR, Mr. OBAMA, Mr. DORGAN, Mr. WYDEN, Mr. ROCKEFELLER, Mrs. BOXER, Mr. REED, and Mrs. FEINSTEIN):

S. 223. A bill to require Senate candidates to file designations, statements, and reports in electronic form; to the committee on Rules and Administration.

Mr. FEINGOLD. Mr. President, today I will once again introduce with the, Senator from Mississippi, Mr. COCHRAN, and the Senator from Arizona, Mr. MCCAIN, a bill to bring Senate campaigns into the 21st century by requiring that Senate candidates file their campaign finance disclosure reports electronically and that those reports be promptly made available to the public. This step is long overdue, and I hope that the fact that we now have two dozen or so bipartisan cosponsors indicates that the Senate will act quickly on this legislation.

A series of reports by the Campaign Finance Institute has highlighted the anomaly in the election laws that makes it nearly impossible for the public to get access to Senate campaign finance reports while most other reports are available on the Internet within 24 hours of their filing with the Federal Election Commission (FEC). The Campaign Finance Institute asks a rhetorical question: ''What makes the Senate so special that it exempts itself from a key requirement of campaign finance disclosure that applies to everyone else, including candidates for the House of Representatives and Political Action Committees?''

The answer, of course, is nothing. The United States Senate is special in many ways. I am proud to serve here. But there is no excuse for keeping our campaign finance information inaccessible to the public when the information filed by House candidates or others is readily available. A recent Washington Post editorial called this delay ''completely unjustified.'' I couldn't agree more, especially now, when the Senate is debating ethics reforms designed to increase transparency and accountability to the public. I ask unanimous consent that the text of this editorial be printed in the RECORD following the text of the bill.

My bill amends the section of the election laws dealing with electronic filing to require reports filed with the Secretary of the Senate to be filed electronically and forwarded to the FEC within 24 hours. The FEC is required to make available on the Internet within 24 hours any filing it receives electronically. So if this bill is enacted, electronic versions of Senate reports should be available to the public within 48 hours of their filing. That will be a vast improvement over the current situation, which, according to the Campaign Finance Institute, requires journalists and interested members of the public to review computer images of paper-filed copies of reports, and involves a completely wasteful expenditure of hundreds of thousands of dollars to re-enter information into databases that almost every campaign has available in electronic format.

The current filing system also means that the detailed coding that the FEC does, which allows for more sophisticated searches and analysis, is completed over a week later for Senate reports than for House reports. This means that the final disclosure reports covering the first two weeks of October are often not susceptible to detailed scrutiny before the election. According to the Campaign Finance Institute, in the 2006 election, ''[v]oters in six of the hottest Senate races were out of luck the week before the November 7 election if they did Web searches for information on general election contributions since June 30. In all ten of the most closely followed Senate races voters were unable to search through any candidate reports for information on 'pre-general election (October 1–18)' donations.'' And a September 18, 2006, column by Jeffery H. Birnbaum in the Washington Post noted that ''When the polls opened in November 2004, voters were in the dark about $53 million in individual Senate contributions of $200 or more dating all the way back to July . . .''

It is time for the Senate to at long last relinquish its backward attitude toward campaign finance disclosure. I am encouraged by the supportive statements from a number of my colleagues on both sides of the aisle, including the new Minority Leader and Minority Whip, and the new Chair of the Rules Committee. I urge the enactment of this simple bill that will make our reports subject to the same prompt, public scrutiny as those filed by PACs, House and Presidential candidates, and even 527 organizations. I close with another question from the Campaign Finance Institute: ''Isn't it time that the Senate join the 21st century and allow itself to vote on a simple legislative fix that could significantly improve our democracy?'' This Congress, let us answer that question in the affirmative.

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

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

S. 223

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 ''Senate Campaign Disclosure Parity Act''.

SEC. 2. SENATE CANDIDATES REQUIRED TO FILE ELECTION REPORTS IN ELECTRONIC FORM.

(a) IN GENERAL.—Section 304(a)(11)(D) of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)(11)(D)) is amended to read as follows:

''(D) As used in this paragraph, the terms 'designation', 'statement', or 'report' mean a designation, statement or report, respectively, which—

''(i) is required by this Act to be filed with the Commission, or

''(ii) is required under section 302(g) to be filed with the Secretary of the Senate and forwarded by the Secretary to the Commission.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 302(g)(2) of such Act (2 U.S.C. 432(g)(2)) is amended by inserting ''or 1 working day in the case of a designation, statement, or report filed electronically'' after ''2 working days''.

(2) Section 304(a)(11)(B) of such Act (2 U.S.C. 434(a)(11)(B)) is amended by inserting ''or filed with the Secretary of the Senate under section 302(g)(1) and forwarded to the Commission'' after ''Act''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to any designation, statement, or report required to be filed after the date of enactment of this Act.

[From The Washington Post, Dec. 6, 2006]

DARK AGES DISCLOSURE; IT'S TIME FOR THE SENATE TO BRING ITS CAMPAIGN FILING SYSTEM INTO THE MODERN ERA

Three years ago we wrote an editorial using the headline above. It decried the senseless and costly loophole under which people running for the Senate—alone among federal political candidates and committees—aren't required to file campaign finance reports electronically. In an age when such reports can be filed with the click of a mouse, Senate candidates submit their disclosures on paper, with weeks of delay before they are transferred to a form available and searchable on the Internet. As a result, in the final stretch of campaigns, anyone interested in learning who is bankrolling Senate candidates or how they are spending the cash has to go page by page through voluminous reports. This delay is so obviously unjustified that we expected the legal glitch to be quickly fixed.

Naive us. Three years later, the situation remains unaddressed. According to the Campaign Finance Institute, as late as the week before Election Day, in all 10 of the most closely followed Senate races, no detailed information was available online about contributions between Oct. 1 and Oct. 18, the last filing period before the election. For six candidates in those races—Democrats Ned Lamont (Conn.), Claire McCaskill (Mo.) and Sheldon Whitehouse (R.I.), and Republicans Mike DeWine (Ohio), Rick Santorum (Pa.) and Thomas H. Kean Jr. (N.J.)—the only financial information available was from before June 30.

It would be easy to change the rule, and the Senate should do so in the final days of the 109th Congress. More than 20 senators, of both parties, have signed on to S. 1508, the Senate Campaign Disclosure Parity Act. If any senator opposes requiring electronic filing, none is willing to say so. Majority Whip Mitch McConnell (R-Ky.), who was rumored to be opposed to the change, says he is for it. Senate Rules Committee Chairman Trent Lott (R-Miss.), whose panel has jurisdiction in this area, said three years ago that it was ''part of honesty in elections, I think. Make it accessible.'' Now what's needed is for Mr. Lott to get committee members' approval to speed the matter to the Senate floor.

To put it bluntly: Republicans, why let the new Democratic majority get credit for making this obvious fix? Do it now, while you're still in charge.

By Mr. DODD (for himself and Mr. BINGAMAN):

S. 224. A bill to create or adopt, and implement, rigorous and voluntary American education content standards in mathematics and science covering kindergarten through grade 12, to provide for the assessment of student proficiency benchmarked against such standards, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, on the 5th anniversary of No Child Left Behind (NCLB), I rise today to introduce The Standards to Provide Educational Achievement for Kids (SPEAK) Act, a bill designed to start the job of holding every child in America to the same high standards. At its core, SPEAK will create, adopt, and implement voluntary core American education content standards in math and science while incentivizing States to adopt them.

America's leadership, economic, and national security rest on our commitment to educate and prepare our youth to succeed in a global economy. The key to succeeding in this endeavor is to have high expectations for all American students as they progress through our Nation's schools.

Currently there are 50 different sets of academic standards, 50 State assessments, and 50 definitions of proficiency under the No Child Left Behind Act. As a result of varied standards, exams and proficiency levels, America's highly mobile student-aged population moves through the Nation's schools gaining widely varying levels of knowledge, skills and preparedness. And yet, in order for the United States to compete in a global economy, we must strengthen our educational expectations for all American children—we must compete as one Nation.

Recent international comparisons show that American students have significant shortcomings in math and science. Many lack the basic skills required for college or the workplace. This affects our economic and national security; it holds us back in the global marketplace and risks ceding our competitive edge. This is unacceptable.

America was founded on the notion of ensuring equity and opportunity for all. And yet, we risk both when we allow different students in different States to graduate from high school with very different educations. We live in a Nation with an unacceptably high high school dropout rate. We live in a Nation where 8th graders in some States score more than 30 points higher on tests of basic science knowledge than students in other States. I ask my colleagues today what equality of opportunity we have under such circumstances.

This is where American standards come in. Voluntary, core American standards in math and science are the first step in ensuring that all American students are given the same opportunity to learn to a high standard no matter where they reside. They will allow for meaningful comparisons of student academic achievement across States, help ensure that American students are academically qualified to enter college or training for the civilian or military workforce, and help ensure that students are better prepared to compete in the global marketplace. Uniform standards are a first step in maintaining America's competitive and national security edge.

While I realize there will be resistance to such efforts, education is after all a State endeavor; we cannot ignore that at the end of the day America competes as one country on the global marketplace. This does not mean that I am asking States to cede their authority in education. What the bill simply proposes is that we use the convening power of the Federal Government to develop standards and then provide States with incentives to adopt them.

At the end of the day, this is a voluntary measure. States will choose whether or not to participate. States that do participate, while required to adopt the American standards, will be given the flexibility to make them their own. They will have the option to add additional content requirements, they will have final say in how coursework is sequenced, and, ultimately, States and districts will still be the ones developing the curriculum, choosing the textbooks and administering the tests. The standards provided for under this legislation will simply serve as a common core.

The SPEAK Act will task the National Assessment Governing Board (NAGB) with creating rigorous and voluntary core American education content standards in math and science for grades K–12. It will require that the standards be anchored in the National Assessment of Educational Progress' (NAEP) math and science frameworks. It will ensure that such standards are internationally competitive and comparable to the best standards in the world. It will develop rigorous achievement levels. It will ensure that varying developmental levels of students are taken into account in the development of such standards. It will provide for periodic review and update of such standards. It will allow participating States the flexibility to add additional standards to the core. And, it establishes an American Standards Incentive Fund to incentivize States to adopt the standards. Among the benefits of participating is a significant infusion of funds for States to bolster their K–12 data systems.

What I propose today is a first step. A first step in regaining our competitive edge. A first step in ensuring that all American students have the opportunity to receive a first class, high-quality education. It is not a step that I am taking alone.

The SPEAK Act has garnered endorsements from businesses, math/science organizations, foundations, and the education community, including the National Education Association (NEA). Through the leadership of Congressman VERNON EHLERS in the House of Representatives it shares not only bicameral, but bipartisan support. Together we have all come together to affect meaningful change in our public schools.

We live in an economy where you can no longer lift, dig or assemble your way to success. Today, you've got to think your way to success so that when public education doesn't work, when we fail to compete as one nation, our entire country gets left behind. Low expectations translate to an America that is less competitive on the world stage. If that happens, we are going to wonder why we didn't do anything about it while we still had time.

Core American standards will set high goals for all students, allow for meaningful comparisons of achievement across States, and help ensure

that all of our students are qualified to enter college. At the end of the day, we all want what's best for our country and parents want what's best for their kids. With core standards, America will begin the work of regaining its competitive edge in the global economy. And in the life of every student, equality will be made a little more real with introduction of this bill, as the skills and knowledge we expect of them are no longer made contingent on where they reside.

I hope that my colleagues will join me in supporting the SPEAK Act. As we start holding our students to the same high standards, I expect that we will be amazed at the excellence that follows. 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. 224

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Standards to Provide Educational Achievement for Kids Act'' or the ''SPEAK Act''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

SEC. 2. FINDINGS.

Congress finds the following:

(1) Throughout the years, educators and policymakers have consistently embraced standards as the mechanism to ensure that every student, no matter what school the student attends, masters the skills and develops the knowledge needed to participate in a global economy.

(2) Recent international comparisons make clear that students in the United States have significant shortcomings in mathematics and science, yet a high level of scientific and mathematics literacy is essential to societal innovations and advancements.

(3) With more than 50 different sets of academic content standards, 50 State academic assessments, and 50 definitions of proficiency under section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)), there is great variability in the measures, standards, and benchmarks for academic achievement in mathematics and science.

(4) Variation in State standards and the accompanying measures of proficiency make it difficult for parents and teachers to meaningfully gauge how well their children are learning mathematics and science in comparison to their peers internationally or here at home.

(5) The disparity in the rigor of standards across States yield test results that tell the public little about how schools are performing and progressing, as States with low standards or low proficiency scores may appear to be doing much better than States with more rigorous standards or higher requirements for proficiency.

(6) As a result, the United States' highly mobile student-aged population moves through the Nation's schools gaining widely varying levels of knowledge, skills, and preparedness.

(7) In order for the United States to compete in a global economy, the country needs to strengthen its educational expectations for all children.

(8) To compete, the people of the United States must compare themselves against international benchmarks.

(9) Grounded in a real world analysis and international comparisons of what students need to succeed in work and college, rigorous and voluntary core American education content standards will keep the United States economically competitive and ensure that the children of the United States are given the same opportunity to learn to a high standard no matter where they reside.

(10) Rigorous and voluntary core American education content standards in mathematics and science will enable students to succeed in academic settings across States while ensuring an American edge in the global marketplace.

SEC. 3. ASSESSING SCIENCE IN THE NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS.

(a) NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS AUTHORIZATION ACT.—Section 303 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622) is amended—

(1) in subsection (a), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science'';

(2) in subsection (b)—

(A) in paragraph (1), by inserting ''science,'' after ''mathematics,'';

(B) in paragraph (2)—

(i) in subparagraph (B), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science'';

(ii) in subparagraph (C), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science'';

(iii) in subparagraph (D), by striking ''science,'';

(iv) in subparagraph (E), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science''; and

(v) in subparagraph (F)—

(I) by striking ''continue to'' ; and

(II) by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science'';

(C) in paragraph (3)—

(i) in subparagraph (A), by striking ''reading and mathematics'' each place the term occurs and inserting ''reading, mathematics, and science''; and

(ii) in subparagraph (C)(ii), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science''; and

(D) in paragraph (4)(B), by striking '', require, or influence'' and inserting ''or require'';

(3) in subsection (d)(3), by striking ''reading and mathematics'' each place the term occurs and inserting ''reading, mathematics, and science''; and

(4) in subsection (f)(1)(B)(v), by striking ''and mathematical knowledge'' and inserting '', mathematical knowledge, and science knowledge''.

(b) ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.—Subpart 1 of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) is amended—

(1) in section 1111(c)(2) (20 U.S.C. 6311(c)(2))—

(A) by inserting ''(and, for science, beginning with the 2008–2009 school year)'' after ''2002–2003''; and

(B) by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science''; and

(2) in section 1112(b)(1)(F) (20 U.S.C. 6312(b)(1)(F)), by striking ''reading and mathematics'' and inserting ''reading, mathematics, and science''.

SEC. 4. DEFINITIONS.

Section 304 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9623) is amended—

(1) in the matter preceding paragraph (1), by striking ''In this title:'' and inserting ''Except as otherwise provided, in this title:'';

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

''(3) SECRETARY.—The term 'Secretary' means the Secretary of Education.''.

SEC. 5. VOLUNTARY AMERICAN EDUCATION CONTENT STANDARDS; AMERICAN STANDARDS INCENTIVE FUND.

The National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621 et seq.) is amended—

(1) by redesignating sections 304 (as amended by section 4) and 305 as sections 306 and 307, respectively; and

(2) by inserting after section 303 the following:

''SEC. 304. CREATION OR ADOPTION OF VOLUNTARY AMERICAN EDUCATION CONTENT STANDARDS.

''(a) IN GENERAL.—Not later than 3 years after the date of enactment of the Standards to Provide Educational Achievement for Kids Act and from amounts appropriated under section 307(a)(3) for a fiscal year, the Assessment Board shall create or adopt voluntary American education content standards in mathematics and science covering kindergarten through grade 12.

''(b) DUTIES.—The Assessment Board shall implement subsection (a) by carrying out the following duties:

''(1) Create or adopt voluntary American education content standards for mathematics and science covering kindergarten through grade 12 that reflect a common core of what students in the United States should know and be able to do to compete in a global economy.

''(2) Anchor the voluntary American education content standards based on the mathematics and science frameworks and the achievement levels under section 303(e) of the National Assessment of Educational Progress for grades 4, 8, and 12.

''(3) Ensure that the voluntary American education content standards are internationally competitive and comparable to the best standards in the world.

''(4) Review existing standards in mathematics and science developed by professional organizations.

''(5) Review State standards in mathematics and science as of the date of enactment of the Standards to Provide Educational Achievement for Kids Act and consult and work with entities that are developing, or have already developed, such State standards.

''(6) Review the reports, views, and analyses of a broad spectrum of experts, including classroom educators, and of the public, as such reports, views, and analyses relate to mathematics and science education, including reviews of blue ribbon reports, exemplary practices in the field, and recent reports by government agencies and professional organizations.

''(7) Review scientifically rigorous studies that examine the relationship between—

''(A) the sequences of secondary school-level mathematics and science courses; and

''(B) student achievement.

''(8) Ensure that steps are taken in the development of the voluntary American education content standards to recognize the needs of students who receive special education and related services under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) and of students who are limited English proficient (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)).

''(9) Solicit input from State and local representative organizations, mathematics and science organizations (including mathematics and science teacher organizations), institutions of higher education, higher education organizations, business organizations, and other appropriate organizations.

''(10) Ensure that the voluntary American education content standards reflect what students will be required to know and be able to do after secondary school graduation to be academically qualified to enter an institution of higher education or training for the civilian or military workforce.

''(11) Widely disseminate the voluntary American education content standards for public review and comment before final adoption.

''(12) Provide for continuing review of the voluntary American education content standards not less often than once every 10 years, which review—

''(A) shall solicit input from organizations and entities, including—

''(i) 1 or more professional mathematics or science organizations, including mathematics or science educator organizations;

''(ii) the State educational agencies that have received American Standards Incentive Fund grants under section 305 during the period covered by the review; and

''(iii) other organizations and entities, as determined appropriate by Assessment Board; and

''(B) shall address issues including—

''(i) whether the voluntary American education content standards continue to reflect international standards of excellence and the latest developments in the fields of mathematics and science; and

''(ii) whether the voluntary American education content standards continue to reflect what students are required to know and be able to do in science and mathematics after graduation from secondary school to be academically qualified to enter an institution of higher education or training for the civilian or military workforce, as of the date of the review.

''SEC. 305. THE AMERICAN STANDARDS INCENTIVE FUND.

''(a) DEFINITIONS.—In this section:

''(1) IN GENERAL.—The terms 'elementary school', 'local educational agency', 'professional development', 'secondary school', 'State', and 'State educational agency' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

''(2) ACADEMIC CONTENT STANDARDS.—The term 'academic content standards' means the challenging academic content standards described in section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)).

''(3) LEVELS OF ACHIEVEMENT.—The term 'levels of achievement' means the State levels of achievement under subclauses (II) and (III) of section 1111(b)(1)(D)(ii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)(D)(ii)(II), (III)).

''(4) STATE ACADEMIC ASSESSMENTS.—The term 'State academic assessments' means the academic assessments for a State described in section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)).

''(b) ESTABLISHMENT OF FUND.—From amounts appropriated under section 307(a)(4) for a fiscal year, the Secretary shall establish and fund the American Standards Incentive Fund to carry out the grant program under subsection (c).

''(c) INCENTIVE GRANT PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—Not later than 12 months after the Assessment Board adopts the voluntary American education content standards under section 304, the Secretary shall use amounts available from the American Standards Incentive Fund to award, on a competitive basis, grants to State educational agencies to enable each State educational agency to adopt the voluntary American education content standards in mathematics and science as the core of the State's academic content standards in mathematics and science by carrying out the activities described in subsection (f).

''(2) DURATION AND AMOUNT.—A grant under this subsection shall be awarded—

''(A) for a period of not more than 4 years; and

''(B) in an amount that is not more than $4,000,000 over the period of the grant.

''(3) SEA COLLABORATION PERMITTED.—A State educational agency receiving a grant under this subsection may collaborate with another State educational agency receiving a grant under this subsection in carrying out the activities described in subsection (f).

''(d) CORE STANDARDS.—A State educational agency receiving a grant under subsection (c) shall adopt and use the voluntary American education content standards in mathematics and science as the core of the State academic content standards in mathematics and science. The State educational agency may add additional standards to the voluntary American education content standards as part of the State academic content standards in mathematics and science.

''(e) STATE APPLICATION.—A State educational agency desiring to receive a grant under subsection (c) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The application shall include—

''(1) timelines for carrying out each of the activities described in subsection (f)(1); and

''(2) a description of the activities that the State educational agency will undertake to implement the voluntary American education content standards in mathematics and science adopted under section 304, and the achievement levels in mathematics and science developed under section 303(e) for the national and State assessments of the National Assessment of Educational Progress, at both the State educational agency and local educational agency levels, including any additional activities described in subsection (f)(2).

''(f) USE OF FUNDS.—

''(1) MANDATORY ACTIVITIES.—A State educational agency receiving a grant under subsection (c) shall use grant funds to carry out all of the following:

''(A) Adopt the voluntary American education content standards in mathematics and science as the core of the State's academic content standards in mathematics and science not later than 2 years after the receipt of a grant under this section.

''(B) Align the teacher certification or licensure, pre-service, and professional development requirements of the State to the voluntary American education content standards in mathematics and science not later than 3 years after the receipt of the grant.

''(C) Align the State academic assessments in mathematics and science (or develop new such State academic assessments that are aligned) with the voluntary American education content standards in mathematics and science not later than 4 years after the receipt of the grant.

''(D) Align the State levels of achievement in mathematics and science with the student achievement levels in mathematics and science developed under section 303(e) for the national and State assessments of the National Assessment of Educational Progress not later than 4 years after the receipt of the grant.

''(E) Develop dissemination, technical assistance, and professional development activities for the purpose of educating local educational agencies and schools on what the standards adopted by the State educational agency under this section are and how the standards can be incorporated into classroom instruction.

''(2) PERMISSIVE ACTIVITIES.—A State educational agency receiving a grant under subsection (c) may use the grant funds to carry out, at the local educational agency or State educational agency level, any of the following activities:

''(A) Develop curricula and instructional materials in mathematics or science that are aligned with the voluntary American education content standards in mathematics and science.

''(B) Conduct other activities needed for the implementation of the voluntary American education content standards in mathematics and science.

''(3) PRIORITY.—In awarding grants under this section the Secretary shall give priority to a State educational agency that will use the grant funds to carry out subparagraph (A) of paragraph (2).

''(g) AWARD BASIS.—In determining the amount of a grant under subsection (c), the Secretary shall take into consideration—

''(1) the extent to which a State's academic content standards, State academic assessments, levels of achievement in mathematics and science, and teacher certification or licensure, pre-service, and professional development requirements, must be revised to align such State standards, assessments, levels, and teacher requirements with the voluntary American education content standards created or adopted under section 304 and the achievement levels in mathematics and science developed under section 303(e); and

''(2) the planned activities described in the application submitted under subsection (e).

''(h) ANNUAL STATE EDUCATIONAL AGENCY REPORTS.—A State educational agency receiving a grant under subsection (c) shall submit an annual report to the Secretary demonstrating the State educational agency's progress in meeting the timelines described in the application under subsection (e)(1).

''(i) GRANTS FOR DOD AND BIA SCHOOLS.—

''(1) DEPARTMENT OF DEFENSE SCHOOLS.—From amounts available from the American Standards Incentive Fund, the Secretary, upon application by the Secretary of Defense, may award grants under subsection (c) to the Secretary of Defense on behalf of elementary schools and secondary schools operated by the Department of Defense to enable the Secretary of Defense to carry out activities similar to the activities described in subsection (f) for the elementary schools and secondary schools operated by the Department of Defense.

''(2) BUREAU OF INDIAN AFFAIRS SCHOOLS.—From amounts available from the American Standards Incentive Fund, the Secretary, in consultation with the Secretary of the Interior, may award grants under subsection (c) to the Bureau of Indian Affairs on behalf of elementary schools and secondary schools operated or funded by the Department of the Interior to enable the Director of the Bureau

of Indian Affairs to carry out activities similar to the activities described in subsection (f) for the elementary schools and secondary schools operated or funded by the Department of the Interior.

''(j) STUDY.—Not later than 2 years after the completion of the first 4-year grant cycle for grants under this section, the Commissioner for Education Statistics shall carry out a study comparing the gap between the reported proficiency on State academic assessments and assessments under section 303 for State educational agencies receiving grants under subsection (c), before and after the State adopts the voluntary American education content standards in mathematics and science as the core of the State education content standards in mathematics and science.

''(k) DATA GRANT.—

''(1) PROGRAM AUTHORIZED.—

''(A) IN GENERAL.—From amounts appropriated under section 307(a)(4), the Secretary shall award, to each State educational agency that meets the requirements of paragraph (3), a grant to enhance statewide student level longitudinal data systems as those systems relate to the requirements of part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.).

''(B) DATA AUDIT SYSTEM.—The State, through the implementation of such enhanced data system, shall—

''(i) ensure that the State has in place a State data audit system to assess data quality, validity, and reliability; and

''(ii) provide guidance, technical assistance, and professional development to local educational agencies to ensure local education officials and educators have the tools, knowledge, and protocol necessary to use the enhanced data system properly, ensure the integrity of the data, and be able to use the data to inform education policy and practice.

''(2) AMOUNT OF GRANT.—A grant awarded to a State educational agency under this subsection shall be in an amount equal to 5 percent of the amount allocated to the State under section 1122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332). If the amounts available from the American Standards Incentive Fund are insufficient to pay the full amounts of grants under paragraph (1) to all State educational agencies that receive a grant under this subsection, then the Secretary shall ratably reduce the amount of all grants under this subsection.

''(3) REQUIREMENTS.—In order to receive a grant under this subsection, a State educational agency shall—

''(A) have received a grant under subsection (c); and

''(B) successfully demonstrate to the Secretary that the State has aligned—

''(i) the State's academic content standards and State academic assessments in mathematics and science, and the State's teacher certification or licensure, pre-service, and professional development requirements, with the voluntary American education content standards in mathematics and science; and

''(ii) the State levels of achievement in mathematics and science for grades 4, 8, and 12, with the achievement levels in mathematics and science developed under section 303(e) for such grades.

''(4) NATURE OF GRANT.—A grant under this subsection to a State educational agency shall be in addition to any grant awarded to the State educational agency under subsection (c).

''(5) LIMIT ON NUMBER OF GRANTS.—In no case shall a State educational agency receive more than 1 grant under this subsection.

''(l) REPORTS TO CONGRESS.—Not later than 2 years after the date of enactment of the Standards to Provide Educational Achievement for Kids Act, and every 2 years thereafter, the Secretary shall report to Congress regarding the status of all grants awarded under this section.

''(m) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to establish a preferred national curriculum or preferred teaching methodology for elementary school or secondary school instruction.

''(n) TIMELINE EXTENSION.—The Secretary may extend the 12-year requirement under section 1111(b)(2)(F) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(F)) by not less than 2 years and by not more than 4 years for a State served by a State educational agency that receives grants under subsections (c) and (k).''.

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

Section 307(a) of the National Assessment of Educational Progress Authorization Act (as redesignated by section 5(1)) (20 U.S.C. 9624(a)) is amended to read as follows:

''(a) IN GENERAL.—There are authorized to be appropriated—

''(1) to carry out section 302, $6,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year;

''(2) to carry out section 303, $200,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year;

''(3) to carry out section 304, $3,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year; and

''(4) to carry out section 305, $400,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year.''.

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

S. 225. A bill to amend title 38, United States Code, to expand the number of individuals qualifying for retroactive benefits from traumatic injury protection coverage under Servicemembers' Group Life Insurance; to the Committee on Veterans' Affairs.

Mr. CRAIG. Mr. President, I have sought recognition to comment on legislation that I introduced last November along with the distinguished Senator from Hawaii, Senator AKAKA, and that I am again introducing today. The bill would expand the number of eligible recipients of retroactive payments under the Traumatic Injury Protection under Servicemembers' Group Life Insurance, or ''TSGLI'', benefit. Most of my colleagues have perhaps heard the story of how this important benefit became law and what its intended purpose is, but I believe it is worth repeating.

In April of 2005 I was visited by three servicemembers who were seriously injured during Operation Iraqi Freedom (OIF). They were members of an organization called the Wounded Warrior Project, and they told me of their lengthy recovery times at Walter Reed Army Medical Center and the financial toll that that period of convalescence had on them and their families. They talked about wives, parents, and other relatives who had taken long absences from work, and some who had even quit their work, in order to spend time with those recovering at Walter Reed. And they told me that the Department of Veterans Affairs compensation system was no help because, by law, those benefits do not kick in until after separation from service.

Based on their experiences, these wounded warriors recommended that I pursue legislation to create a new insurance benefit for those with traumatic injuries such as theirs. The insurance would pay between $25,000 and $100,000 as soon as possible after an injury occurred, thereby bridging the gap in assistance needed during the time of a wounded servicemember's recovery and the time of his or her separation from service. They asked that I make the legislation prospective only, meaning that they, and hundreds of others, would go without any TSGLI payment. I honored that request and, together with Senator AKAKA and other Members of the Committee on Veterans' Affairs, introduced an amendment to the 2005 Emergency Supplemental Appropriations bill then pending before the Senate.

A second degree amendment was later unanimously agreed to which authorized retroactive benefit payments to *all* of those injured in the Operation Iraqi Freedom and Operation Enduring Freedom (OEF) theaters of operation—providing for TSGLI payments to hundreds of servicemembers who had been seriously injured since the start of the wars in Afghanistan and Iraq. At the time, the retroactive TSGLI provision was consistent with other retroactive benefits approved within the Emergency Supplemental bill, such as $238,000 in combined Servicemembers' Group Life Insurance (SGLI) and death gratuity benefits that were provided retroactively to survivors of those killed in combat operations since the start of the War on Terror. Needless to say, the TSGLI amendments were approved by the Congress and enacted into law.

Fast forward to the present. TSGLI has been up and running since December 1, 2005, and provides financial assistance of $25,000 to $100,000 to traumatically injured servicemembers within, on average, 60 days of the date of the injury causing event. As of January 5, 2007, almost 2,233 wounded OIF/OEF servicemembers have benefited under the retroactive portion of the program. For those with injuries post December 1, 2005, it does not matter if an injury occurs as a result of combat operations or training exercises—payment under TSGLI is available in either situation; 626 wounded servicemembers have benefited under this aspect of the program.

The Senate Committee on Veterans' Affairs held a hearing on the TSGLI benefit in September 2006. The Committee received testimony from the Wounded Warrior Project, the organization largely responsible for TSGLI's conception. While very pleased with the program overall, a serious concern was raised regarding the equity of only extending retroactive TSGLI payments to those injured during Operations Iraqi and Enduring Freedom. Mr. Jeremy Chwat, testifying for the Wounded

Warrior Project that day, used the example of one servicemember as representative of others who are not now eligible for benefits:

Brave men and women like Seaman Robert Roeder who was injured on January 29, 2005 when an arresting wire on the aircraft carrier, the USS Kitty Hawk, severed his left leg below the knee . . . Although the ship was on its way to the Gulf and the training exercises being conducted were in preparation for action in either Operation Enduring or Iraqi Freedom, Robert's injury does not qualify for payment.

Furthermore, since enactment of the 2005 Emergency Supplemental, retroactive SGLI and death gratuity benefits combining $238,000 have been expanded to provide payments to survivors of all servicemembers who died on active duty, whether in combat or not. The reason behind the expansion of retroactive benefits was a recognition that military service is universal in character; that each military man or woman, no matter where they are serving, contributes in a unique way to make the United States Armed Forces second to none.

The legislation I am again introducing today, along with Senator AKAKA, will make the TSGLI retroactive payment eligibility criteria consistent with the other benefit program retroactive payment criteria I just mentioned. Thus, if this legislation is enacted, all traumatically injured servicemembers who served between October 7, 2001, and December 1, 2005, will be eligible for TSGLI payments, irrespective of where their injuries occurred. Unofficial estimates from VA suggest that there may be over 215 active duty personnel who, like Seaman Roeder, sustained traumatic injuries during this time period while performing their military duties.

Both the Wounded Warrior Project and the National Military Families Association have expressed their support for this bill. And I now ask my colleagues for their support. This is the right thing to do for our military men and women.

I ask unanimous consent that the text of the bill text 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. 225

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

SECTION 1. EXPANSION OF INDIVIDUALS QUALIFYING FOR RETROACTIVE BENEFITS FROM TRAUMATIC INJURY PROTECTION COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) IN GENERAL.—Paragraph (1) of section 501(b) of the Veterans' Housing Opportunity and Benefits Improvement Act of 2006 (Public Law 109–233; 120 Stat. 414; 38 U.S.C. 1980A note) is amended by striking '', if, as determined by the Secretary concerned, that loss was a direct result of a traumatic injury incurred in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom''.

(b) CONFORMING AMENDMENT.—The heading of such section is amended by striking ''IN OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM''.

By Mr. GRASSLEY:

S. 226. A bill to direct the Inspector General of the Department of Justice to submit semi-annual reports regarding settlements relating to false claims and fraud against the Federal Government; to the Committee on Homeland Security and Governmental Affairs.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the text of this 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. 226

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

SECTION 1. FALSE CLAIMS SETTLEMENTS.

Section 8E of the Inspector General Act (5 U.S.C. App.) is amended by adding at the end the following:

''(e)(1) In preparing the semi-annual report under section 5, the Inspector General of the Department of Justice shall describe each settlement or compromise of any claim, suit, or other action entered into with the Department of Justice that—

''(A) relates to an alleged violation of section 1031 of title 18, United States Code, or section 3729 of title 31, United States Code (including all settlements of alternative remedies); and

''(B) results from a claim of damages in excess of $100,000.

''(2) The descriptions of each settlement or compromise required to be included in the semi-annual report under paragraph (1) shall include—

''(A) the overall amount of the settlement or compromise and the portions of the settlement attributed to various statutory authorities;

''(B) the amount of actual damages estimated to have been sustained and the minimum and maximum potential civil penalties incurred as a consequence of the defendants that is the subject of the settlement or compromise;

''(C) the basis for the estimate of damages sustained and the potential civil penalties incurred;

''(D) the amount of the settlement that represents damages and the multiplier or percentage of the actual damages applied in the actual settlement or compromise;

''(E) the amount of the settlement that represents civil penalties and the percentage of the potential penalty liability captured by the settlement or compromise;

''(F) the amount of the settlement that represents criminal fines and a statement of the basis for such fines;

''(G) the length of time involved from the filing of the complaint until the finalization of the settlement or compromise, including—

''(i) the date of the original filing of the complaint;

''(ii) the time the case remained under seal;

''(iii) the date upon which the Department of Justice determined whether or not to intervene in the case; and

''(iv) the date of settlement or compromise;

''(H) whether any of the defendants, or any divisions, subsidiaries, affiliates, or related entities, had previously entered into 1 or more settlements or compromises related to section 1031 of title 18, United States Code, or section 3730(b) of title 31, United States Code, and if so, the dates and monetary size of such settlements or compromises;

''(I) whether the defendant or any of its divisions, subsidiaries, affiliates, or related entities—

''(i) entered into a corporate integrity agreement related to the settlement or compromise; and

''(ii) had previously entered into 1 or more corporate integrity agreements related to section 3730(b) of title 31, United States Code, and if so, whether the previous corporate integrity agreements covered the conduct that is the subject of the settlement or compromise being reported on or similar conduct;

''(J) in the case of settlements involving medicaid, the amounts paid to the Federal Government and to each of the States participating in the settlement or compromise;

''(K) whether civil investigative demands were issued in process of investigating the case;

''(L) in qui tam actions, the percentage of the settlement amount awarded to the relator, and whether or not the relator requested a fairness hearing pertaining to the percentage received by the relator or the overall amount of the settlement;

''(M) the extent to which officers of the department or agency that was the victim of the loss resolved by the settlement or compromise participated in the settlement negotiations; and

''(N) the extent to which relators and their counsel participated in the settlement negotiations.''.

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. 229. A bill to redesignate a Federal building in Albuquerque, New Mexico, as the ''Raymond G. Murphy Department of Veterans Affairs Medical Center''; to the Committee on Veterans' Affairs.

Mr. DOMENICI. Mr. President, I rise today with my colleague, Senator BINGAMAN, to introduce legislation that will designate the Veterans Administration Medical Center in Albuquerque, NM, the ''Raymond G. Murphy Department of Veterans Affairs Medical Center.''

Jerry Murphy is an extraordinary New Mexican who was awarded the Congressional Medal of Honor for his heroic actions on February 3, 1953, while serving in the Korean war. On that day in February 1953, Marine 2nd Lieutenant Murphy participated in a raid on Ungok Hill. In the course of the operation, most of the senior officers in Lieutenant Murphy's unit were killed or wounded and the assault on the hill became stalled with many members of the Marine assault force pinned down and trapped on the hill by enemy fire. Seeing his fellow marines in trouble and against orders Lieutenant Murphy organized and led a daring rescue effort. Under intense enemy fire, Murphy personally made countless trips up the hill to evacuate and provide cover for the stranded marines. Though he was wounded numerous times, Lieutenant Murphy refused treatment for his wounds until all marines were accounted for and everyone else had been treated. Lieutenant Murphy was also awarded a Silver Star for bravery in a previous action in 1952.

Jerry's personal mission to protect and aid his fellow servicemen and

women did not end on that hill in Korea, for 25 years he worked in the Veteran's Administration, VA regional office in Albuquerque, New Mexico. While there Jerry worked tirelessly as a counselor in the Division of Vocational Counseling to insure the men and women who served and defended our Nation were able to make the transition to life in peacetime.

Unlike many of us who look to retirement as a time for personal pursuits and relaxation, Jerry chose to carry on his work on behalf of veterans and until 2000 volunteered at the VA hospital in Albuquerque, NM.

For these reasons I am introducing this legislation today. Jerry Murphy is a true American hero who in war and peace dedicated himself to others. I think it only right that the medical center in Albuquerque bear his name in recognition of his great service to this country and its men and women in uniform.

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. 229

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

SECTION 1. REDESIGNATION.

The Federal building known and designated as the ''Department of Veterans Affairs Medical Center'' located at 1501 San Pedro Drive, SE, in Albuquerque, New Mexico, shall be known and redesignated as the ''Raymond G. Murphy Department of Veterans Affairs Medical Center''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the ''Raymond G. Murphy Department of Veterans Affairs Medical Center''.

By Mrs. FEINSTEIN (for herself, Mr. CHAMBLISS, Ms. MIKULSKI, Mr. CORNYN, Mr. OBAMA, Ms. SNOWE, Ms. STABENOW, Ms. COLLINS, Mr. KOHL, Mr. LEVIN, Mr. DURBIN, Mr. BAUCUS, Mr. BINGAMAN, Mr. KERRY, Mr. BIDEN, Mr. ROCKEFELLER, and Mr. SALAZAR):

S. 231. A bill to authorize the Edward Byrne Memorial Justice Assistance Grant Program at fiscal year 2006 levels through 2012; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am pleased to join Senator CHAMBLISS and a number of other co-sponsors in introducing the Edward Byrne Memorial Justice Assistance Grant Reauthorization Act. This bill would take the $1,095,000,000 amount which Congress authorized for the Byrne/JAG grant program in fiscal year 2006 in the Violence Against Women and DOJ Reauthorization Act of 2005 (Pub. L. 109–162), and reauthorize that same amount for the program in each year through fiscal year 2012.

The ''Byrne/JAG'' program resulted from the 2005 consolidation of the Edward Byrne Memorial State and Local Law Enforcement Assistance Program, and the Local Government Law Enforcement Block Grants.

Named after New York Police Officer Edward Byrne, who was killed in the line of duty in 1988, it provides critical support to State and local law enforcement officials.

Byrne/JAG is a law enforcement funding program run by the Department of Justice. For more than 20 years, grants from Byrne/JAG and its predecessor programs have funded state and local drug task forces, community crime prevention programs, substance abuse treatment programs, prosecution initiatives, and many other local crime control programs.

One of the most popular uses of Byrne/JAG funds is to support multi-jurisdictional task forces, which help fight drug and firearm traffickers, gangs, pharmaceutical diversion, and organized crime in America's communities.

Results from Byrne/JAG are real. According to data compiled by the National Criminal Justice Association from self-reported metrics submitted by State Administering Agencies for the 2004 grant year, task forces funded in part by Byrne/JAG grants were responsible for: 54,050 weapons seized; 5,646 methamphetamine labs seized; and $250,000,000 in cash and personal property seized, not including the value of narcotics seized. They were also responsible for removing massive quantities of controlled substances from America's streets, including: 2.7 million grams of amphetamine and methamphetamine; 1.8 million grams of powder cocaine; 278,200 grams of ''crack'' cocaine; 73,300 grams of heroin; 75 million cultivated and noncultivated marijuana plants, and 27 million kilograms of marijuana.

As Ron Brooks, President of the National Narcotics Officers' Associations' Coalition (NNOAC) testified last June, ''more than one-third of all meth lab seizures were conducted by Byrne-funded task forces.''

We get good returns on this investment. The National Sheriff's Association estimates that, with 2,794 personnel in multi-jurisdictional drug tasks forces, this equates to: 79 drug arrests per full-time employee (221,475 total); 6 kilograms of cocaine seized per FTE. (17,991 total); 2 kilograms of meth seized per FTE, 5,452 kilos total''; 400 grams of heroine seized per FTE, 1,177 kilos total, 306 lbs. of processed marijuana per FTE, 855,309 total; and 3 meth lab responses per FTE, 8,983 total.

And our rural communities are especially dependent on Byrne/JAG grants. Byrne/JAG grants to the States are allocated 60/40, so that 40 percent of the funds must be set aside for distribution to local governments. In short, this is one of the only sources of federal funds for sheriffs and police chiefs in many of our smaller towns and counties.

When Byrne/JAG and the Community Oriented Policing Services (COPS) program were well funded, state and local law enforcement officers produced real results. It is no coincidence that, during this period, we saw more than a decade of steady reductions in violent crime.

Unfortunately, Federal funding for these justice assistance programs has been dramatically slashed in recent years. As late as Fiscal Year 2003, the Byrne grant programs had been funded at a level of $900 million. In Fiscal Year 2004, however, it was reduced to $725 million. And in FY2005, Byrne/JAG was cut to $634 million.

That year in California, the Governor issued a notice to the law enforcement community, advising that this change would ''significantly reduce the amount of drug control and criminal justice funding in California''—by a whopping $14 million in one year, just for my State.

In Fiscal Year 2006, the program was cut even further, to only $416.5 million—amounting to a 54 percent cut from Fiscal Year 2003. In Fiscal Year 2006, and then again in Fiscal Year 2007, the President's budget proposed eliminating the Byrne program entirely.

In response, the Senate voted to restore Byrne funding in Fiscal Year 2006 to its Fiscal Year 2003 level of $900 million, but that increase was taken out of the final conference report.

For Fiscal Year 2007, the Senate again restored $900 million in a budget amendment, but no appropriations bill was passed.

What have we seen in the wake of these cuts to State and local law enforcement and the Byrne/JAG program?

After a decade of declines, FBI reports for 2005 showed a rise in violent crime in every region of our country—an overall increase of 2.5 percent, the largest reported increase in violent crime in the U.S. in 15 years.

For the first six months of 2006, the numbers for violent crime were even worse—up again in every region, and with a surge of nearly 3.7 percent. And the number of robberies—which many criminologists see as a leading indicator of future activity—was up by almost 10 percent. The reduction in Byrne/JAG and other similar funding is not the only reason for this increase. Experts also cite the spread of criminal street gangs like MS–13, for example, as a major factor in the jump in violent crime.

When we are faced with such challenges, however, the Byrne/JAG program has a clear role to play in addressing America's growing violent crime problem.

A national integrated threat demands a national integrated response, with State and local law enforcement leading the way, but with the Federal Government providing meaningful support. Byrne/JAG facilitates. that design, by allowing State and local leaders to leverage resources in key areas,

and facilitating collaboration among those in law enforcement, corrections, treatment, and prevention.

A review of programs around the country reveals that some Byrne/JAG-funded task forces receive between $30 and $40 from State or local sources for every Federal dollar they receive. Rather than supplanting other sources, Byrne/JAG often leverages Federal dollars, by providing the incentive needed for local agencies to cooperate, communicate, share information and build good cases.

Because State and local cops account for 97 percent of all drug arrests in America, further Byrne/JAG cuts will have a clear effect, as NNOAC President Ron Brooks testified: [T]ake away the Byrne-JAG drug task forces and I guarantee you will have fewer lab seizures . . . The meth supply will continue to grow, as will the toxic meth waste that is being dumped in many neighborhoods.

Unfortunately, some of this is already happening. After the recent cuts to Byrne/JAG, the governor of Texas eliminated funding for most drug task forces in his State, because he decided the limited funding available was needed instead for border enforcement. Narcotics officers throughout the United States also report a similar trend of eliminations and decreases of task forces.

Without multi-jurisdictional task forces, officers will revert to working within their own stovepipes, arresting mere targets of opportunity instead of focusing on organizational targets that have a disproportionate impact on the problem. Police officers will return to working within their own teams rather than cooperating and using shared intelligence to identify wider drug trafficking investigations.

Since 9/11, we have understandably placed greater emphasis on the terrorist threat from abroad, and protecting our borders. But to save the perimeter and lose the heartland to international drug cartels, American street gangs, local meth cookers and neighborhood drug traffickers would be a hollow victory indeed.

Last year, a group of 15 organizations—including NNOAC, the National Troopers Coalition, the International Association of Chiefs of Police, the Major City Chiefs' Association, the National Sheriffs Association, the National District Attorneys' Association, the National Alliance of Drug Enforcement Agencies, the National Association of Counties, the National Association of Drug Court Professionals—all came together to call for the Byrne/JAG program to be funded at the $1.1 billion level.

The 15 groups represented more than 456,000 law enforcement officers, drug court judges, treatment practitioners, and prosecutors from over 2,000 counties and more than 5,000 community prevention coalitions. And for the 110th Congress, funding Byrne/JAG at the $1.1 billion level remains a top law enforcement priority.

Passage of this bill will respond to such requests from law enforcement, and also send a clear message that any further efforts by this Administration to reduce or eliminate the Byrne/JAG program in the Fiscal Year 208 budget will be strongly resisted by this Congress.

I urge my colleagues to support this legislation.

By Mr. WYDEN:

S. 232. A bill to make permanent the authorization for watershed restoration and enhancement agreements; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, the legislation I introduce today reauthorizes a very successful cooperative watershed restoration program that I originally sponsored, and that was originally enacted for the Forest Service, in the Fiscal Year 1999 Interior Appropriations bill. The original legislation lasted through Fiscal Year 2001 after which it was reauthorized by the Appropriations Committees, at my request, through Fiscal Year 2005 and then again through Fiscal Year 2011. My bill passed the Senate in the 109th Congress, but unfortunately did not pass in the House before the end of the Congress. Today, I reintroduce the bill hoping that it can speedily pass both chambers.

The bill making what is commonly referred to as the Wyden amendment permanent authorizes the Secretary of Agriculture to use appropriated Forest Service funds for watershed restoration and enhancement agreements that benefit the ecological health of National Forest System lands and watersheds. The Wyden amendment does not require additional funding, but allows the Forest Service to leverage scarce restoration dollars thereby allowing the federal dollars to stretch farther. During the eight years the program has existed, the Forest Service has leveraged three dollars for every Forest Service dollar spent on these agreements.

The Wyden amendment has resulted in countless Forest Service cooperative agreements with neighboring state and local land owners to accomplish high priority restoration, protection and enhancement work on public and private watersheds. The projects authorized by these agreements have improved watershed health and fish habitat through the control of invasive species, culvert replacement, and other riparian zone improvement projects. In addition to ecological restoration, use of the Wyden amendment has improved cooperative relationships between the Forest Service, private land owners, state agencies and other federal agencies.

I am hopeful that my colleagues on the Energy and Natural Resources Committee will again pass this bill out of the Committee and that thereafter this legislation can again pass the Senate expeditiously. 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. 232

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 ''Watershed Restoration and Enhancement Agreements Act of 2007''.

SEC. 2. WATERSHED RESTORATION AND ENHANCEMENT AGREEMENTS.

Section 323 of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 1011 note; Public Law 105–277), is amended—

(1) in subsection (a), by striking ''each of fiscal years 2006 through 2011'' and inserting ''fiscal year 2006 and each fiscal year thereafter'';

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following:

''(d) APPLICABLE LAW.—Chapter 63 of title 31, United States Code, shall not apply to—

''(1) a watershed restoration and enhancement agreement entered into under this section; or

''(2) an agreement entered into under the first section of Public Law 94–148 (16 U.S.C. 565a–1).''.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1. Mr. KERRY (for himself and Mr. SALAZAR) submitted an amendment intended to be proposed by him to the bill S. 1, to provide greater transparency in the legislative process; which was ordered to lie on the table.

SA 2. Mr. LEAHY (for himself and Mr. PRYOR) submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.

SA 3. Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) proposed an amendment to the bill S. 1, supra.

SA 4. Mr. REID (for himself, Mr. DURBIN, Mr. SALAZAR , and Mr. OBAMA) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 5. Mr. VITTER (for himself and Mr. GRASSLEY) proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 6. Mr. VITTER proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 7. Mr. VITTER proposed an amendment to amendment SA 3 proposed by Mr. REID (for himself, Mr. MCCONNELL, Mrs. FEINSTEIN, Mr. BENNETT, Mr. LIEBERMAN, Ms. COLLINS, Mr. OBAMA, Mr. SALAZAR, and Mr. DURBIN) to the bill S. 1, supra.

SA 8. Mr. BAUCUS submitted an amendment intended to be proposed by him to the bill S. 1, supra; which was ordered to lie on the table.