

energy provided by the electric utility exceeds a ratable limit that is equal to a proxy for load growth on the electric utility, based on—

“(I) the total quantity of energy sold by each affected agency, corporation, or unit of the electric utility during calendar year 2006; and

“(II) a 3-percent compounded annual growth rate.

“(B) NOTICE PROVIDED.—

“(i) IN GENERAL.—A distributor described in paragraph (2) that provided a notice described in paragraph (2)(B) by December 31, 2006, may—

“(I) construct, own, and operate any generation facility, individually or jointly with another distributor;

“(II) receive from any electric utility described in paragraph (1) partial requirements services;

“(III) receive from any electric utility described in paragraph (1) transmission services that are sufficient to meet all electric energy requirements of the distributor, regardless of whether an applicable contract, or any portion of such a contract, has been terminated under this section; and

“(IV) not later than 180 days after the date of enactment of this paragraph, elect to rescind the notice of termination of the distributor without the imposition of a reintegration fee or any similar fee.

“(i) TREATMENT.—On an election by a distributor under clause (i)(IV), the distributor shall be entitled to all rights and benefits of a distributor described in subparagraph (A).

“(5) RIGHT TO RETAIN ACCESS TO SERVICES.—

“(A) DEFINITIONS.—In this paragraph:

“(i) AFFECTED DISTRIBUTOR.—The term ‘affected distributor’ means a distributor that receives any electric service or power from at least 2 generators.

“(ii) GENERATOR.—The term ‘generator’ means an entity referred to in any of subparagraphs (A) through (E) of subsection (i)(1).

“(B) RETENTION OF SERVICES.—An affected distributor may elect to retain any electric service or power provided by a generator, regardless of whether an applicable contract, or any portion of such a contract, has been terminated under this section.

“(C) EFFECT OF NOTICE OF TERMINATION.—

“(i) IN GENERAL.—The provision or execution by an affected distributor of a notice of termination described in paragraph (2)(B) with 1 generator shall not affect the quantity of electric service or power provided to the affected distributor by another generator.

“(ii) PRICE.—The price of electric services or power provided to an affected distributor described in clause (i) shall be equal to the price charged by the applicable generator for the provision of similar services or power to a distributor that did not provide a notice described in paragraph (2)(B).

“(D) TRANSMISSION SERVICE.—On an election by an affected distributor under subparagraph (B) to retain an electric service or power, the affected distributor shall be entitled to receive from a generator transmission service to 1 or more delivery points of the affected distributor, as determined by the affected distributor, regardless of whether an applicable contract, or any portion of such a contract, has been terminated under this section.”

#### SEC. 4. STUDY OF PRIVATIZATION OF TENNESSEE VALLEY AUTHORITY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the costs, benefits, and other effects of privatizing the Tennessee Valley Authority.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall

submit to Congress a report that describes the results of the study conducted under this section.

#### SEC. 5. STUDY OF DEBT LEVEL OF TENNESSEE VALLEY AUTHORITY.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the financial structure of, and the amount of debt held by, the Tennessee Valley Authority, which (as of February 1, 2007) is approximately \$25,000,000,000.

(b) REPORT.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that describes the results of the study conducted under this section.

### NOTICES OF HEARINGS/MEETINGS

#### PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing entitled “Medicare Doctors Who Cheat on Their Taxes and What Should Be Done About It.”

This is the fourth hearing to result from a three year investigation conducted by the Subcommittee into Federal contractors that provide goods or services to the Federal Government, but fail to pay their taxes. A 2004 hearing determined that 27,000 contractors with the Department of Defense had a tax debt totaling roughly \$3 billion. A 2005 hearing determined that 33,000 contractors doing business with civilian Federal agencies had unpaid taxes totaling \$3.3 billion.

In addition to examining contractors for DOD and civilian agencies, the Subcommittee has examined similar misconduct by contractors for the General Services Administration (GSA). A Subcommittee hearing in March 2006 determined that 3,800 GSA contractors collectively owed \$1.4 billion in unpaid taxes.

The upcoming March 20th hearing will further explore the problem, focusing specifically on Medicare physicians and related suppliers that receive substantial income from the Federal Government but do not pay the taxes that they owe.

Witnesses for the upcoming hearing will include representatives from the Government Accountability Office, the Internal Revenue Service, the Centers for Medicare & Medicaid Services, as well as the Financial Management Service. A final witness list will be available on Friday, March 16, 2007.

The Subcommittee hearing is scheduled for Tuesday, March 20, 2007, at 2:30 p.m. in Room 342 of the Dirksen Senate Office Building. For further information, please contact Elise J. Bean, of the Permanent Subcommittee on Investigations at 224-3721.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public

that an oversight hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, March 20, 2007, at 10 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to consider the nomination of Stephen Jeffrey Isakowitz, of Virginia, to be Chief Financial Officer of the Department of Energy.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Sam Fowler at (202) 224-7571 or Amanda Kelly at (202) 224-6836.

### AUTHORITY FOR COMMITTEES TO MEET

#### COMMITTEE ON FOREIGN RELATIONS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 13, 2007, at 3 p.m. to hold a nominations hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions and House Committee on Education and Labor be authorized to meet for a joint hearing on the No Child Left Behind Act during the session of the Senate on Tuesday, March 13, 2007 at 10 a.m. in room 2175 of the Rayburn House Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### COMMITTEE ON THE JUDICIARY

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on “Judicial Nominations” on Tuesday, March 13, 2007 at 10 a.m. in Dirksen Senate Office Building, Room 226.

#### Witness List:

Panel I: The Honorable THAD COCHRAN, United States Senator, R-MS and The Honorable TRENT LOTT, United States Senator, R-MS.

Panel II: Halil Suleyman Ozerden to be U.S. District Judge for the Southern District of Mississippi; Benjamin Hale Settle to be U.S. District Judge for the Western District of Washington; and Frederick J. Kapala to be U.S. District Judge for the Northern District of Illinois.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### SELECT COMMITTEE ON INTELLIGENCE

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Select

Committee on Intelligence be authorized to meet during the session of the Senate on March 13, 2007 at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT TO GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet on Tuesday, March 13, 2007 at 2:30 p.m. for a hearing entitled, A Review of U.S. International Efforts to Secure Radiological Materials.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to 22 U.S.C. 276n, as amended, appoints the following Senator as Vice Chairman of the U.S.-China Interparliamentary Group conference during the 110th Congress: the Honorable TED STEVENS of Alaska.

#### ROAD CONSTRUCTION, OPERATION AND MAINTENANCE IN ST. LOUIS COUNTY, MO

Mr. REID. I ask unanimous consent that the Senate now proceed to H.R. 1129, just received from the House and at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1129) to provide for the construction, operation, and maintenance of an arterial road in St. Louis County, Missouri.

There being no objection, the Senate proceeded to consider the bill.

Mr. BOND. Mr. President, I rise in support of H.R. 1129. This important legislation is necessary to provide for the construction, operation, and maintenance of an arterial road in the Lemay area of St. Louis County, MO. This road, the Lemay connector road, is the lynchpin of the long-term recovery of that community and will open several abandoned industrial sites to new industrial, commercial and retail development and create thousands of new much-needed jobs. The road was identified as the highest priority for redeveloping the area in a federally-funded study conducted by the Missouri Department of Transportation.

Mrs. MCCASKILL. Mr. President, I join my colleague, the senior Senator from Missouri, in supporting this much-needed legislation. Not only will the road revive the economy of the communities around Lemay, it will also support the restoration of brownfields sites, improve public safety, create new parks and riding trails, and provide other recreational opportunities. With all of these benefits, it is not surprising then that the bill has broad bipartisan support from every relevant State and local elected official and also here in the Congress. It has also been endorsed by the Missouri Department of Transportation, the local school district—Hancock Place School District and the local fire and police departments.

Mr. BOND. Mr. President, I vividly recall the devastation that was caused by the the flooding in 1993 and one of the areas that was hardest hit was the community of Lemay. In response to that tragedy, Congress enacted an emergency supplemental appropriations bill. As a new member of that committee, I worked to appropriate supplemental funds for HUD's community development grants to compensate homeowners for losses and to clear the area. Property acquired with the funds, however, was required to be maintained for uses consistent with open space, recreation or wetlands management. This was a one-time requirement, and no other property acquired using CDBG funds before or since the 1994 Emergency Supplemental Appropriations Act has carried similar deed restrictions. Furthermore, I want to assure my colleagues that we are not establishing any precedent by adopting this legislation in part because of the unique situation in which properties became deed restricted and also because exceptions have been made to allow for roads and public works development on deed restricted lands.

Mrs. MCCASKILL. I also want to assure my colleagues that no Federal funds will be used to construct or maintain the Lemay connector road. Neither St. Louis County nor the State of Missouri is seeking or will seek Federal assistance to build, maintain, or operate the road. In fact, the County has sent several letters to FEMA that it will not seek Federal funding for the road. Under terms reached by the St. Louis County and Missouri DOT, private developers will bear 100 percent of the cost of construction of the road, and the road will be maintained by St. Louis County as part of its standard maintenance program.

Mr. BOND. Mr. President, my colleague from Missouri is correct that no Federal funds will be used for either construction or maintenance of this road. Furthermore, this road will become a county road and it will not be part of the Federal-aid system. Under current law, which this bill does not amend, the Lemay connector road is not an eligible use of Federal funding.

Mr. REID. I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD.

The bill (H.R. 1129) was ordered to be read a third time, was read the third time and passed.

#### ORDERS FOR WEDNESDAY, MARCH 14, 2007

Mr. REID. I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m., March 14; that on Wednesday, following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired; that following the time for the two leaders, there be 1 hour of debate prior to a vote on the motion to invoke cloture on the motion to proceed to S.J. Res. 9, with the time equally divided and controlled between the two leaders or their designees; that the final 20 minutes prior to the vote be controlled 10 minutes each for the leaders, with the majority leader controlling the final 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business to come before the Senate and if the Republican leader has no further business to come before the Senate, I would ask the Senate stand adjourned under the previous order, but if my esteemed colleague does wish to speak, there is ample time to do that.

Mr. MCCONNELL. I say to friend from Nevada, I have nothing further to add.

Mr. REID. I ask unanimous consent that the Senate stand adjourned.

There being no objection, the Senate, at 6:54 p.m., adjourned until Wednesday, March 14, 2007, at 10 a.m.