## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mrs. DOLE, Mrs. CLINTON, and Mr. ROBERTS):

S. 946. A bill to amend the Farm Security and Rural Investment Act of 2002 to reauthorize the McGovern-Dole International Food for Education and Child Nutrition Program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DURBIN. Mr. President, I rise today to introduce legislation to reauthorize the McGovern-Dole International Food for Education and Child Nutrition Program. I would like to thank Senator DOLE for leading this effort in the Senate with me.

This is a critical piece of legislation. The McGovern-Dole Program provides healthy, nutritious meals to children living in some of the most impoverished countries in the world. By combining food aid and education, this program has a dramatic effect on the health and development of millions of young children each year.

I first became interested in this program in 2000 when I read an editorial written by former Senator George McGovern titled Lunch for All Schoolchildren Is a Big Thing We Can Do. In that editorial, Senator McGovern laid out his reasoning for an international school feeding program and left us all with a challenge by asking, ''is there any higher purpose under the heaven than feeding all God's children the world around?''

It was his work alongside Senator Bob Dole that inspired President Clinton in 2000 to create the Global Food for Education Initiative (GFEI) pilot program and fund it at $300 million. Since then, funding for the program has fluctuated but it has never again reached the level at which it started. Still, in a relatively short period of time, the McGovern-Dole Program, as it appropriately came to be called after the expiration of the GFEI pilot program, has benefited more than 26 million boys and girls in 41 countries around the world. Last year alone, the program served more than 2.5 million children living in a total of 15 countries, including Afghanistan, Senegal, Laos, Guinea-Bissau, and Bolivia.

The program is a tremendous investment in the lives of the world's children. For just 19 cents per day, or 34 dollars per year, we are able to provide a healthy meal to a hungry child. This relatively modest investment does more than provide a meal—it also creates an incentive for children to come to school and learn and for families to continue to send their child to school rather than to work in a field or a factory. This is especially important for young girls in developing countries who are often not given the same educational opportunities as their male peers and therefore fall behind them in terms of literacy rates and educational attainment.

In its effect on girls, the McGovern-Dole Program has performed exceedingly well. Young girls who participate in the program have a 17 percent higher school attendance rate than similar girls who do not participate in school feeding programs. We know that educating young girls is one of the most cost-effective methods of achieving development goals. Compared to similarly situated girls who haven't gone to school, young girls who have been given the opportunity to go to school tend to get married later in life, have fewer children, earn more, and educate their children longer. It has a multiplier effect on a range of development goals.

A healthy, nutritious meal gives all students a greater opportunity to take advantage of their learning environment. A stomach full of nutritious food has a significant effect on a child's academic performance, enjoyment of learning, and overall health.

The United Nations estimates that there are 300 million chronically hungry school-age children around the world. We are falling far short of the need. When the American people provide our bountiful harvests to the most vulnerable among us, the poorest school-age children around the world, it represents the best of the American spirit.

For these reasons, I am happy to be introducing legislation to reauthorize the McGovern-Dole Program and increase the authorized level of funding in an incremental fashion up to the $300 million level at which it was first funded.

I urge my colleagues to support this important legislation.

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

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

S. 946

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

**SECTION 1. REAUTHORIZATION OF MCGOVERN–DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.**

(a) ADMINISTRATION OF PROGRAM.—Section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1) is amended—

(1) in subsection (d), in the matter preceding paragraph (1), by striking ''The President shall designate 1 or more Federal agencies to'' and inserting ''The Secretary shall'';

(2) in subsection (f)(2), in the matter preceding subparagraph (A), by striking ''implementing agency'' and inserting ''Secretary''; and

(3) in subsections (c)(2)(B), (f)(1), (h)(1) and (2), and (i), by striking ''President'' each place it appears and inserting ''Secretary''.

(b) FUNDING.—Section 3107(l) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o–1(l)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) USE OF COMMODITY CREDIT CORPORATION FUNDS.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

''(A) not less than $140,000,000 for fiscal year 2008;

''(B) not less than $180,000,000 for fiscal year 2009;

''(C) not less than $220,000,000 for fiscal year 2010;

''(D) not less than $260,000,000 for fiscal year 2011; and

''(E) not less than $300,000,000 for fiscal year 2012.'';

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

(3) in paragraph (2) (as redesignated by paragraph (2)), by striking ''any Federal agency implementing or assisting'' and inserting ''the Department of Agriculture or any other Federal agency assisting''.

---

By Mr. LIEBERMAN (for himself, Mr. BROWNBACK, Mrs. CLINTON, Mr. DURBIN, and Mr. CASEY):

S. 948. A bill to amend the Public Health Service Act to authorize funding for the establishment of a program on children and the media within the National Institute of Child Health and Human Development to study the role and impact of electronic media in the development of children; to the Committee on Health, Education, Labor, and Pensions.

Mr. LIEBERMAN. Mr. President, I rise today to introduce, along with Senators BROWNBACK, CLINTON, DURBIN, and CASEY, the Children and Media Research Advancement Act, or CAMRA Act. This bill is identical to S. 1902 that passed the Senate unanimously last year except that it houses our program at the National Institute of Child Health and Human Development.

Children today live and develop in a world of media. Electronic media, including DVD's, video games, digital music, the Internet, television, motion pictures, and cell phones, are now everywhere and under constant change. Research needs to keep up with the technology, from its positive impacts such as language development in children with delays, to possible adverse effects, from obesity to muscular-skeletal disorders. The CAMRA Act supports exploration and analysis on the impact of electronic media in children's and adolescents' development. Based on recommendations from a National Academy of Sciences panel, researchers will look at both the positive and negative impacts on children's cognitive, social, emotional, physical and behavioral development.

Electronic media, in all its forms, influences and affects young people. It has the potential to produce benefits and harms. Numerous studies show increased aggressive behavior in children following interaction with violent video games. We need to move research beyond these studies to learn, for example, how new interactive technologies can best support and enhance traditional learning while making certain that these new technologies, and marketing increasingly targeted at children through these technologies, do not damage children's long-term health.

Televisions have been common in households for half a century and television still dominates the total amount of time children devote to electronic

media. One report links television viewing at an early age with later symptoms that are common in children with attention deficit disorders. However, we don't know the direct relationship, if any. Does television viewing cause attention deficits, or do children who have attention deficits find television viewing experiences more engaging than children who don't have attention problems? Or do parents of children with attention disorders let them watch more television to encourage more sitting and less hyperactive behavior? How will Internet experiences, particularly those where children move rapidly across different windows, influence attention patterns and attention problems? Can interactive media positively influence those with attention deficits? Once again, we don't know the answers.

Does television cause autism? That's the title of a recent Cornell University study showing a correlation between the alarming rising incidence of autism and increases in television viewing. Again, we don't know the direct relationship, if it exists. If early television exposure does alter normal brain development, we need to understand this to protect children in the future.

Half of the Nation's children live in homes with three or more televisions with access, in many cases, to hundreds of channels ranging from Fashion TV to Spike TV. The American Academy of Pediatrics discourages television watching for children under two, promoting instead other activities, for example reading together and playing, for proper brain development. Yet three in five children under one year of age watch TV, or other screen media such as DVD players, for an average of one and one-third hours a day. For four to six year olds, these numbers increase to 90 percent watching TV for an average of over two hours a day.

Young people over 8 years old use electronic media, on average, for over 6 hours each day. How does this investment of time affect children's physical development, their cognitive development, or their moral values? Unfortunately, we still have very limited information about how media, particularly the newer interactive media, affect children's development.

American advertisers spend $15 billion a year on marketing to children under 12, twice the amount from a decade ago. Most of the advertising to kids is for candy, soda, cereal and fast food; and most of the food brands advertising to children on TV use branded websites to market to children online. These sites most often include online games, access to the TV commercials, and encouragement for kids to contact their peers about the products. Is this affecting the health of America's children?

Consider our current national health crisis where about one in six children are overweight. The number of overweight children and teenagers in the U.S. has more than tripled over the last four decades. The public, through Medicare and Medicaid, pays about $39 billion per year for medical care relating to childhood and adult obesity. In 2000, the Surgeon General estimated the total economic cost of obesity in the United States to be $117 billion. And the number of overweight children continues to increase.

Beyond the enormous medical costs come later health problems and perhaps reduced life expectancies. We think that media exposure is partly the cause of this epidemic. Is it? A recent 2007 study from the Harvard Medical School found that more time for three year olds in front of a TV leads to more sugary drinks and calories. Is this true for younger and older children? Is time spent viewing screens and its accompanying sedentary lifestyles contributing to childhood and adolescent obesity? Or is the constant bombardment of advertisements for sugar-coated cereals, snack foods, and candy that pervade children's television advertisements the culprit? What will happen when junk food advertisements begin to pop-up on children's cell phones? How do the newer online forms of ''stealth marketing'', such as food products packaged with computer games, affect children's and adolescents' consumption patterns? We have more questions than answers.

On another subject, many of us believe that our children are becoming increasingly materialistic. Does exposure to commercial advertising and the ''good life'' experienced by media characters partly explain materialistic attitudes? We're not sure. Recent research using brain-mapping techniques finds that an adult who sees images of desired products demonstrates patterns of brain activation that are typically associated with reaching out with a hand. How does repeatedly seeing attractive products affect our children and their developing brains? As Internet access expands from the desktop computer to other devices, including televisions, what will happen when our children will be able to click on their television screen and go directly to sites that advertise the products that they see in their favorite programs or use their cell phones to pay immediately for products marketed directly at them? Exactly what kind of values are we cultivating in our children, and what role does exposure to media content play in the development of those values?

We want no child left behind in the 21st century. Many of us believe that time spent with computers is good for our children, teaching them the skills that they will need for success in the 21st century. Are we right? How is time spent with computers different from time spent with television? What are the underlying mechanisms that facilitate or disrupt children's learning from these varying media? Can academic development be fostered by the use of interactive online programs designed to teach as they entertain?

In the first six years of life, Caucasian more so than African American or Latino children have Internet access from their homes. Can our newer interactive media help ensure that no child is left behind, or will disparities in access result in leaving some behind and not others?

Interactive computer programs may be of enormous benefits to English language learners. In addition, electronic media can allow children with disabilities to learn, discover, and interact with others in ways not before possible. What are the best ways to help English language learners and children with various disabilities learn?

The questions about how media affect the development of our children are clearly important, abundant, and complex. Unfortunately, the answers to these questions are in short supply. Such gaps in our knowledge limit our ability to make informed decisions about media policy.

We know that media are important. Over the years, we have held numerous hearings in these chambers about how exposure to media violence affects childhood aggression. We passed legislation such as the Children's Television Act, which requires broadcasters to provide educational and informational television programs for children. Can we cultivate children's moral values through prosocial programs resulting from the Children's Television Act, that promote helping, sharing, and cooperating?

We acted to protect our children from unfair commercial practices by passing the Children's Online Privacy Protection Act, which provides safeguards from exploitation for our youth as they explore the Internet. Yet the Internet is providing new and evolving ways to reach children with marketing, making our ability to protect our children all the more difficult.

We worry about our children's inadvertent exposure to online pornography and about how that kind of exposure may undermine their moral values and standards of decency. In these halls of Congress, we acted to protect our children by passing the Communications Decency Act, the Child Online Protection Act, and the Children's Internet Protection Act to shield children from exposure to sexually explicit online content that is deemed harmful to minors. While we all agree that we need to protect our children from online pornography, we know very little about how to address even the most practical of questions such as how to prevent children from falling prey to adult strangers who approach them online.

To ensure that we are doing our very best for our children, the behavioral and health recommendations and public policy decisions we make should be based on objective scientific research. Yet no Federal research agency has responsibility for overseeing and setting a coherent media research agenda that can guide these policy decisions. Instead, Federal agencies fund electronic media research in a piecemeal fashion,

resulting in a patch work of findings that often do not span disciplines and address complex questions. We must do better than that.

The bill we are introducing today remedies this problem. The CAMRA Act will provide an overarching view of media effects by establishing a program devoted to Children and Media within the National Institute of Child Health and Human Development. This program of research, to be vetted by the National Academy of Sciences, will fund and energize a coherent program of research that illuminates the role of media in children's cognitive, social, emotional, physical, and behavioral development. The research will cover all forms of electronic media and will encourage research involving children of all ages—even babies and toddlers. The bill also calls for a report to Congress about the effectiveness of this research program in filling this void in our knowledge. To accomplish these goals, we are authorizing $90 million dollars to be phased in gradually across the next five years. The cost to our budget is minimal and can well result in significant savings in other budget areas.

Our Nation values the positive, healthy development of our children. Our children live in the information age, and our country has one of the most powerful and sophisticated technology systems in the world. While this system entertains them, it is not always harmless entertainment. Media have the potential to facilitate the healthy growth of our children. They also have the potential to harm. We have a stake in finding out exactly what that role is. We have a responsibility to take action. Access to the knowledge that we need for informed decision-making requires us to make an investment: an investment in research, an investment in and for our children, and an investment in our collective futures. The benefits to our youth and our Nation's families are immeasurable.

By passing the Children and Media Research Advancement Act, we can advance knowledge and enhance the constructive effects of media while minimizing the negative ones. We can make future media policies that are grounded in solid, scientific knowledge. We can be proactive, rather than reactive. In so doing, we build a better nation for our youth, fostering the kinds of values that are the backbone of this great nation of ours, and we create a better foundation to guide future media policies about the digital experiences that pervade our children's daily lives.

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. 948

*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 ''Children and Media Research Advancement Act'' or the ''CAMRA Act''.

**SEC. 2. PURPOSE.**

It is the purpose of this Act to enable the National Institute of Child Health and Human Development to—

(1) examine the role and impact, both positive and negative, of electronic media in children's and adolescents' cognitive, social, emotional, physical, and behavioral development; and

(2) provide for a report to Congress containing the empirical evidence and other results produced by the research funded through grants under this Act.

**SEC. 3. RESEARCH ON THE ROLE AND IMPACT OF ELECTRONIC MEDIA IN THE DEVELOPMENT OF CHILDREN AND ADOLESCENTS.**

Subpart 7 of part C of title IV of the Public Health Service Act (42 U.S.C. 285g et seq.) is amended by adding at the end the following:

**''SEC. 452H. RESEARCH ON THE ROLE AND IMPACT OF ELECTRONIC MEDIA IN THE DEVELOPMENT OF CHILDREN AND ADOLESCENTS.**

''(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary, acting through the Director of the Institute), shall enter into a contract with the National Academy of Sciences, in collaboration with the Institute of Medicine or another appropriate entity to review, synthesize, and report on research, and establish research priorities, regarding the roles and impact of electronic media (including television, motion pictures, DVD's, interactive video games, digital music, the Internet, and cell phones) and exposures to such media on youth in the following core areas of development:

''(1) COGNITIVE.—Cognitive areas such as language development, attention span, problem solving skills (such as the ability to conduct multiple tasks or 'multitask'), visual and spatial skills, reading, and other learning abilities.

''(2) PHYSICAL.—Physical areas such as physical coordination, diet, exercise, sleeping and eating routines.

''(3) SOCIO-BEHAVIORAL.—Socio-behavioral areas such as family activities and peer relationships including indoor and outdoor play time, interactions with parents, consumption habits, social relationships, aggression, and positive social behavior.

''(b) RESEARCH PROGRAM.—

''(1) IN GENERAL.—Taking into account the report provided for under subsection (a), the Secretary, acting through the Director, shall, subject to the availability of appropriations, award grants for research concerning the role and impact of electronic media on the cognitive, physical, and socio-behavioral development of youth.

''(2) REQUIREMENTS.—The research provided for under paragraph (1) shall comply with the following requirements:

''(A) Such research shall focus on the impact of factors such as media content (whether direct or indirect), format, length of exposure, age of youth, venue, and nature of parental involvement.

''(B) Such research shall not duplicate other Federal research activities.

''(C) For purposes of such research, electronic media shall include television, motion pictures, DVD's, interactive video games, digital music, the Internet, and cell phones.

''(3) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this subsection, an entity shall—

''(A) prepare and submit to the Director an application at such time, in such manner, and containing such information as the Director shall require; and

''(B) agree to use amounts received under the grant to carry out activities as described in this subsection.

''(c) REPORTS.—

''(1) REPORT TO THE DIRECTOR.—Not later than 15 months after the date of the enactment of this section, the report provided for under subsection (a) shall be submitted to the Director and to the appropriate committees of Congress.

''(2) REPORT TO CONGRESS.—Not later than December 31, 2013, the Secretary, acting through the Director, shall prepare and submit to the appropriate committees of Congress a report that—

''(A) synthesizes the results of—

''(i) research carried out under the grant program under subsection (b); and

''(ii) other related research, including research conducted by the private or public sector and other Federal entities; and

''(B) outlines existing research gaps in light of the information described in subparagraph (A).

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $10,000,000 for fiscal year 2008, $15,000,000 for fiscal year 2009, $20,000,000 for fiscal year 2010, $25,000,000 for fiscal year 2011, and $25,000,000 for fiscal year 2012.''.

---

By Ms. SNOWE (for herself, Ms. CANTWELL, Mr. INOUYE, Mr. STEVENS, Mrs. BOXER, Mr. CARDIN, Mr. KERRY, Mr. MENENDEZ, Ms. COLLINS, Mr. LAUTENBERG, Mr. LOTT, Mrs. FEINSTEIN, Mr. NELSON of Florida, and Ms. MURKOWSKI):

S. 950. A bill to develop and maintain an integrated system of coastal and ocean observations for the Nation's coasts, oceans, and Great Lakes, to improve warnings of tsunami, hurricanes, El Nino events, and other natural hazards, to enhance homeland security, to support maritime operations, to improve management of coastal and marine resources, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Ms. SNOWE. Mr. President, I rise today to introduce the Coastal and Ocean Observation System Act of 2007. This bill will enhance our Nation's existing ocean observation infrastructure and drastically improve our understanding of the marine environment.

Oceans cover nearly three-quarters of the Earth's surface, and have great influence over our lives. They shape our weather and climate systems, provide highways for international and domestic commerce, sustain rich living and non-living resources on which many of our livelihoods are based, and provide our Nation over 95,000 miles of shoreline which is the backbone of tourist and recreational activities in many of our coastal States. Despite the constant, intricate interaction between our lives on land and the natural systems of the ocean, we know woefully little about the physical properties of the overwhelming majority of our planet. What lies over the horizon remains, by most accounts, a mystery.

And yet, the effects of those mysterious systems can be devastating. In recent years, we have experienced firsthand the destruction the ocean can

bring through disasters such as Hurricanes Katrina and Rita here in the United States, and the Indian Ocean tsunami felt in Indonesia and parts of Asia. We have the technology to monitor a wide range of ocean-based threats, from destructive storms to quieter dangers such as harmful algal blooms and manmade pollution. The purpose of this legislation is to put that technology to work predicting these threats more accurately and, when possible, mitigate their impacts.

This bipartisan, science-based bill would authorize the National Oceanic and Atmospheric Administration, or NOAA, to coordinate an interagency network of ocean observing and communication systems around our nation's coastlines. This system would collect instantaneous data and information on ocean conditions—such as temperature, wave height, wind speed, currents, dissolved oxygen, salinity, contaminants, and other variables—that are essential to marine science and resource management and can be used to improve maritime transportation, safety, and commerce. Such data would improve both short-term forecasting that can mitigate impacts of major disasters, and prediction and scientific analysis of long-term ocean and climate trends.

My home State of Maine currently participates in an innovative partnership known as the Gulf of Maine Ocean Observing System, or GoMOOS. Launched in 2001, GoMOOS takes ocean and surface condition measurements on an hourly basis through a network of linked buoys. These data are subsequently made available via the GoMOOS website to scientists, students, vessel captains, fishermen, and anyone else with an interest in our oceans. The system continues to expand, with the 11th buoy in the system launched in December of 2006. The vast geographical range and frequency of measurements has led to unprecedented developments in scientific analysis of ocean conditions in the Gulf of Maine. It has also contributed invaluable information to our region's assessments of fisheries, weather conditions, and predictions of other ocean phenomena.

Of course, the need to access this type of information is not limited to the Gulf of Maine. Similar observing systems have been developed in other coastal regions as well. Data from these various systems, however, are often incompatible with one another, making it difficult to compile, manage, process, and communicate data across networks. As a result, these disparate systems may be unable to link their data and develop a comprehensive national picture of coastal and ocean conditions.

The Coastal and Ocean Observation System Act of 2007 would rectify this situation by establishing, in cooperation with NOAA, an integrated system of ocean observing efforts. The bill would encourage creation of systems in areas that do not currently have one in place or in development, enable the data from all systems to be integrated and accessible through a national network, and facilitate timely public warnings of hazardous ocean conditions or events. Oversight of the program would be the responsibility of the National Ocean Research Leadership Council, a group comprised of the heads of fifteen Federal agencies that play roles in formulation of ocean policy. The Council would establish an interagency partnership to plan and coordinate activities, with NOAA serving as the lead Federal agency ensuring that the national network effectively integrates, utilizes, and publicizes ocean data to the benefit of the American public.

In June 2006, the Joint Ocean Commission Initiative, made up of members from the Pew Ocean Commission and the U.S. Commission on Ocean Policy, presented to Congress a list of the ''top ten'' actions Congress should take to strengthen our ocean policy regime. One of those priorities was ''enact legislation to authorize and fund the Integrated Ocean Observing System.'' Ocean and coastal observations are a cornerstone of sound marine science, management, and commerce. This bill will save lives by allowing seafarers to better monitor ocean conditions and providing timelier and more accurate predictions of potentially catastrophic weather and seismic phenomena. It will save taxpayers' dollars by reducing the emergency spending that comes in the wake of unanticipated storms, and it will enhance the appreciation and understanding of our oceans and coastal regions to benefit all Americans.

I am very proud to introduce this bill, and I would like to thank my cosponsors, Senators CANTWELL, INOUYE, STEVENS, BOXER, CARDIN, KERRY, MENENDEZ, COLLINS, LAUTENBERG, LOTT, FEINSTEIN, NELSON, and MURKOWSKI for contributing to this legislation and supporting this national initiative. Of course, our current and expanding ocean observation and communication system would not be possible without the work of dedicated professionals in the ocean and coastal science, management, and research communities—they have taken the initiative to develop the grassroots regional observation systems as well as contribute to this legislation. Thanks to their ongoing efforts, ocean observations will continue to provide a tremendous service to the American public.

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

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

S. 950

*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 ''Coastal and Ocean Observation System Act of 2007''.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) FINDINGS.—Congress finds the following:

(1) The United States Commission on Ocean Policy recommends a national commitment to a sustained and integrated coastal and ocean observing system and to coordinated research programs which would provide vital information to assist the Nation and the world in understanding, monitoring, and predicting changes to the ocean and coastal resources and the global climate system, enhancing homeland security, improving weather and climate forecasts, strengthening management and sustainable use of coastal and ocean resources, improving the safety and efficiency of maritime operations, and mitigating the impacts of marine hazards.

(2) The continuing and potentially devastating threat posed by tsunami, hurricanes, storm surges, and other marine hazards requires immediate implementation of strengthened observation and communications, and data management systems to provide timely detection, assessment, and warnings and to support response strategies for the millions of people living in coastal regions of the United States and throughout the world.

(3) Safeguarding homeland security, conducting search and rescue operations, responding to natural and manmade coastal hazards (such as oil spills and harmful algal blooms), and managing fisheries and other coastal activities each require improved understanding and monitoring of the Nation's waters, coastlines, ecosystems, and resources, including the ability to provide rapid response teams with real-time environmental conditions necessary for their work.

(4) The 95,000-mile coastline of the United States, including the Great Lakes, is vital to the Nation's prosperity, contributing over $117 billion to the national economy in 2000, supporting jobs for more than 200 million Americans, handling $700 billion in waterborne commerce, and supporting commercial and sport fisheries valued at more than $50 billion annually.

(5) Ensuring the effective implementation of National and State programs to protect unique coastal and ocean habitats, such as wetlands and coral reefs, and living marine resources requires a sustained program of research and monitoring to understand these natural systems and detect changes that could jeopardize their long term viability.

(6) Many elements of a coastal and ocean observing system are in place, but require national investment, consolidation, completion, and integration among international, Federal, regional, State, and local elements.

(7) In 2003, the United States led more than 50 nations in affirming the vital importance of timely, reliable, long-term global observations as a basis for sound decision-making, recognizing the contribution of observation systems to meet national, regional, and global needs, and calling for strengthened cooperation and coordination in establishing a Global Earth Observation System of Systems, of which an integrated coastal and ocean observing system is an essential part.

(8) Protocols and reporting for observations, measurements, and other data collection for a coastal and ocean observing system should be standardized to facilitate data use and dissemination.

(9) Key variables, including temperature, salinity, sea level, surface currents, and ocean color, should be collected to address a variety of informational needs.

(b) PURPOSES.—The purposes of this Act are to establish an integrated national system of ocean, coastal, and Great Lakes observing systems to address regional and national needs for ocean information and to provide for—

(1) the planning, development, implementation, and maintenance of an integrated coastal and ocean observing system that provides data and information to sustain and restore healthy marine, coastal, and Great Lakes ecosystems and manage the resources they support, aid marine navigation safety and national security, support economic development, enable advances in scientific understanding of the oceans and the Great Lakes, and strengthen science education and communication;

(2) implementation of research, development, education, and outreach programs to improve understanding of the marine environment and achieve the full national benefits of an integrated coastal and ocean observing system;

(3) implementation of a data, information management, and modeling system required by all components of an integrated coastal and ocean observing system and related research to develop early warning systems to more effectively predict and mitigate impacts of natural hazards, improve weather and climate forecasts, conserve healthy and restore degraded coastal ecosystems, and ensure usefulness of data and information for users; and

(4) establishment of a network of regional associations to operate and maintain regional coastal and ocean observing systems to ensure fulfillment of national objectives at regional scales and to address state and local needs for ocean information and data products.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) ADMINISTRATOR.—The term ''Administrator'' means Administrator of the National Oceanic and Atmospheric Administration.

(2) COUNCIL.—The term ''Council'' means the National Ocean Research Leadership Council established by section 7902 of title 10, United States Code.

(3) INTEGRATED OCEAN OBSERVING PROGRAM OFFICE.—The term ''Integrated Ocean Observing Program Office'' means a program office within the National Oceanic and Atmospheric Administration to integrate its ocean observing assets and implement the requirements under section 4(d).

(4) INTERAGENCY PROGRAM OFFICE.—The term ''Interagency Program Office'' means the office established under section 4(e).

(5) NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.—The term ''National Oceanographic Partnership Program'' means the program established under section 7901 of title 10, United States Code.

(6) OBSERVING SYSTEM.—The term ''observing system'' means the integrated coastal, ocean, and Great Lakes observing system to be established by the Council under section 4(a).

(7) SECRETARY.—The term ''Secretary'' means the Secretary of Commerce, acting through the National Oceanic and Atmospheric Administration.

**SEC. 4. INTEGRATED COASTAL AND OCEAN OBSERVING SYSTEM.**

(a) ESTABLISHMENT.—The President, acting through the Council, shall establish and maintain an integrated system of coastal and ocean observations, data communication and management, analysis, modeling, research, education, and outreach designed to understand current conditions and provide data and information for the timely detection and prediction of changes occurring in the ocean, coastal and Great Lakes environment that impact the Nation's social, economic, and ecological systems. The observing system shall provide for long-term, continuous and quality-controlled observations of the Nation's coasts, oceans, and Great Lakes in order to—

(1) understand the effects of human activities and natural variability on and improve the health of the Nation's coasts, oceans, and Great Lakes;

(2) measure, track, explain, and predict climatic and environmental changes and protect human lives and livelihoods from hazards such as tsunami, hurricanes, storm surges, coastal erosion, levy breaches, and fluctuating water levels;

(3) supply critical information to marine-related businesses such as marine transportation, aquaculture, fisheries, and offshore energy production and aid marine navigation and safety;

(4) support national defense and homeland security efforts;

(5) support the sustainable use, conservation, management, and enjoyment of healthy ocean, coastal, and Great Lakes resources, better understand the interactions of ocean processes within the coastal zone, and support implementation and refinement of ecosystem-based management and restoration;

(6) support the protection of critical coastal habitats, such as coral reefs and wetlands, and unique ecosystems and resources;

(7) educate the public about the role and importance of the oceans, coasts, and Great Lakes in daily life; and

(8) support research and development to ensure improvement to ocean, coastal, and Great Lakes observation measurements and to enhance understanding of the Nation's ocean, coastal, and Great Lakes resources.

(b) SYSTEM ELEMENTS.—In order to fulfill the purposes of this Act, the observing system shall consist of the following program elements:

(1) A national program to fulfill national and international observation priorities.

(2) A network of regional associations to manage the regional coastal and ocean observing and information programs that collect, measure, and disseminate data and information products.

(3) Data management, communication, and modeling systems for the timely integration and dissemination of data and information products from the national and regional systems.

(4) A research and development program conducted under the guidance of the Council; including projects under the National Oceanographic Partnership Program, consisting of the following:

(A) Basic research to advance knowledge of coastal and ocean systems and ensure improvement of operational products, including related infrastructure, observing technology, and information technology.

(B) Focused research and technology development projects to improve understanding of the relationship between the coasts and oceans and human activities.

(C) Large scale computing resources and research to advance modeling of coastal and ocean processes.

(5) A coordinated outreach, education, and training program that integrates and augments existing programs (such as the National Sea Grant College Program, the Centers for Ocean Sciences Education Excellence program, and the National Estuarine Research Reserve System), to ensure the use of data and information for improving public education and awareness of the Nation's coastal and ocean environment and building the technical expertise required to operate and improve the observing system.

(c) COUNCIL FUNCTIONS.—The Council shall serve as the oversight body for the design and implementation of all aspects of the observing system. In carrying out its responsibilities under this section, the Council shall—

(1) adopt plans, budgets, and standards that are developed and maintained by the Interagency Program Office in consultation with the regional associations;

(2) coordinate the observing system with other earth observing activities including the Global Ocean Observing System and the Global Earth Observing System of Systems;

(3) coordinate and approve programs of intramural and extramural research, technology development, education, and outreach to support improvements to and the operation of an integrated coastal and ocean observing system and to advance the understanding of the oceans;

(4) promote development of technology and methods for improving the observing system;

(5) support the development of institutional mechanisms and financial instruments to further the goals of the program and provide for the capitalization of the required infrastructure;

(6) provide, as appropriate, support for and representation on United States delegations to international meetings on coastal and ocean observing programs, including those under the jurisdiction of the International Joint Commission involving Canadian waters; and

(7) in consultation with the Secretary of State, support coordination of relevant Federal activities with those of other nations.

(d) LEAD FEDERAL AGENCY.—The National Oceanic and Atmospheric Administration shall be the lead Federal agency for implementation and administration of the observing system and to carry out the responsibilities of this Act, in consultation with the Council, the Interagency Program Office, other Federal Agencies that maintain portions of the observing system and the Regional Associations, shall—

(1) establish an Integrated Ocean Observing Program Office;

(2) integrate, improve, and extend existing programs and research projects, and ensure that regional associations are integrated into the operational observation system on a sustained basis;

(3) integrate the appropriate capabilities of the National Oceanic and Atmospheric Administration, and other appropriate centers, into the observing system for the purpose of assimilating, managing, disseminating, and archiving data from regional observation systems and other observation systems;

(4) provide for the migration of scientific and technological advances from research and development to operational deployment;

(5) provide for opportunities to contract with private sector companies in designing, developing, integrating, and deploying ocean observation system elements;

(6) establish efficient and effective administrative procedures for allocation of funds among Federal agencies, contractors, grantees, and regional associations in a timely manner, and contingent on appropriations according to the budget adopted by the Council;

(7) develop and implement a process for the certification and assimilation into the national ocean observations network of the regional associations and their periodic review and recertification and certify regional associations that meet the requirements of subsection (f); and

(8) develop a data management and communication system, in accordance with the established standards and protocols, by which all data collected by the observing system regarding coastal waters of the United States are integrated and available.

(e) INTERAGENCY PROGRAM OFFICE.—

(1) ESTABLISHMENT.—The Council shall establish an Interagency Program Office housed within the National Oceanic and Atmospheric Administration.

(2) RESPONSIBILITIES.—The Interagency Program Office shall be responsible for program planning and coordination of the implementation of the observing system.

(3) DUTIES.—The Interagency Program Office shall report to the Council via the Secretary and shall—

(A) prepare annual and long-term plans for consideration and approval by the Council for the design and implementation of the observing system that promote collaboration among Federal agencies and regional associations in developing global, national, and regional observing systems, including identification and refinement of a core set of variables to be measured by all systems;

(B) coordinate the development of agency and regional associations priorities and budgets to implement, operate, and maintain the observing systems;

(C) establish and refine standards and protocols for data collection, management and communications, including quality control standards, in consultation with participating Federal agencies and regional associations; and

(D) establish a process for assuring compliance for all participating entities with the standards and protocols for data management and communications, including quality control standards.

(f) REGIONAL ASSOCIATIONS OF COASTAL AND OCEAN OBSERVING SYSTEMS.—

(1) The Secretary shall initiate a rulemaking proceeding to establish a process for the certification of regional associations to be responsible for the development and operation of regional coastal and ocean observing systems to meet the information needs of user groups in the region while adhering to national standards. To be certified a regional association shall meet the certification standards developed by the Interagency Program Office in conjunction with the regional associations and approved by the Council and shall—

(A) demonstrate an organizational structure capable of supporting and integrating all aspects of coastal and ocean observing and information programs within a region and that reflects broad representation from state and local government, commercial interests, and other users and beneficiaries of marine information;

(B) operate under a strategic operations and business plan that details the operation and support of regional coastal and ocean observing systems pursuant to the standards approved by the Council; and

(C) work with governmental entities and programs at all levels to identify and provide information products of the observing system for multiple users in the region to advance outreach and education, to improve coastal and fishery management, safe and efficient marine navigation, weather and climate prediction, to enhance preparation for hurricanes, tsunami, and other natural hazards, and other appropriate activities.

(2) For the purposes of this Act, employees of Federal agencies may participate in the functions of the Regional Associations.

(g) CIVIL LIABILITY.—For purposes of section 1346(b)(1) and chapter 171 of title 28, United States Code, and chapters 309 and 311 of title 46, United States Code, any regional coastal and ocean observing system that is a designated part of a regional association certified under this section shall, with respect to tort liability arising from the dissemination and use of the data, in carrying out the purposes of this Act, be deemed to be part of the National Oceanic and Atmospheric Administration, and any employee of such system, while operating within the scope of his or her employment in carrying out such purposes, shall be deemed to be an employee of the Government.

**SEC. 5. PROCESS FOR TRANSITION FROM RESEARCH TO OPERATION.**

The National Oceanic and Atmospheric Administration, in consultation with the Council, shall formulate a process by which—

(1) funding is made available for intramural and extramural research on new technologies for collecting data regarding coastal and ocean waters of the United States;

(2) such technologies are tested including—

(A) accelerated research into biological and chemical sensing techniques and satellite sensors for collecting such data; and

(B) developing technologies to improve all aspects of the observing system, especially the timeliness and accuracy of its predictive models and the usefulness of its information products; and

(3) funding is made available and a plan is developed and executed to transition technology that has been demonstrated to be useful for the observing system is incorporated into use by the observing system.

**SEC. 6. INTERAGENCY FINANCING.**

The departments and agencies represented on the Council are authorized to participate in interagency financing and share, transfer, receive, obligate, and expend funds appropriated to any member of the Council for the purposes of carrying out any administrative or programmatic project or activity under this Act or under the National Oceanographic Partnership Program, including support for the Interagency Program Office, a common infrastructure, and system integration for a coastal and ocean observing system. Funds may be transferred among such departments and agencies through an appropriate instrument that specifies the goods, services, or space being acquired from another Council member and the costs of the same.

**SEC. 7. APPLICATION WITH OUTER CONTINENTAL SHELF LANDS ACT.**

Nothing in this Act supersedes, or limits the authority of the Secretary of the Interior under, the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

**SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated to the National Oceanic and Atmospheric Administration for the implementation of this Act, $150,000,000 for each of the fiscal years 2008 through 2012 and such additional sums as may be necessary for each of the fiscal years 2008 through 2012. The Administrator shall provide such sums as are necessary to the regional associations certified under section 4(f) for implementation of regional coastal and ocean observing systems. Sums appropriated pursuant to this section shall remain available until expended.

**SEC. 9. IMPLEMENTATION PLAN.**

Not later than 12 months after the date of the enactment of this Act, the Secretary shall submit to the Congress and the Council a plan for implementation of this Act, including for—

(1) coordinating activities of the Secretary under this Act with other Federal agencies; and

(2) distributing, to regional associations, funds available to carry out this Act.

**SEC. 10. REPORT TO CONGRESS.**

(a) REQUIREMENT.—Not later than 2 years after the date of the enactment of this Act and every 2 years thereafter, the Administrator shall prepare and the President acting through the Council shall approve and transmit to the Congress a report on progress made in implementing this Act.

(b) CONTENTS.—The report shall include the following:

(1) A description of activities carried out under the implementation plan and this Act.

(2) An evaluation of the effectiveness of the observing system.

(3) Benefits of the program to users of data products resulting from the observing system (including the general public, industry, scientists, resource managers, emergency responders, policy makers, and educators).

(4) Recommendations concerning—

(A) modifications to the observing system; and

(B) funding levels for the observing system in subsequent fiscal years.

(5) The results of a periodic external independent programmatic audit of the observing system.

Ms. CANTWELL. Mr. President, I'm pleased to join Senator SNOWE in introducing the Coastal and Ocean Observation Systems Act of 2007, which will make needed improvements to our national and regional ocean observing systems.

The Coastal and Ocean Observation Systems Act would establish a national program to focus on national and international ocean observing priorities, and provide needed support for a network of regional associations that already collect and manage information in ocean and coastal areas across the nation.

Currently, most long term ocean observing and data collection is carried out on a regional basis. While these regional ocean observing systems provide valuable data, lack of coordination at the national level and a lack of sustained resources have limited their effectiveness for advancing a comprehensive understanding of our oceans and coasts. The Coastal and Ocean Observation Systems Act of 2007 would help to rectify this by organizing regional activities under a federal interagency committee within NOAA.

Improving long-term ocean observing and monitoring is a key recommendation of the U.S. Commission on Ocean Policy and will provide the information needed to restore and sustain healthy ocean and coastal ecosystems. Specifically, this bill would bolster the Nation's ability to observe and monitor ocean conditions in order to improve tsunami warnings, better understand the impacts of climate change on the oceans, track ocean conditions that could impact human health, improve homeland security, and support maritime operations.

Fishermen and mariners rely on accurate forecasts of ocean conditions for safety and navigation. An integrated ocean observing system would improve these forecasts and will save lives at sea. Ocean observing will also help authorities understand the link between ocean conditions and human health. For example, improved tracking of harmful algal blooms can minimize the risk of shellfish poisoning by warning people when the conditions exist that make harvesting shellfish dangerous.

An integrated ocean and coastal observing system will prove an invaluable tool as we work to understand and overcome the challenges of climate change. The ocean covers 70 percent of

the globe and plays a critical role in regulating our climate. Scientists are finding that the ocean environment is often the first of the earth's ecosystems to display the impacts of climate change.

We've already detected some of these impacts, from ocean acidification's impacts on North Pacific food chains and coral reefs in the tropics, to seasonal ocean dead zones that are forming off the coast of Washington and Oregon. The effects of climate change will be felt by our fishermen and coastal communities, and ocean observing will give them the information they need to mitigate impacts.

As we seek a better understanding of our oceans and coasts and the ecosystems that form the basis of life for much of the Earth's population, an integrated ocean observing system. will be an essential investment.

---

By Mr. WARNER (for himself and Mr. WEBB):

S. 951. A bill to provide a waiver from sanctions under the Elementary and Secondary Education Act of 1965 for certain States, local educational agencies, and schools; to the Committee on Health, Education, Labor, and Pensions.

Mr. WARNER. Mr. President, I rise today to introduce legislation with my Virginia Senate colleague, Senator WEBB, related to the No Child Left Behind Act. This legislation simply tries to hold certain schools harmless, for one year, from the sanction provisions under NCLB when such sanctions result solely because of bureaucratic problems with the implementation of the law.

I am pleased to note that Congressman TOM DAVIS, Congressman JIM MORAN, Congressman BOB GOODLATTE, Congresswoman DAVIS, and Congressman RICK BOUCHER have joined Senator WEBB and me in introducing the same bill in the House of Representatives.

While I firmly believe that the goals behind NCLB are solid, there have been some challenges with the regulatory implementation of this new law, particularly in Virginia. Most recently, the Commonwealth of Virginia and the U.S. Department of Education have reached an impasse with respect to how best to test students with limited English proficiency. While, at this moment, I do not cast blame for how we came to this impasse, the simple fact is that it could result in a number of schools in Virginia being sanctioned under the Federal law—not because our schools are underperforming, but rather as a consequence of bureaucracy. This is clearly not the intent of No Child Left Behind.

No Child Left Behind was intended to put in place a strong accountability system by which the Federal Government would receive favorable results for the billions of Federal dollars it spends on education. The law was structured to ensure that all students are included in States' accountability systems, and was designed to reward those systems that achieve goals under the accountability system, and to sanction those that do not.

Regrettably, in my view, if legislation is not passed and signed into law that recognizes the unique situation faced in Virginia, and perhaps other States, then public schools in Virginia, and perhaps around the country, will be punished through no fault of their own.

Let me be more specific about what has occurred in my State. On June 28, 2006, the Virginia Department of Education received notice from the U.S. Department of Education that the assessment that Virginia had used for years to test certain limited English proficiency students would no longer meet Federal requirements. The 2006–2007 academic school year started shortly thereafter, and, at that time, no alternative assessment had been approved.

On December 11, 2006, representatives from the Virginia Board of Education and the State Superintendent of Public Instruction met with the U.S. Department of Education officials to discuss a one-year extension, by which Virginia would be permitted to use the same assessment it had used in prior years for testing LEP students. On January 4, 2007, the entire Virginia Congressional delegation sent a letter to Secretary Spellings supporting Virginia's request for a one-year extension for using an alternative assessment for testing LEP students.

On January 29, 2007, Secretary Spellings wrote back to me denying Virginia's request. On February 8, 2007, Deputy Secretary Ray Simon wrote to Virginia clarifying that, while the previous test may not be used, another assessment is expected to obtain approval.

Well, today is March 21, 2007. To date, Virginia still does not have an approved alternative assessment, and our State assessments are scheduled to be given in less than a month. With no appropriate test approved for students to take this April, how can Virginia schools be expected to meet federal standards? How can our State and schools develop, prepare for, and administer a new test when we are well past the middle of the school year? Common sense begs for a reasonable solution.

In the interim, several school divisions in Virginia have voted not to test the LEP students at all. In turn, the U.S. Department of Education has threatened to withhold from Virginia millions of Federal education dollars.

The legislation that we introduce today is designed to allow the parties involved to take a step back, develop an acceptable assessment, appropriately train and educate students on it, and allow the Virginia educational system to move forward without being sanctioned in a way that is inconsistent with the NCLB Act.

This legislation accomplishes these goals by holding schools, local education agencies, and States harmless for one year from the sanctions provisions of NCLB if they meet certain criteria. Specifically a state must: (1) have had one or more approved academic assessment plans for the 2005–2006 school year; (2) have had one or more of such plans subsequently held invalid by the Department of Education for the 2006–2007 school year; and (3) have the Governor of the State certify, in writing, to the Secretary of Education that the State cannot effectively train its educators on a new or alternative assessment prior to the date the assessment is to be administered, and that the administration of a new or alternative assessment is not in the best interest of the public school system and the children the system serves.

This ''hold-harmless'' provision would only apply to those schools and school divisions that fail to meet the Federal standards solely because of these logistical problems.

Unlike other proposals that have recently been introduced with respect to No Child Left Behind, this measure would not exempt states from accountability, nor exempt States, school districts and schools from the requirements of NCLB. Our bill simply calls for the suspension of penalties for one year for those schools and districts that, through no fault of their own, are being set up for potential failure because of bureaucratic logistical problems. This will give the Commonwealth of Virginia and the Federal Government ample time to address the testing situation effectively for the 2007–2008 school year.

I would like to submit for the RECORD several letters expressing support for this legislation. The first letter is from Governor Kaine. The second letter is from Dr. Billy Cannady, the Superintendent of Public Instruction in Virginia; the third letter is from Dr. Mark Emblidge, President of the Virginia Board of Education; and the fourth letter is from the Virginia School Boards Association.

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:

COMMONWEALTH OF VIRGINIA,
OFFICE OF THE GOVERNOR,
*Richmond, VA, March 20, 2007.*

Hon. JOHN WARNER,
*U.S. Senate, Russell Senate Office Building, Washington, DC.*

DEAR SENATOR WARNER: I would like to thank you for taking a leadership role in efforts to resolve some of the immediate difficulties states and local educational agencies are facing in implementing testing provisions of the No Child Left Behind Act (NCLB). I strongly support your proposed legislation to provide a waiver from sanctions under certain circumstances for the current academic year.

As you know, Virginia takes the academic achievement of all students and the accountability of all schools and school divisions very seriously. Our accountability system

predates NCLB by several years, and is widely recognized as one of the best in the nation. Our standards are ranked #5 in quality by the Fordham Institute, which also lists us as #1 in achievement based primarily on NAEP scores. We were recently named by Education Week as the state with the highest ''chance for success'' index for children. In achievement of Hispanic students, Virginia ranks number 2, 3 and 4 nationally for percent of students proficient in 8th grade mathematics, 8th grade science and 4th grade reading, respectively.

Meanwhile, we are challenged by the short time frame afforded us to revise our assessment practices for the current year, given the decision this same year by the U.S. Department of Education to hold our academic assessment plan invalid. The proposed legislation would allow us and other states in similar situations a more reasonable amount of time to revise assessment practices.

I believe the role you propose for Governors to certify that schools or local educational agencies meet the criteria specified in the legislation is appropriate and practicable. I applaud your thoughtful solution, and thank you for keeping in mind the best interests of children, school divisions and states as we continue to make progress in raising educational achievement and closing achievement gaps.

Sincerely,

TIMOTHY M. KAINE.

---

COMMONWEALTH OF VIRGINIA,
DEPARTMENT OF EDUCATION,
*Richmond, VA, March 21, 2007.*

Hon. JOHN WARNER,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR WARNER: I strongly support your introduction of legislation in the Senate of the United States on behalf of the Commonwealth of Virginia and other states that will provide a waiver from sanctions of the Elementary and Secondary Education Act of 1965 as a result of having an approved 2005–2006 state assessment plan held invalid by the U.S. Department of Education for the 2006–2007 school year. The Commonwealth of Virginia meets all of the qualifying criteria in the proposed legislation, and certain eligible schools and school divisions will benefit from the hold harmless waiver provision.

I sincerely appreciate the leadership you and other members of Virginia's congressional delegation are providing in seeking additional flexibility for states in implementing the Elementary and Secondary Education Act (ESEA), otherwise known as No Child Left Behind (NCLB). The Virginia Department of Education remains committed to the goals of NCLB and implementing the federal law with fidelity while advocating for assessment policies based on research and sound practice.

The Department will provide the Governor with valid and reliable data for certifying that the commonwealth, schools, and school divisions meet the qualifying criteria in the proposed legislation.

The Department of Education appreciates your continued support. We are committed to moving all Virginia children from competence to excellence. It is our hope that the introduction of this legislation also will inform the reauthorization process.

Sincerely,

BILLY K. CANNADAY, Jr.,
*Superintendent of Public Instruction.*

COMMONWEALTH OF VIRGINIA,
BOARD OF EDUCATION,
*Richmond, VA, March 21, 2007.*

Hon. JOHN WARNER,
*U.S. Senate,*
*Washington, DC.*

DEAR SENATOR WARNER: I am writing to express strong support for your introduction of legislation in the Senate of the United States on behalf of the Commonwealth of Virginia and other states seeking a waiver under the Elementary and Secondary Education Act of 1965 from certain sanctions and financial penalties as a result of having had an approved state academic assessment plan for 2005–2006 held invalid by the U.S. Department of Education for the 2006–2007 school year. We understand the proposed legislation will apply only to states, local educational agencies, and schools if the state meets the qualifying criteria identified in the proposed legislation. The Commonwealth of Virginia meets all of the qualifying criteria and will benefit from the additional flexibility being proposed.

On behalf of the Virginia Board of Education, please accept our gratitude for the leadership you are providing in preventing sanctions to our state, schools, and school divisions as a result of having to implement testing policies that are not in the best interest of all the students we serve. The legislation you are introducing in the Senate reflects the growing impatience with the rigidity that has characterized the U.S. Department of Education's implementation of No Child Left Behind. This impatience is most acute in states like Virginia with effective accountability programs predating the federal law.

The achievements of Virginia's students and schools under the Standards of Learning program have brought the commonwealth national recognition as a model of successful reform. I am grateful to you and the other members of Virginia's congressional delegation for their efforts to secure additional flexibility so our public schools can implement NCLB in a manner that puts children first and reflects sound instructional and assessment practices.

The Board of Education remains committed to the goals of NCLB and holding schools accountable for closing achievement gaps between minority and non-minority students while improving teaching and learning for all children. This commitment, which has made the commonwealth an acknowledged leader in the implementation of standards-based reform, includes accountability for student achievement and testing policies based on research and sound practice.

The Board of Education appreciates your continued support of the Standards of Learning accountability program. It is my hope that the introduction of this legislation also will inform the reauthorization process.

Sincerely,

MARK E. EMBLIDGE,
*President.*

---

VIRGINIA SCHOOL
BOARDS ASSOCIATION,
*Charlottesville, VA, March 19, 2007.*

Hon. JOHN W. WARNER,
*U.S. Senate,*
*Washington, DC.*

Subject: Support for Emergency Waiver Bill under No Child Left Behind.

DEAR SENATOR WARNER: I write to express the support of the Virginia School Boards Association on behalf of its members, all 134 of Virginia's school boards for legislation you plan to introduce this week, to grant relief from certain aspects of No Child Left Behind. That legislation, which will be effective for this year's testing cycle, acknowledges that schools, school divisions, and states need time to develop certain alternative assessments, field test them, and train teachers to administer them, before the U.S. Department of Education imposes onerous sanctions. It would provide the additional time needed to develop assessments that work for children, not only in Virginia, but across the United States.

On March 16, 2007, the Board of Directors of the Virginia School Boards Association voted unanimously to support this legislation. We stand ready to assist in any way in its enactment into law in time for this year's testing cycle. Finally, we thank you and your office for your steadfast support of Virginia's 134 school boards, our teachers and administrators and, most importantly, the 1.1 million children we serve.

If you have any questions, please contact Frank E. Barham, VSBA Executive Director.

Sincerely yours,

EDDIE H. RYDER,
*President.*

---

S. 951

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

**SECTION 1. WAIVER.**

A State, local educational agency, or school shall be held harmless and not subject to the penalties provision under section 1111(g) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(g)), the requirements of school or local educational agency improvement, corrective action, restructuring, or other sanctions or penalties under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313), or any other sanctions or penalties relating to academic assessments under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) for the 2006–2007 school year if the following criteria are met:

(1) The State (in the case of a local educational agency or school, the State within which such local educational agency or school exists) had 1 or more approved academic assessment plans for the 2005–2006 school year.

(2) The State (in the case of a local educational agency or school, the State within which such local educational agency or school exists) had 1 or more of such plans subsequently held invalid by the Department of Education for the 2006–2007 school year.

(3) The Governor of the State (in the case of a local educational agency or school, the State within which such local educational agency or school exists) certifies, in writing, to the Secretary of Education that—

(A) the State cannot effectively train its educators on a new or alternative assessment or assessments in place of the assessment or assessments for which the plan or plans were held invalid by the Department of Education, prior to the date the assessment or assessments are to be administered; and

(B) the administration of any new or alternative assessment or assessments, in place of the assessment or assessments for which the plan or plans were held invalid by the Department of Education, in the 2006–2007 school year is not in the best interest of the public school system and the children such system serves.

(4) The Governor of the State (in the case of a local educational agency or school, the State within which such local educational agency or school exists) certifies, in writing, to the Secretary of Education that the local educational agency or school failed to make adequate yearly progress (as described in section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C.

6311(b)(2))) based on academic assessments administered in the 2006–2007 school year or the State would be subject to the penalties provision under section 1111(g) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(g)) or any other sanctions or penalties relating to academic assessments under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) for the 2006–2007 school year solely because the State, local educational agency, or school meets each of the criteria described in paragraphs (1) through (3).

---

By Mr. MCCAIN:

S. 952. A bill to amend the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 to provide funds for training in tribal leadership, management, and policy, and for other purposes; to the Committee on Indian Affairs.

Mr. MCCAIN. Mr. President, I am pleased to introduce legislation that would authorize the Native Nations Institute, NNI, for Leadership, Management and Policy. Congressman GRIJALVA introduced similar legislation in the House of Representatives last week.

In 2000, Congress reauthorized the Morris K. Udall Foundation, an independent Federal agency established in 1992, to expand its organization by providing tribal governments with leadership and management training services. In response, the Morris K. Udall Foundation founded the NNI to serve as a self-determination, self-government and development resource to native nations. Over the past 5 years, the NNI has operated in partnership with the University of Arizona and the Harvard Project on American Indian Economic Development to provide practical leadership and management training as well as policy analysis in a variety of fields for native people. Approximately 1,700 individuals representing 250 tribes have attended training sessions at the Institute to date.

The Native Nations Institute performs an important role in upholding the Nation's trust obligations to Native Americans by encouraging tribes to move towards self-governance and engaging them in nation building. Although authorization for the NNI expired last year, popular demand for its executive education services now exceeds the organization's resources. The bill I am introducing today would authorize funding for the institute's programs for a period of 5 years beginning in fiscal year 2008.

The Native Nations Institute for Leadership, Management and Policy is an organization of great importance for Native Americans. I urge my colleagues to support passage of this bill.

---

By Mr. ROCKEFELLER (for himself, Mr. CRAIG, Mr. DORGAN, Mr. VITTER, Ms. KLOBUCHAR, Mr. TESTER, Ms. LANDRIEU, Mr. CRAPO, Mr. BAUCUS, and Ms. CANTWELL):

S. 953. A bill to amend title 49, United States Code, to ensure competition in the rail industry, enable rail customers to obtain reliable rail service, and provide those customers with a reasonable process for challenging rate and service disputes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKEFELLER. Mr. President, it is my pleasure today to join with my colleagues Senators CRAIG, DORGAN, VITTER, KLOBUCHAR, TESTER, LANDRIEU, CRAPO, BAUCUS, and CANTWELL to introduce the Railroad Competition and Service Improvement Act of 2007. This legislation stands for the very basic premise that businesses should serve their customers, and do so at reasonable rates.

This essential concept of capitalism is what our economy is based upon. Those ideas, plus promoting competition and protecting consumers, were prime motivating factors when Congress in 1980 passed the Staggers Act. The Staggers Act provided a government agency—now the Surface Transportation Board (STB)—with the ability to prevent monopoly abuses of those shippers left ''captive'' to just one railroad, and to make sure that the railroads in competitive situations were able to operate in such a way that they could be profitable. Somewhere along the way the part of the STB mandate calling on the agency to protect shippers, and by extension consumers, has been ignored, or at least subsumed into the STB's fervor to see the railroads profitable.

And profitable they are. What is important for my colleagues to recognize is that neither I nor any of my cosponsors want the railroads to fail. We want, and this country needs, a healthy freight rail industry. From coal to chemicals to plastics to forest products to grain and potatoes, America's shippers depend on the railroad industry to carry their products to customers across the country to keep our economy moving.

What no member of Congress should want to see is a freight rail system dominated by four regional carriers whose business plans are based on bleeding their captive customers dry. Meanwhile, these companies invest none of their profits in infrastructure expansion to handle current traffic, much less the expected need in the decades to come.

This is by no means the first time my colleagues have seen me introduce legislation in this vein. In fact, this is at least the eighth time that I have asked my colleagues to look into the problems in our freight rail network and to work with me to fix it. Businesses in my home State of West Virginia have been describing problems with the railroads to since before I came to the Senate in 1985. Like businesses anywhere, West Virginia industries depend on efficient and dependable rail service at fair prices to move their products to market.

Well, what was a troubling situation 22 years ago for about 20 percent of rail shippers captive to the more than 40 Class I railroads then is a nightmare now for hundreds of companies in almost every industry and in virtually every part of the United States that are being underserved and overcharged by the five remaining Class I railroads. I have worked for years in a bipartisan and regionally diverse coalition of members of Congress to change a system that just is not working. Our goal is to improve the economic situation for rail shippers and retail shoppers. And, I hasten to add, we seek to strengthen and improve the economic vitality of the Class I railroads, as well.

I am sure that my colleagues will hear from railroads that we are ''re-regulating.'' My colleagues should carefully review our bill and find where we would regulate anything that is not already regulated. This is, of course, the point. The railroads have touted the success of the deregulation, but what they fail to mention is that the Staggers Act never deregulated the railroads where shippers had no competitive transportation options. The railroads can have all the opinions about our legislation that they want, but they are not entitled to their own set of facts.

What has happened while the railroads have consolidated and mischaracterized this effort on behalf of shippers? Shippers and end-use consumers have paid increasingly high prices for electricity, food, medicine, paper products; the chemicals to protect our water supply and crops, and the basic ingredients of the plastics in many of the goods we purchase. It was not supposed to be this way.

In 1980, when Congress passed the Staggers Act, it was seeking to rescue the railroads from a burdensome and counterproductive regulatory scheme overseen by the Interstate Commerce Commission (ICC). In the decades leading up to passage of the Staggers Act the freight rail situation was bloated with unprofitable railroads forced to make un-economic choices regarding track, routes, and countless other business decisions. The Staggers Act was an attempt to let the marketplace create a more workable system. Where rail shippers were already captive to one railroad, the ICC was supposed to continue to protect shippers' rights and to require railroads to meet their responsibilities.

As the marketplace evolved, the ICC, and its successor agency the STB, were supposed to make sure that railroad consolidation and industry policy did not harm rail customers. The only reason the railroads in 2007 can say that my colleagues and I are attempting to ''re-regulate'' them is that the regulatory agencies charged with regulating them all along largely have abdicated their responsibilities, and have been sadly ineffective on the rare occasion when they purport to be carrying out the part of their mission that includes maintaining the advantages of competition.

To the extent that the Staggers Act has been successful in fulfilling its promise, that success has been completely one-sided. Railroads are no longer struggling to be profitable. Neither are they struggling to serve their customers. The STB, which should be working to make the system work, is more of a problem than it is a solution. The only parties still struggling are the shippers, and our bill is designed to make it a fair fight.

The title of our bill, the Railroad Competition and Service Improvement Act, really says it all. Cosponsors of this legislation seek a freight rail system envisioned in the drafting of the Staggers Act. We hope to remind the STB of its responsibilities, and give its enforcement the teeth successive Chairmen have told Congress the Board needs.

As I have said, this legislation is about making capitalism work for all parties in the freight rail marketplace, not just for the monopoly railroads. Shippers need Congress to remind the STB that good service at reasonable rates is not an outrageous demand. Congress must demand that shippers that ask for a rate quote are given one. Unbelievably, the STB's reading of the Staggers Act allows shippers no such right.

In addition to that most basic right of business negotiations, our legislation would do the following: clarify and restate the STB's responsibility to shall promote competition among rail carriers, as well as requiring reasonable rates and dependable service in keeping with the railroads' common carrier obligation; remove so-called ''paper barriers,'' contractual restraints on short-line and regional railroads that prevent them from providing improved service to shippers; modify the rate challenge process, and implement real-world evidentiary standards and burden of proof requirements; authorize STB to require ''reciprocal switching,'' the transfer of traffic between railroads, where it is in the public interest; affirm the railroads' obligation to serve; cap filing fees for STB rate cases at the level of federal district courts; allow Governors to petition the STB for declarations of ''areas of inadequate rail competition,'' with appropriate remedies; create position of Rail Customer Advocate in the Department of Transportation; and establish a system of ''final offer'' arbitration for disputes over agriculture, forest product, and fertilizer shipments.

Solutions to these problems are long overdue. I commend to my colleagues the Railroad Competition and Service Improvement Act as a set of commonsense solutions to unresolved problems that are putting American competitiveness at risk.

Mr. VITTER. Mr. President, today I am pleased to introduce very important bipartisan legislation S. 953, the Railroad Competition and Service Improvement Act of 2007. This bill will improve America's railroad system by ensuring increased rail competition and enabling rail customers to obtain more reliable service. Today, I introduce S. 953, the Railroad Competition and Service Improvement Act of 2007 along with my colleagues Senators ROCKEFELLER, CRAIG, DORGAN, KLOBUCHAR, TESTER, LANDRIEU, CRAPO, BAUCUS and CANTWELL.

The lack of healthy competition in our national rail system is stifling rail customers from our petrochemical manufacturers to utility providers to agriculture and forest product providers. The extreme prices these rail customers are charged and the service challenges they face have a direct impact on jobs and prices for consumers. We must reform our railroad system to foster more competition and provide relief to consumers.

The Surface Transportation Board, which is supposed to oversee rail pricing and practices, has not proactively addressed rail problems, and government accountability reports have noted a lack of competition in the railroad industry. The Railroad Competition and Service Improvement Act will direct STB to do its job and foster a free marketplace for our rail system by addressing the inadequacies in the rate reasonableness process of the STB and directing the STB to actively investigate and suspend unreasonable practices.

I would like to share with you a bottlenecking example of how the lack of railroad competition impacts rail customers in Louisiana. The city of Lafayette's electricity customers have faced $6 million or more annually in rate increases because of the lack of railroad competition. The Rodemacher Plant that provides electricity to the Lafayette Utilities System gets its coal from the Powder River Basin in Wyoming. This coal is transported by rail for more than 1,500 miles. Currently, two railroads travel from the Basin to Alexandria, LA. However, the last 19 miles of travel distance to the Rodemacher Plant only has one major railroad provider. Present law allows the current rail provider's control of the last 19 miles to push its pricing monopoly all the way back to the Powder River Basin, which in essence, turns a 19 mile monopoly into a 1,500-mile monopoly.

This monopoly forces the Lafayette ratepayers to pay much higher rates than if the Rodemacher Plant had access to both railroads that serve the Powder River Basin. When enacted, the Railroad Competition and Service Improvement Act would address bottlenecking issues like this and the lack of competition saving the Lafayette ratepayers money.

I look forward to the consideration of S. 953, the Railroad Competition and Service Improvement Act by the Senate Committee on Commerce, Science and Transportation, on which I serve, and the full Senate.

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

S. 954. A bill to amend title XVIII of the Social Security Act to provide for a technical correction to the amendments made by section 422 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003; to the Committee on Finance.

Mr. KOHL. Mr. President, today, along with Senator FEINGOLD, I am introducing the Medicare Residency Program Technical Correction Act of 2007. This legislation will fix an unintended consequence of Section 422 of the Medicare Modernization Act of 2003 that has resulted in a decrease of family medical residents slots in Wisconsin's Fox Valley and potentially other family medicine practices across the Nation. Our bill would provide for an adjustment to the reduction of Medicare resident positions based on settled cost reports.

For the last 2 years, I've been working with the University of Wisconsin School of Medicine and the Fox Valley Family Medicine Residency Program to urge CMS to restore funding for its residency training positions that was taken away as a result of an audit that incorrectly determined that the positions weren't used. Now, a Final Mediation Agreement between Appleton Medical Center and United Government Services demonstrates that the positions were being used and that the program met the Medicare requirement for those positions. I believe it is only fair that Appleton Medical Center's residency positions be reinstated.

The Fox Valley Family Practice Residency Program is an important contributing member to the Fox Valley and surrounding community, providing health care services to some 10,000 families. This is exactly the type of program that we should be supporting, not reducing. My legislation will right this wrong and provide for the same opportunity for any other family medicine program that can demonstrate that its residency slots were erroneously defunded by CMS. I ask that my Senate colleagues join me by supporting this bill. I ask unanimous consent that the text of the bill be printed the RECORD.

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

S. 954

*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 ''Medicare Residency Program Technical Correction Act of 2007''.

**SEC. 2. REINSTATEMENT OF FULL-TIME EQUIVALENT RESIDENT SLOTS THAT WERE ERRONEOUSLY ELIMINATED.**

(a) IN GENERAL.—Section 1886(h)(7) of the Social Security Act (42 U.S.C. 1395ww(h)(7)) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C) the following new subparagraph:

''(D) ADJUSTMENT BASED ON SETTLED COST REPORT.—In the case of a hospital for which—

''(i) the otherwise applicable resident limit was reduced under subparagraph (A)(i)(I); and

''(ii) such reduction was based on a reference resident level that was determined using a cost report that was subsequently settled, whether as a result of an appeal or otherwise, and the reference resident level under such settled cost report is higher than the level used for the reduction under subparagraph (A)(i)(I),

the Secretary shall apply subparagraph (A)(i)(I) using the higher resident reference level and make any necessary adjustments to such reduction. Any such necessary adjustments shall be effective for portions of cost reporting periods occurring on or after July 1, 2005.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the enactment of section 422 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173).

---

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

S. 955. A bill to establish the Abraham Lincoln National Heritage Area, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DURBIN. Mr. President, 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. 955

*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 ''Abraham Lincoln National Heritage Area Act''.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) the Abraham Lincoln National Heritage Area is a cohesive assemblage of natural, historic, cultural, and recreational resources that—

(A) together represent distinctive aspects of the heritage of the United States worthy of recognition, conservation, interpretation, and continuing use; and

(B) are best managed through partnerships between private and public entities;

(2) the Heritage Area reflects traditions, customs, beliefs, folklife, or a combination of those attributes that are a valuable part of the heritage of the United States;

(3) the Heritage Area provides outstanding opportunities to conserve natural features, historic feature, cultural features, or a combination of those features;

(4) the Heritage Area provides outstanding recreational and interpretive opportunities.

(5) the Heritage Area has an identifiable theme, and resources important to the theme, that retain integrity capable of supporting interpretation;

(6) residents, nonprofit organizations, other private entities, and units of local government throughout the Heritage Area demonstrate support for—

(A) designation of the Heritage Area as a national heritage area; and

(B) management of the Heritage Area in a manner appropriate for the designation;

(7) there is a compelling need to educate and cultivate among the citizens of the United States, particularly youth, an understanding appreciation for, and a renewed commitment to integrity, courage, self-initiative, and principled leadership in public and private life;

(8) few individuals in the history of the United States have as broadly exemplified such qualities, and so profoundly influenced the history and character of the United States, as Abraham Lincoln;

(9) the story and example of the life of Abraham Lincoln, including his inspiring rise from humble origins to the highest office in the land and his decisive leadership through the most harrowing and dangerous time in the history of the United States, continues to bring hope and inspiration to millions in the United States and around the world;

(10) the great issues during the lifetime of Abraham Lincoln, including national unity, equality and race relations, the capacity for democratic government, and the ideals to address those and related issues, continue to this day to define the challenges facing the United States;

(11) the ideals espoused by Lincoln, and the sentiments expressed by Lincoln with respect to keeping the United States together, are as relevant today as the ideals and sentiment were in Lincoln's troubled time;

(12) Illinois is known throughout the world as the land of Abraham Lincoln;

(13) unquestionably, the physical, social, and cultural landscape of Illinois helped mold the character of Lincoln;

(14) ''Here I have lived a quarter of a century, and have passed from a young to an old man,'' Lincoln remarked on leaving Illinois. ''To this place and the kindness of these people I owe everything'';

(15) Lincoln, in turn, left his own traces across the Illinois landscape;

(16) the traces remain today in the form of stories, folklore, artifacts, buildings, streetscapes, and landscapes;

(17) though scattered geographically and in varying states of development and interpretation, together the traces of Lincoln bring an immediacy and tangible quality to the powerful Lincoln legacy;

(18) individually and collectively, the traces of Lincoln in Illinois constitute an important national cultural and historic resource;

(19) in particular, the stories and cultural resources of the Lincoln legacy of the region—

(A) reflect the values and attitudes, obstacles and ingenuity, failures and accomplishments, human frailties, and strength of character of the men and women who made up the diverse people of Lincoln's generation, including upland Southerners and Northeastern Yankees, Anglo-settlers and American Indians, ''free'' blacks, abolitionists, and critics of abolitionists;

(B) reflect the material culture and relative levels of technical sophistication in the United States in the lifetime of Lincoln;

(C) recreate the physical environment during the lifetime of Lincoln, revealing the impact of the environment on agriculture, transportation, trade, business, and social and cultural patterns in urban and rural settings; and

(D) interpret the effect of the democratic ethos of the era on the development of the legal and political institutions and distinctive political culture of the United States;

(20) 3 previous studies entitled ''Abraham Lincoln Research and Interpretive Center Suitability/Feasibility Study'' by the National Park Service (1991), ''Looking for Lincoln Illinois Heritage Tourism Project'' commissioned by the State of Illinois Department of Commerce and Community Affairs in cooperation with the Illinois Historic Preservation Agency (1998), and the ''Feasibility Study for the Proposed Abraham Lincoln National Heritage Area'', revised in 2003, help document a sufficient assemblage of nationally distinctive historic resources to demonstrate the feasibility of, and need to establish, the Heritage Area;

(21) the National Park Service—

(A) operates and maintains the Lincoln Home National Historic Site in Springfield, Illinois; and

(B) is responsible for—

(i) advocating the protection and interpretation of the cultural and historic resources of the United States; and

(ii) encouraging the development of interpretive context for those resources through appropriate planning and preservation;

(22) the Heritage Area can strengthen, complement, and support the Lincoln Home National Historic Site through the interpretation and conservation of the associated living landscapes outside of the boundaries of the historic site;

(23) there is a Federal interest in supporting the development of a regional framework and context to partner with and assist the National Park Service, the State of Illinois, local organizations, units of local government, and private citizens to conserve, protect, and bring recognition to the resources of the Heritage Area for the educational and recreational benefit of the present generation and future generations;

(24) communities throughout the region—

(A) know the value of their Lincoln legacy; but

(B) need to expand upon an existing cooperative framework and technical assistance to achieve important goals by working together;

(25) the Department of Commerce and Economic Opportunity and Bureau of Tourism of the State of Illinois—

(A) officially designated ''Looking for Lincoln'' as a State Heritage Tourism Area; and

(B) has identified the story of Lincoln as a key destination driver for the State;

(26) the Looking for Lincoln Heritage Coalition, the management entity for the Heritage Area—

(A) is a nonprofit corporation created for the purposes of preserving, interpreting, developing, promoting, and making available to the public the story and resources relating to—

(i) the story of the adult life of Abraham Lincoln in Illinois; and

(ii) the contributions of Abraham Lincoln to society; and

(B) would be an appropriate entity to oversee the development of the Heritage Area; and

(27) the Looking for Lincoln Heritage Coalition has completed a business plan that—

(A) describes in detail the role, operation, financing, and functions of the Looking For Lincoln Heritage Coalition as the management entity for the Heritage Area; and

(B) provides adequate assurances that the Looking For Lincoln Heritage Coalition is likely to have the financial resources necessary to implement the management plan for the Heritage Area, including resources to meet matching requirement for grants.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) COALITION.—The term ''Coalition'' means the Looking for Lincoln Heritage Coalition, an entity recognized by the Secretary, in consultation with the chief executive officer of the State, that has agreed to perform the duties of the management entity under this Act.

(2) HERITAGE AREA.—The term ''Heritage Area'' means the Abraham Lincoln National Heritage Area established by section 4(a).

(3) MANAGEMENT ENTITY.—The term ''management entity'' means the management entity for the Heritage Area designated by section 5(a).

(4) MANAGEMENT PLAN.—The term ''management plan'' means the plan developed by the management entity under section 6(a).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(6) STATE.—The term ''State'' means the State of Illinois.

(7) UNIT OF LOCAL GOVERNMENT.—The term ''unit of local government'' means the government of the State, a political subdivision of the State, or an Indian tribe.

**SEC. 4. ESTABLISHMENT OF ABRAHAM LINCOLN NATIONAL HERITAGE AREA.**

(a) IN GENERAL.—There is established in the State the Abraham Lincoln National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall include—

(1) a core area located in central Illinois, consisting of Adams, Brown, Calhoun, Cass, Champaign, Christian, Clark, Coles, Cumberland, Dewitt, Douglas, Edgar, Fayette, Fulton, Greene, Hancock, Henderson, Jersey, Knox, LaSalle, Logan, Macon, Macoupin, Madison, Mason, McDonough, McLean, Menard, Montgomery, Morgan, Moultrie, Peoria, Piatt, Pike, Sangamon, Schuyler, Scott, Shelby, Tazwell, Vermillion, Warren, and Woodford counties;

(2) any sites, buildings, and districts within the core area that are recommended for inclusion in the management plan; and

(3) each of the following sites:

(A) Lincoln Home National Historic Site.

(B) Lincoln Tomb State Historic Site.

(C) Lincoln's New Salem State Historic Site.

(D) Abraham Lincoln Presidential Library & Museum.

(E) Thomas and Sara Bush Lincoln Log Cabin and Living History Farm State Historic Site.

(F) Mt. Pulaski, Postville State Historic Sites and Metamora Courthouse.

(G) Lincoln-Herndon Law Offices State Historic Site.

(H) David Davis Mansion State Historic Site.

(I) Vandalia Statehouse State Historic Site.

(J) Lincoln Douglas Debate Museum.

(K) Macon County Log Court House.

(L) Richard J. Oglesby Mansion.

(M) Lincoln Trail Homestead State Memorial.

(N) Governor John Wood Mansion.

(O) Beardstown Courthouse.

(P) Old Main at Knox College.

(Q) Carl Sandburg Home State Historic Site.

(R) Bryant Cottage State Historic Site.

(S) Dr. William Fithian Home.

(T) Vermillion County Museum.

(c) MAP.—A map of the Heritage Area shall be—

(1) included in the management plan; and

(2) on file in the appropriate offices of the National Park Service.

**SEC. 5. DESIGNATION OF COALITION AS MANAGEMENT ENTITY.**

(a) MANAGEMENT ENTITY.—The Coalition shall be the management entity for the Heritage Area.

(b) AUTHORITIES OF MANAGEMENT ENTITY.—The management entity may, for purposes of preparing and implementing the management plan, use Federal funds made available under this Act—

(1) to prepare reports, studies, interpretive exhibits and programs, historic preservation projects, and other activities recommended in the management plan for the Heritage Area;

(2) to pay for operational expenses of the management entity incurred during the first 10 fiscal years beginning after the date of enactment of this Act;

(3) to make grants or loans to the State, units of local government, nonprofit organizations, and other persons;

(4) to enter into cooperative agreements with the State, units of local government, nonprofit organizations, and other organizations;

(5) to hire and compensate staff;

(6) to obtain funds from any source under any program or law requiring the recipient of funds to make a contribution in order to receive the funds; and

(7) to contract for goods and services.

(c) DUTIES OF MANAGEMENT ENTITY.—For any fiscal year for which Federal funds are received under this Act, the management entity shall—

(1) submit to the Secretary a report that describes—

(A) the accomplishments of the management entity;

(B) the expenses and income of the management entity; and

(C) the entities to which the management entity made any grants;

(2) make available for audit by Congress, the Secretary, and appropriate units of local government, all records relating to the expenditure of the Federal funds and any matching funds; and

(3) require, with respect to all agreements authorizing the expenditure of Federal funds by any entity, that the receiving entity make available for audit all records relating to the expenditure of the Federal funds.

(d) PROHIBITION ON ACQUISITION OF REAL PROPERTY.—

(1) IN GENERAL.—The management entity shall not use Federal funds received under this Act to acquire real property or any interest in real property.

(2) OTHER SOURCES.—Nothing in this Act precludes the management entity from using Federal funds from other sources for authorized purposes, including the acquisition of real property or any interest in real property.

**SEC. 6. MANAGEMENT PLAN.**

(a) IN GENERAL.—Not later than 3 years after the date on which funds are first made available to carry out this Act, the management entity shall prepare and submit for review to the Secretary a management plan for the Heritage Area.

(b) REQUIREMENTS FOR PREPARATION AND IMPLEMENTATION.—The management entity shall—

(1) collaborate with and consider the interests of diverse units of local government, businesses, tourism officials, private property owners, and nonprofit groups within the Heritage Area in preparing and implementing the management plan;

(2) ensure regular public involvement regarding the implementation of the management plan for the Heritage Area; and

(3) submit the proposed management plan to participating units of local governments within the Heritage Area for review.

(c) CONTENTS.—The management plan for the Heritage Area shall—

(1) present a comprehensive program for the conservation, interpretation, funding, management, and development of the Heritage Area (including the natural, historic, and cultural resources and the recreational and educational opportunities of the Heritage Area) in a manner consistent with—

(A) existing Federal, State, and local land use laws; and

(B) the compatible economic viability of the Heritage Area;

(2) involve residents, public agencies, and private organizations in the Heritage Area;

(3) specify and coordinate, as of the date of the management plan, existing and potential sources of technical and financial assistance under this Act and other Federal laws for the protection, management, and development of the Heritage Area; and

(4) include—

(A) actions to be undertaken by units of local government and private organizations to protect, conserve, and interpret the resources of the Heritage Area;

(B) an inventory of resources in the Heritage Area that includes a list of property in the Heritage Area that—

(i) is related to the themes of the Heritage Area; and

(ii) merits preservation, restoration, management, development, or maintenance because of the natural, historic, cultural, or recreational significance of the property;

(C) a recommendation of policies for resource management that consider the application of appropriate land and water management techniques, including policies for the development of intergovernmental cooperative agreements, private sector agreements, or any combination of agreements, to protect the natural, historic, cultural, and recreational resources of the Heritage Area in a manner that is consistent with the support of appropriate and compatible economic viability;

(D) a program for implementation of the management plan by the management entity, in cooperation with partners of the management entity and units of local government;

(E) evidence that relevant State, county, and local plans applicable to the Heritage Area have been taken into consideration;

(F) an analysis of means by which Federal, State, and local programs may best be coordinated to promote the purposes of this Act; and

(G) a business plan for the Heritage Area that—

(i) describes in detail—

(I) the role, operation, financing, and functions of the management entity; and

(II) each activity included in the recommendations in the management plan; and

(ii) provides, to the satisfaction of the Secretary, adequate assurances that the management entity is likely to have the financial resources necessary to implement the management plan, including the resources necessary to meet matching requirement for grants awarded under this Act.

(d) CONSIDERATION OF INTERESTS OF LOCAL GROUPS.—In preparing and implementing the management plan, the management entity shall consider the interests of diverse units of local government, businesses, private property owners, and nonprofit groups in the Heritage Area.

(e) PUBLIC MEETINGS.—

(1) IN GENERAL.—The management entity shall conduct public meetings at least quarterly regarding the development and implementation of the management plan.

(2) PUBLIC NOTICE.—The management entity shall—

(A) place a notice of each public meeting in a newspaper of general circulation in the Heritage Area; and

(B) make the minutes of each public meeting available to the public.

(f) DISQUALIFICATION FROM FUNDING.—If a proposed management plan is not submitted to the Secretary by the date that is 3 years after the date on which funds are first made available to carry out this Act, the management entity may not receive additional funding under this Act until the date on which the Secretary receives the proposed management plan.

(g) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.—

(1) IN GENERAL.—Not later than 90 days after the date on which the management entity submits the management plan to the

Secretary, the Secretary, in consultation with the Governor of the State or a designee of the Governor, shall approve or disapprove the proposed management plan.

(2) DISAPPROVAL AND REVISIONS.—

(A) IN GENERAL.—If the Secretary disapproves a proposed management plan, the Secretary shall—

(i) advise the management entity, in writing, of the reasons for the disapproval; and

(ii) make recommendations for revision of the proposed management plan.

(B) APPROVAL OR DISAPPROVAL.—The Secretary shall approve or disapprove a revised management plan not later than 90 days after the date on which the revised management plan is submitted.

(3) APPROVAL OF AMENDMENTS.—

(A) IN GENERAL.—The Secretary shall review and approve or disapprove substantial amendments to the management plan.

(B) FUNDING.—Funds appropriated under this Act may not be expended to implement any changes made by an amendment to the management plan until the Secretary approves the amendment.

(h) PRIORITIES.—The management entity shall give priority to the implementation of actions, goals, and strategies set forth in the management plan, including assisting units of local government and other persons in—

(1) carrying out programs that recognize and protect important resource values in the Heritage Area;

(2) encouraging economic viability in the Heritage Area in accordance with the goals of the management plan;

(3) establishing and maintaining interpretive exhibits in the Heritage Area;

(4) developing heritage-based recreational and educational opportunities for residents and visitors in the Heritage Area;

(5) increasing public awareness of and appreciation for the natural, historic, and cultural resources of the Heritage Area;

(6) restoring historic buildings that are—

(A) located in the Heritage Area; and

(B) related to the themes of the Heritage Area; and

(7) installing throughout the Heritage Area clear, consistent, and appropriate signs to identify public access points and sites of interest.

**SEC. 7. TECHNICAL AND FINANCIAL ASSISTANCE; OTHER FEDERAL AGENCIES.**

(a) TECHNICAL AND FINANCIAL ASSISTANCE.—

(1) IN GENERAL.—On request of the management entity, the Secretary may provide technical and financial assistance for the development and implementation of the management plan.

(2) PRIORITY FOR ASSISTANCE.—In providing assistance under paragraph (1), the Secretary shall give priority to actions that assist in—

(A) conserving the significant natural, historic, and cultural resources of the Heritage Area; and

(B) providing educational, interpretive, and recreational opportunities consistent with the purposes of the Heritage Area.

(3) SPENDING FOR NON-FEDERAL PROPERTY.—The management entity may expend Federal funds made available under this Act on non-Federal property that is—

(A) identified in the management plan; or

(B) listed, or eligible for listing, on the National Register of Historic Places.

(4) OTHER ASSISTANCE.—The Secretary may enter into cooperative agreements with public and private organizations to carry out this subsection.

(b) OTHER FEDERAL AGENCIES.—Any Federal entity conducting or supporting an activity that directly affects the Heritage Area shall—

(1) consider the potential effects of the activity on—

(A) the purposes of the Heritage Area; and

(B) the management plan;

(2) consult with the management entity with respect to the activity; and

(3) to the maximum extent practicable, conduct or support the activity to avoid adverse effects on the Heritage Area.

(c) OTHER ASSISTANCE NOT AFFECTED.—Nothing in this Act affects the authority of any Federal official to provide technical or financial assistance under any other law.

(d) NOTIFICATION OF OTHER FEDERAL ACTIVITIES.—The head of each Federal agency shall provide to the Secretary and the management entity for the Heritage Area, to the extent practicable, advance notice of all activities that may have an impact on the Heritage Area.

**SEC. 8. PRIVATE PROPERTY PROTECTION.**

(a) IN GENERAL.—Nothing in this Act—

(1) requires any private property owner to allow public access (including access by the Federal Government, State government, or units of local government) to the private property; or

(2) modifies any provision of Federal, State, or local law with respect to public access to, or use of, private property.

(b) LIABILITY.—Designation of the Heritage Area shall not be considered to create any liability, or have any effect on any liability under any other law, of any private property owner with respect to any persons injured on the private property.

(c) RECOGNITION OF AUTHORITY TO CONTROL LAND USE.—Nothing in this Act modifies any authority of the Federal Government, State government, or units of local governments to regulate land use.

(d) PARTICIPATION OF PRIVATE PROPERTY OWNERS IN HERITAGE AREA.—Nothing in this Act requires the owner of any private property located within the boundaries of the Heritage Area to participate in, or be associated with, the Heritage Area.

(e) LAND USE REGULATION.—

(1) IN GENERAL.—The management entity shall provide assistance and encouragement to State and local governments, private organizations, and persons to protect and promote the resources and values of the Heritage Area.

(2) EFFECT.—Nothing in this Act grants any power of zoning or land use to the management entity.

(f) PRIVATE PROPERTY.—

(1) IN GENERAL.—The management entity shall be an advocate for land management practices that are consistent with the purposes of the Heritage Area.

(2) EFFECT.—Nothing in this Act—

(A) abridges the rights of any person with respect to private property;

(B) affects the authority of the State or unit of local government relating to private property; or

(C) imposes any additional burden on any property owner.

**SEC. 9. EFFECT.**

(a) RULES, REGULATIONS, STANDARDS, AND PERMIT PROCESSES.—Nothing in this Act imposes any environmental, occupational, safety, or other rule, regulation, standard, or permit process in the Heritage Area that is different from the rule, regulation, standard, or process that would be applicable if the Heritage Area had not been established.

(b) WATER AND WATER RIGHTS.—Nothing in this Act authorizes or implies the reservation or appropriation of water or water rights.

(c) NO DIMINISHMENT OF STATE AUTHORITY.—Nothing in this Act diminishes the authority of the State to manage fish and wildlife, including the regulation of fishing and hunting within the Heritage Area.

(d) EXISTING NATIONAL HERITAGE AREAS.—Nothing in this Act affects any national heritage area designated before the date of enactment of this Act.

**SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There is authorized to be appropriated to carry out this Act $10,000,000, of which not more than $1,000,000 may be authorized to be appropriated for any fiscal year.

(b) COST-SHARING REQUIREMENT.—The Federal share of the total cost of any activity carried out using funds made available under this Act shall be not more than 50 percent.

**SEC. 11. TERMINATION OF AUTHORITY.**

The authority of the Secretary to provide assistance under this Act terminates on the date that is 15 years after the date of enactment of this Act.

---

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

S. 956. A bill to establish the Land Between the Rivers National Heritage Area in the State of Illinois, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DURBIN. Mr. President, 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. 956

*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 ''Land Between the Rivers Southern Illinois National Heritage Area Act of 2007''.

**SEC. 2. FINDINGS.**

Congress finds that—

(1) southern Illinois has a cohesive, distinctive, and important landscape that distinguishes the area as worthy of designation as a National Heritage Area;

(2) the historic features of southern Illinois reflect a period during which the area was the strategic convergence point during the westward expansion of the United States;

(3) the geographic centrality of southern Illinois ensured that the area played a pivotal military, social, and political role during the Civil War, which resulted in the area being known as the ''Confluence of Freedom'';

(4) southern Illinois is at the junction of the ending glaciers and 6 ecological divisions;

(5) after the expeditions of Lewis and Clark, the land between the rivers became known as ''Egypt'' because of the rivers in, and the beauty and agricultural abundance of, the area;

(6) Native Americans described the area in southern Illinois between the Mississippi and Ohio Rivers as the ''Land Between the Rivers'';

(7) a feasibility study led by the Office of Economic and Regional Development at Southern Illinois University Carbondale that was revised in April 2006 documents a sufficient assemblage of nationally distinctive historic resources to demonstrate the feasibility of, and the need for, establishing the Land Between the Rivers National Heritage Area; and

(8) stakeholders participating in the feasibility study process for the Heritage Area have developed a proposed management entity and financial plan to preserve the natural, cultural, historic, and scenic features of the area while furthering recreational and educational opportunities in the area.

**SEC. 3. DEFINITIONS.**

In this Act:

(1) HERITAGE AREA.—The term ''Heritage Area'' means the Land Between the Rivers National Heritage Area established by section 4(a).

(2) MANAGEMENT ENTITY.—The term ''management entity'' means the management entity for the Heritage Area designated by section 4(c).

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

(4) STATE.—The term ''State'' means the State of Illinois.

**SEC. 4. LAND BETWEEN THE RIVERS NATIONAL HERITAGE AREA.**

(a) ESTABLISHMENT.—There is established in the State the Land Between the Rivers National Heritage Area.

(b) BOUNDARIES.—The Heritage Area shall include—

(1) Kincaid Mound, Fort de Chartres, Kaskaskia, Fort Massac, Wilkinsonville Contonment, the Lewis and Clark Sculpture, Flat Boat, Cave-in-Rock, the Shawneetown Bank Building, the Iron Furnace, the Crenshaw ''Slave House,'' Roots House, the site of the Lincoln-Douglas debate, certain sites associated with John A. Logan, the Fort Defiance Planning Map, Mound City National Cemetary, and Riverlore Mansion; and

(2) any other sites in Randolph, Perry, Jefferson, Franklin, Hamilton, White, Jackson, Williamson, Saline, Gallatin, Union, Johnson, Pope, Hardin, Alexander, Pulaski, and Massac Counties in the State that the Secretary, in consultation with the management entity, determines to be appropriate for inclusion in the Heritage Area.

(c) MANAGEMENT ENTITY.—The management entity for the Heritage Area shall be the Southern Illinois University Carbondale.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 114—RECOGNIZING THE CONTRIBUTIONS OF AGRICULTURAL PRODUCERS IN PENNSYLVANIA AND THROUGHOUT THE NATION ON THE OCCASION OF NATIONAL AGRICULTURE DAY

Mr. CASEY (for himself and Mr. SPECTER) submitted the following resolution; which was referred to the Committee on Agriculture, Nutrition, and Forestry:

S. RES. 114

Whereas National Agriculture Day is an annual celebration during which government agencies, community members, and agricultural groups work with agricultural producers to honor the importance of the agriculture industry;

Whereas agriculture is a pillar of the economy of the Commonwealth of Pennsylvania and many other States across the country;

Whereas agriculture is the number one industry in Pennsylvania and has contributed more than $45,000,000,000 to the economy of the Commonwealth;

Whereas agricultural producers in Pennsylvania export a considerable amount of food and agricultural and forest products, earning more than $1,500,000,000 annually in profits;

Whereas dairy cattle from Pennsylvania are used as breeding stock in a number of countries around the world;

Whereas Pennsylvania is the home of over 58,000 farms, covering more than 7,700,000 acres of land;

Whereas Pennsylvania is a leading producer of mushrooms, eggs, pumpkins, apples, grapes, freestone peaches, ice cream, milk cows, chickens, and other agricultural products and livestock;

Whereas each agricultural producer in the United States feeds more than 144 people and Pennsylvania's agricultural producers are responsible for feeding more than 8,000,000 mouths worldwide;

Whereas agricultural producers in Pennsylvania and throughout the Nation provide the people of the United States with food, clothes, and many other staples; and

Whereas the contribution of agricultural producers in Pennsylvania and throughout the United States should be honored with highest praise and respect: Now, therefore, be it

*Resolved,* That the Senate—

(1) recognizes—

(A) that agriculture is the number one industry in Pennsylvania;

(B) the outstanding contribution of Pennsylvania's agricultural producers to the economy of the Commonwealth and the Nation; and

(C) that agriculture in Pennsylvania is diverse and provides important nutrition to the people of the United States; and

(2) pays tribute to agriculture and agricultural producers in Pennsylvania and throughout the United States on the occasion of National Agriculture Day.

### SENATE RESOLUTION 115—URGING THE GOVERNMENT OF CANADA TO END THE COMMERCIAL SEAL HUNT

Mr. LEVIN submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 115

Whereas on November 15, 2006, the Government of Canada opened a commercial hunt for seals in the waters off the east coast of Canada;

Whereas an international outcry regarding the plight of the seals hunted in Canada resulted in the 1983 ban by the European Union of whitecoat and blueback seal skins and the subsequent collapse of the commercial seal hunt in Canada;

Whereas the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) bars the import into the United States of any seal products;

Whereas in February 2003, the Ministry of Fisheries and Oceans in Canada authorized the highest quota for harp seals in Canadian history, allowing nearly 1,000,000 seals to be killed over a 3-year period;

Whereas more than 1,000,000 seals have been killed over the past 3 years;

Whereas harp seal pups can be legally hunted in Canada as soon as they have begun to molt their white coats at approximately 12 days of age;

Whereas 95 percent of the seals killed over the past 5 years were pups between just 12 days and 12 weeks of age, many of which had not yet eaten their first solid meal or taken their first swim;

Whereas a report by an independent team of veterinarians invited to observe the hunt by the International Fund for Animal Welfare concluded that the seal hunt failed to comply with basic animal welfare regulations in Canada and that governmental regulations regarding humane killing were not being respected or enforced;

Whereas the veterinary report concluded that as many as 42 percent of the seals studied were likely skinned while alive and conscious;

Whereas the commercial slaughter of seals in the Northwest Atlantic is inherently cruel, whether the killing is conducted by clubbing or by shooting;

Whereas many seals are shot in the course of the hunt, but escape beneath the ice where they die slowly and are never recovered, and these seals are not counted in official kill statistics, making the actual kill level far higher than the level that is reported;

Whereas the commercial hunt for harp and hooded seals is a commercial slaughter carried out almost entirely by non-Native people from the East Coast of Canada for seal fur, oil, and penises (used as aphrodisiacs in some Asian markets);

Whereas the fishing and sealing industries in Canada continue to justify the expanded seal hunt on the grounds that the seals in the Northwest Atlantic are preventing the recovery of cod stocks, despite the lack of any credible scientific evidence to support this claim;

Whereas 2 Canadian government marine scientists reported in 1994 that the true cause of cod depletion in the North Atlantic was over-fishing, and the consensus among the international scientific community is that seals are not responsible for the collapse of cod stocks;

Whereas harp and hooded seals are a vital part of the complex ecosystem of the Northwest Atlantic, and because the seals consume predators of commercial cod stocks, removing the seals might actually inhibit recovery of cod stocks;

Whereas certain ministries of the Government of Canada have stated clearly that there is no evidence that killing seals will help groundfish stocks to recover; and

Whereas the persistence of this cruel and needless commercial hunt is inconsistent with the well-earned international reputation of Canada: Now, therefore, be it

*Resolved,* That the Senate urges the Government of Canada to end the commercial hunt on seals that opened in the waters off the east coast of Canada on November 15, 2006.

Mr. LEVIN. Mr. President, Canada's commercial seal hunt is the largest slaughter of marine mammals in the world. According to the Humane Society of the United States (HSUS), over one million seals have been killed for their fur in the past three years. In 2006 alone, more than 350,000 seals were slaughtered, most of them between 12 days and 12 weeks old.

Canada officially opened another seal hunt on November 15, 2006, paving the way for hundreds of thousands of baby seals to be killed for their fur during the spring of 2007. Today, I am joined by Senator COLLINS and Senator BIDEN in submitting a resolution that urges the Government of Canada to end this senseless and inhumane slaughter.

A study by an independent team of veterinarians in 2001, found that the seal hunt failed to comply with basic animal welfare standards and that Canadian regulations with regard to humane killing were not being enforced. The study concluded that up to 42 percent of the seals studied were likely skinned while alive and conscious. The United States has long banned the import of seal products because of widespread outrage over the magnitude and cruelty of the hunt.

It makes little sense to continue this inhumane industry that employs only a few hundred people on a seasonal, part-time basis and only operates for a few weeks a year, in which the concentrated killings takes place. In Newfoundland, where over 90 percent of the