REID) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of amendment No. 784 intended to be proposed to H.R. 1591, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes.

AMENDMENT NO. 785

At the request of Mr. MENENDEZ, his name was added as a cosponsor of amendment No. 785 intended to be proposed to H.R. 1591, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes.

AMENDMENT NO. 787

At the request of Mr. LEVIN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Illinois (Mr. OBAMA) were added as cosponsors of amendment No. 787 intended to be proposed to H.R. 1591, a bill making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself, Mr. HAGEL, Mr. CARDIN, Mr. PRYOR, and Mr. TESTER):

S. 1005. A bill to amend the Small Business Act to improve programs for veterans, and for other purposes; to the Committee on Small business and entrepreneurship.

Mr. KERRY. Mr. President, I rise today with my colleague Senator HAGEL, the Senator from Nebraska, to introduce the Military Reservist and Veteran Small Business Reauthorization Act of 2007. There are currently 25 million veterans in America, including over one million who have left military service since September 11, 2001. As the conflicts in Iraq and Afghanistan continue, the number of veterans, including service disabled veterans, will increase and reservists will continue to carry more of the burden than ever before. As veterans and reservists reenter civilian life, the economic benefits and opportunities provided by the Federal Government will become even more critical, particularly in the field of entrepreneurship and business ownership. As the Chairman of the Senate Committee on Small Business and Entrepreneurship, I am serious about addressing the problems affecting veterans and reservists who wish or are already engaged in small business and this bill is another step forward in doing so.

As veterans, Senator HAGEL and I believe that the government has an obligation to help deployed reservists avoid economic hardship because of their service and to help veterans, particularly the service-disabled, return to civilian life when they retire. There are more veterans returning each day because of the war on terror—800,000 veterans were discharged between 2002 and 2005—and ensuring that these individuals have a secure financial future is not just a matter of fairness but of national security. The treatment of our troops affects the Nation's ability to recruit and retain the best and brightest. Veterans have told me that they feel that they are being forgotten and that the government is simply not living up to its past promises of helping veteran entrepreneurs succeed. This bill is one step in ensuring that the government is doing all it can to help those who have served and sacrificed on our behalf.

The Military Reservist and Veteran Small Business Reauthorization Act of 2007 reauthorizes the veteran programs in the Small Business Administration. Specifically, this legislation increases the funding authorization for the Office of Veteran Business Development from $2 million today to $2.5 million in three years. In light of the large numbers of veterans returning from Iraq and Afghanistan and increased responsibilities placed on this office by Executive Order 13360, it is high time that the Office of Veteran Business Development receive the funding levels that it needs.

In addition, this bill permanently extends the SBA Advisory Committee on Veterans Business Affairs. The committee was created to serve as an independent source of advice and policy recommendations to the SBA, the Congress, and the President. The veteran small business owners who serve on this committee provide a unique perspective which is sorely needed at this challenging time. Unfortunately, continuing uncertainty about the Committee's future has, at times, distracted the committee from focusing on its core function. Therefore, I have called for its permanent extension. It is clear to me that more needs to be done to address the issues facing veterans and reservists, and the role this committee plays will continue to be important.

Additionally, I have taken a number of steps to better serve the reservists who are serving their country abroad while their businesses are suffering at home. Over the past decade, the Department of Defense has increased its reliance on the National Guard and reserves. This has intensified since September 11 and increased deployments are expected to continue. The effect of this increase on reservists and small businesses continues to remain of concern. A 2003 GAO report indicated that 41 percent of reservists lost income when mobilized. This had a higher effect on self-employed reservists, 55 percent of whom lost income.

In 1999, I created the Military Reservist Economic Injury Disaster Loan (MREIDL) program to provide loans to small businesses that incur economic injury as a result of an essential employee being called to active duty. However, since 2002, fewer than 300 of these loans have been approved by the SBA, despite record numbers of reservists being called to active duty. It is clear that changes need to be made, so that reservists are informed about the availability of the MREIDL program and that the program better meets their needs.

At a hearing of the Committee on Small Business and Entrepreneurship on January 31st, the first hearing we held in this Congress, we heard suggestions for a number of changes which would improve the Military Reservist Economic Injury Disaster Loan program, and I have included those changes in this bill. They include increasing the application deadline for such a loan from 90 days to one year following the date of discharge; creating a pre-deployment loan approval process; and improved outreach and technical assistance.

This bill also creates a non-collaterized loan program. Reservist families have already sacrificed enough when a family member goes away to serve their country and when their business is harmed as a result. This loan program would allow reservist dependent businesses to access the capital they need to stay afloat without having to sacrifice beyond the service of the key employees. In order to give reservists time to repay the loans, the non-collaterized loan created in this bill would not accumulate interest or require payments for one year or until after the deployment ends, whichever is longer.

In addition, because loans aren't the answer for every business—additional debt could permanently cripple some businesses—I have also included a grant program for reservists. This program would allow up to $25,000 in grants for small businesses that can show economic injury because of deployment and prove that they have a viable business plan for the next three years. A grant program would help small businesses that cannot afford to take on a military reservist economic injury disaster loan or that were denied such a loan, but still are viable businesses and need assistance.

While addressing the funding needs of reservists is essential, I also want to make sure that reservists receive the technical and management assistance they need to succeed. For that reason, this bill also includes the establishment of the Reservists Enterprise Transition and Sustainability Task Force. This grant program would allow Small Business Development Centers, Women's Business Centers and veteran centers to compete for grants to create programs that help small businesses prepare for and cope with the mobilization of reservist-employees and owners.

Veterans possess great technical skills and valuable leadership experience, but they require financial resources to turn that potential into a viable enterprise. A recent report by the Small Business Administration stated that 22 percent of veterans plan to start or are starting a business when they leave the military. For service-disabled veterans, this number rises to 28 percent. So the legislation I introduce today will create a new program, administered by the Small Business

Administration, to provide very-low-interest loans, up to $100,000, to help veterans start new small businesses.

Lastly, this bill calls for two reports from the Government Accountability Office. One report will look at the needs of service-disabled veterans who are interested in becoming entrepreneurs. As a result of the war on terror and improved medicine, we are seeing more service-disabled veterans than we have seen in decades. For some service-disabled veterans, entrepreneurship is the best or only way of achieving economic independence. Therefore, it is essential that we understand and take steps to address the needs of the service-disabled veteran entrepreneur or small business owner.

I am also calling for a study to investigate allegations that the changes the Department of Defense has made in regard to the use of reservists is harming the ability of reservists to find jobs and the ability of small business owners to continue hiring reservists. At the Committee's hearing on veteran small business issues, witnesses testified about reservists being turned down or not considered for jobs because they are reservists. I have heard reservists talk about being pressured to leave the reserves if they would like to continue to advance at work. I have also heard the concerns of small business owners who want to support servicemembers; however, they cannot do so if it means the survival of their business. Understanding more about this issue is important and essential to making sure that policymakers can continue to support citizen soldiers and the small businesses that employ them across the Nation.

One of the issues I am not addressing in my legislation today is Federal procurement. I heard clearly the concerns from veterans that they are not being treated fairly when it comes to selling goods and services to the Federal Government, and I am committed to making changes. However, to make real changes, changes that can pass the Senate and the House and become law, these changes must be part of a bigger package. Legislation that addresses not just the concerns of service-disabled veteran small business owners, but the concerns of all small business owners who want their fair share of Federal contracts. I am committed to taking the difficult steps necessary to address these issues and will do so.

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

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

S. 1005

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 ''Military Reservist and Veteran Small Business Reauthorization Act of 2007''.

SEC. 2. DEFINITIONS.

In this Act—

(1) the term ''activated'' means receiving an order placing a Reservist on active duty;

(2) the term ''active duty'' has the meaning given that term in section 101 of title 10, United States Code;

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

(4) the term ''Reservist'' means a member of a reserve component of the Armed Forces, as described in section 10101 of title 10, United States Code;

(5) the term ''Service Corps of Retired Executives'' means the Service Corps of Retired Executives authorized by section 8(b)(1) of the Small Business Act (15 U.S.C. 637(b)(1));

(6) the terms ''service-disabled veteran'' and ''small business concern'' have the meanings given those terms in section 3 of the Small Business Act (15 U.S.C. 632);

(7) the term ''small business development center'' means a small business development center described in section 21 of the Small Business Act (15 U.S.C. 648); and

(8) the term ''women's business center'' means a women's business center described in section 29 of the Small Business Act (15 U.S.C. 656).

TITLE I—MILITARY RESERVIST LOANS

SEC. 101. GRANT ASSISTANCE FOR MILITARY RESERVISTS' SMALL BUSINESSES.

(a) AUTHORIZATION OF GRANTS.—Section 7(b)(3)(B) of the Small Business Act (15 U.S.C. 636(b)(3)(B)) is amended by inserting ''or grants'' after ''or a deferred basis)''.

(b) GRANT SPECIFICATIONS.—Section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)) is amended by inserting after subparagraph (F) the following:

''(G) Grants made under subparagraph (B)—

''(i) may be awarded in addition to any loan made under subparagraph (B);

''(ii) shall not exceed $25,000; and

''(iii) shall be made only to a small business concern—

''(I) that provides a business plan demonstrating viability for not less than 3 years after the date of the application for that grant;

''(II) with 10 or fewer employees; and

''(III) that has not received a grant under subparagraph (B) during the 2-year period ending on the date of the application for that grant.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 20(e)(2) of the Small Business Act (15 U.S.C. 631 note) is amended by inserting after subparagraph (B) the following:

''(C) GRANT ASSISTANCE FOR MILITARY RESERVISTS' SMALL BUSINESSES.—There are authorized to be appropriated for grants under section 7(b)(3)(B)—

''(i) $5,000,000 for the first fiscal year beginning after the date of enactment of the Military Reservist and Veteran Small Business Reauthorization Act of 2007; and

''(ii) $5,000,000 for each of the 2 fiscal years following the fiscal year described in clause (i).''.

SEC. 102. NONCOLLATERALIZED LOANS.

Section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)) is amended by inserting after subparagraph (G), as added by this Act, the following:

''(H)(i) Notwithstanding any other provision of law, the Administrator may make a loan under this paragraph of not more than $100,000 without collateral.

''(ii) The Administrator may defer payment of principal and interest on a loan described in clause (i) during the longer of—

''(I) the 1-year period beginning on the date of the initial disbursement of the loan; and

''(II) the period during which the relevant essential employee is on active duty.''.

SEC. 103. APPLICATION PERIOD.

Section 7(b)(3)(C) of the Small Business Act (15 U.S.C. 636(b)(3)(C)) is amended by striking ''90 days'' and inserting ''1 year''.

SEC. 104. PREAPPROVAL PROCESS.

(a) DEFINITION.—In this section, the term ''eligible Reservist'' means a Reservist who—

(1) has not been ordered to active duty;

(2) expects to be ordered to active duty during a period of military conflict (as that term is defined in section 7(n)(1) of the Small Business Act (15 U.S.C. 636(n)(1)); and

(3) can reasonably demonstrate that the small business concern for which that Reservist is a key employee will suffer economic injury in the absence of that Reservist.

(b) ESTABLISHMENT.—Not later than 6 months after the date of enactment of this Act, the Administrator shall establish a preapproval process, under which—

(1) the Administrator may approve a loan or grant to a small business concern under section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)), as amended by this Act, before an eligible Reservist employed by that small business concern is activated; and

(2) the Administrator shall distribute funds for any loan or grant approved under paragraph (1) if that eligible Reservist is activated.

SEC. 105. OUTREACH AND TECHNICAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator, in consultation with the Secretary of Veterans Affairs and the Secretary of Defense, shall develop a comprehensive outreach and technical assistance program (in this section referred to as the ''program'') to—

(1) market the loans and grants available under section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)), as amended by this Act, to Reservists, and family members of Reservists, that are on active duty and that are not on active duty; and

(2) provide technical assistance to a small business concern applying for a loan or grant under that section.

(b) COMPONENTS.—The program shall—

(1) incorporate appropriate websites maintained by the Administration, the Department of Veterans Affairs, and the Department of Defense; and

(2) require that information on the program is made available to small business concerns directly through—

(A) the district offices and resource partners of the Administration, including small business development centers, women's business centers, and the Service Corps of Retired Executives; and

(B) other Federal agencies, including the Department of Veterans Affairs and the Department of Defense.

(c) REPORT.—

(1) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, and every 6 months thereafter until the date that is 30 months after such date of enactment, the Administrator shall submit to Congress a report on the status of the program.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include—

(A) for the 6-month period before the date of that report—

(i) the number of loans and grants approved under section 7(b)(3) of the Small Business Act (15 U.S.C. 636(b)(3)), as amended by this Act;

(ii) the number of loans and grants disbursed under that section; and

(iii) the total amount disbursed under that section; and

(B) recommendations, if any, to make the program more effective in serving small business concerns that employ Reservists.

TITLE II—NATIONAL RESERVIST ENTERPRISE TRANSITION AND SUSTAINABILITY

SEC. 201. SHORT TITLE.

This title may be cited as the ''National Reservist Enterprise Transition and Sustainability Act of 2007''.

SEC. 202. PURPOSE.

The purpose of this title is to establish a program to—

(1) provide managerial, financial, planning, development, technical, and regulatory assistance to small business concerns owned and operated by Reservists;

(2) provide managerial, financial, planning, development, technical, and regulatory assistance to the temporary heads of small business concerns owned and operated by Reservists;

(3) create a partnership between the Small Business Administration, the Department of Defense, and the Department of Veterans Affairs to assist small business concerns owned and operated by Reservists;

(4) utilize the service delivery network of small business development centers, women's business centers, Veterans Business Outreach Centers, and centers operated by the National Veterans Business Development Corporation to expand the access of small business concerns owned and operated by Reservists to programs providing business management, development, financial, procurement, technical, regulatory, and marketing assistance;

(5) utilize the service delivery network of small business development centers, women's business centers, Veterans Business Outreach Centers, and centers operated by the National Veterans Business Development Corporation to quickly respond to an activation of Reservists that own and operate small business concerns; and

(6) utilize the service delivery network of small business development centers, women's business centers, Veterans Business Outreach Centers, and centers operated by the National Veterans Business Development Corporation to assist Reservists that own and operate small business concerns in preparing for future military activations.

SEC. 203. NATIONAL GUARD AND RESERVE BUSINESS ASSISTANCE.

(a) IN GENERAL.—Section 21(a)(1) of the Small Business Act (15 U.S.C. 648(a)(1)) is amended by inserting ''any small business development center, women's business center, Veterans Business Outreach Center, or center operated by the National Veterans Business Development Corporation providing enterprise transition and sustainability assistance to Reservists under section 37,'' after ''any women's business center operating pursuant to section 29,''.

(b) PROGRAM.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 37 (15 U.S.C. 631 note) as section 38; and

(2) by inserting after section 36 the following:

''SEC. 37. RESERVIST ENTERPRISE TRANSITION AND SUSTAINABILITY.

''(a) IN GENERAL.—The Administrator shall establish a program to provide business planning assistance to small business concerns owned and operated by Reservists.

''(b) DEFINITIONS.—In this section—

''(1) the terms 'activated' and 'activation' mean having received an order placing a Reservists on active duty, as defined by section 101(1) of title 10, United States Code;

''(2) the term 'Administrator' means the Administrator of the Small Business Administration, acting through the Associate Administrator for Small Business Development Centers;

''(3) the term 'Association' means the association established under section 21(a)(3)(A);

''(4) the term 'eligible applicant' means—

''(A) a small business development center that is accredited under section 21(k);

''(B) a women's business center;

''(C) a Veterans Business Outreach Center that receives funds from the Office of Veterans Business Development; or

''(D) an information and assistance center operated by the National Veterans Business Development Corporation under section 33;

''(5) the term 'enterprise transition and sustainability assistance' means assistance provided by an eligible applicant to a small business concern owned and operated by a Reservist, who has been activated or is likely to be activated in the next 12 months, to develop and implement a business strategy for the period while the owner is on active duty and 6 months after the date of the return of the owner;

''(6) the term 'Reservists' means any person who is—

''(A) a member of a reserve component of the Armed Forces, as defined by section 10101 of title 10, United States Code; and

''(B) on active status, as defined by section 101(d)(4) of title 10, United States Code;

''(7) the term 'small business development center' means a small business development center as described in section 21 of the Small Business Act (15 U.S.C. 648);

''(8) the term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, and Guam; and

''(9) the term 'women's business center' means a women's business center described in section 29 of the Small Business Act (15 U.S.C. 656).

''(c) AUTHORITY.—The Administrator may award grants, in accordance with the regulations developed under subsection (d), to eligible applicants to assist small business concerns owned and operated by Reservists by—

''(1) providing management, development, financing, procurement, technical, regulatory, and marketing assistance;

''(2) providing access to information and resources, including Federal and State business assistance programs;

''(3) distributing contact information provided by the Department of Defense regarding activated Reservists to corresponding State directors;

''(4) offering free, one-on-one, in-depth counseling regarding management, development, financing, procurement, regulations, and marketing;

''(5) assisting in developing a long-term plan for possible future activation; and

''(6) providing enterprise transition and sustainability assistance.

''(d) RULEMAKING.—

''(1) IN GENERAL.—The Administrator, in consultation with the Association and after notice and an opportunity for comment, shall promulgate regulations to carry out this section.

''(2) DEADLINE.—The Administrator shall promulgate final regulations not later than 180 days of the date of enactment of the Military Reservist and Veteran Small Business Reauthorization Act of 2007.

''(3) CONTENTS.—The regulations developed by the Administrator under this subsection shall establish—

''(A) procedures for identifying, in consultation with the Secretary of Defense, States that have had a recent activation of Reservists;

''(B) priorities for the types of assistance to be provided under the program authorized by this section;

''(C) standards relating to educational, technical, and support services to be provided by a grantee;

''(D) standards relating to any national service delivery and support function to be provided by a grantee;

''(E) standards relating to any work plan that the Administrator may require a grantee to develop; and

''(F) standards relating to the educational, technical, and professional competency of any expert or other assistance provider to whom a small business concern may be referred for assistance by a grantee.

''(e) APPLICATION.—

''(1) IN GENERAL.—Each eligible applicant desiring a grant under this section shall submit an application to the Administrator at such time, in such manner, and accompanied by such information as the Administrator may reasonably require.

''(2) CONTENTS.—Each application submitted under paragraph (1) shall describe—

''(A) the activities for which the applicant seeks assistance under this section; and

''(B) how the applicant plans to allocate funds within its network.

''(3) MATCHING NOT REQUIRED.—Subparagraphs (A) and (B) of section 21(a)(4), requiring matching funds, shall not apply to grants awarded under this section.

''(f) AWARD OF GRANTS.—

''(1) DEADLINE.—The Administrator shall award grants not later than 60 days after the promulgation of final rules and regulations under subsection (d).

''(2) AMOUNT.—Each eligible applicant awarded a grant under this section shall receive a grant in an amount—

''(A) not less than $150,000 per fiscal year; and

''(B) not greater than $500,000 per fiscal year.

''(g) REPORT.—

''(1) IN GENERAL.—The Comptroller General of the United States shall—

''(A) initiate an evaluation of the program not later than 30 months after the disbursement of the first grant under this section; and

''(B) submit a report not later than 6 months after the initiation of the evaluation under paragraph (1) to—

''(i) the Administrator;

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

''(iii) the Committee on Small Business of the House of Representatives.

''(2) CONTENTS.—The report under paragraph (1) shall—

''(A) address the results of the evaluation conducted under paragraph (1); and

''(B) recommend changes to law, if any, that it believes would be necessary or advisable to achieve the goals of this section.

''(h) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

''(A) $5,000,000 for the first fiscal year beginning after the date of enactment of the Military Reservist and Veteran Small Business Reauthorization Act of 2007; and

''(B) $5,000,000 for each of the 3 fiscal years following the fiscal year described in subparagraph (A).

''(2) LIMITATION ON USE OF OTHER FUNDS.—The Administrator may carry out the program authorized by this section only with amounts appropriated in advance specifically to carry out this section.''.

TITLE III—VETERAN ENTREPRENEUR LOANS

SEC. 301. AUTHORIZATION.

The first sentence of section 7(a) of the Small Business Act (15 U.S.C. 636) is amended by inserting ''new veteran entrepreneurs under paragraph (32) and'' and after ''loans to any qualified small business concern, including''.

SEC. 302. SPECIFICATIONS.

Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding after paragraph (31) the following:

''(32) VETERAN ENTREPRENEUR LOANS.—Each loan to a new veteran entrepreneur under this subsection shall—

''(A) be made directly to the new veteran entrepreneur;

''(B) not exceed $100,000; and

''(C) be made at the same interest rate as loans made under the second proviso of the unnumbered paragraph of subsection (b).''.

SEC. 303. DEFINITIONS.

Section 3(q) of the Small Business Act (15 U.S.C. 632(q)) is amended by adding after paragraph (4) the following:

''(5) NEW VETERAN ENTREPRENEUR.—The term 'new veteran entrepreneur' means a person who—

''(A) is a veteran;

''(B) is establishing a new small business concern or established a new small business concern during the 6-month period ending on the date of the request for a loan; and

''(C) does not own or control any other business.''.

TITLE IV—OTHER PROVISIONS

SEC. 401. INCREASED FUNDING FOR THE OFFICE OF VETERANS BUSINESS DEVELOPMENT.

There are authorized to be appropriated to the Office of Veterans Business Development of the Administration, to remain available until expended—

(1) $2,100,000 for fiscal year 2008;

(2) $2,300,000 for fiscal year 2009; and

(3) $2,500,000 for fiscal year 2010.

SEC. 402. PERMANENT EXTENSION OF SBA ADVISORY COMMITTEE ON VETERANS BUSINESS AFFAIRS.

(a) ASSUMPTION OF DUTIES.—Section 33 of the Small Business Act (15 U.S.C. 657c) is amended—

(1) by striking subsection (h); and

(2) by redesignating subsections (i) through (k) as subsections (h) through (j), respectively.

(b) PERMANENT EXTENSION OF AUTHORITY.—Section 203 of the Veterans Entrepreneurship and Small Business Development Act of 1999 (15 U.S.C. 657b note) is amended by striking subsection (h).

SEC. 403. RESERVISTS STUDY.

Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding whether there has been a reduction in the hiring of Reservists by business concerns because of—

(1) any increase in the use of Reservists after September 11, 2001; or

(2) any change in any policy of the Department of Defense relating to Reservists after September 11, 2001.

SEC. 404. SERVICE-DISABLED VETERANS.

Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report describing—

(1) the types of assistance needed by service-disabled veterans who wish to become entrepreneurs; and

(2) any resources that would assist such service-disabled veterans.

By Mr. KERRY:

S. 1006. A bill to amend the Internal Revenue Code of 1986 to deny qualified dividend income treatment to certain foreign dividends; to the Committee on Finance.

Mr. KERRY. Mr. President, today I am introducing legislation that will clarify which dividends are eligible for a lower rate of 15 percent for upper-income taxpayers or a 5 percent rate for lower-income taxpayers. I am concerned that some foreign companies have a tax advantage over their American competitors.

Since dividend rates were lowered in 2003, some banks have promoted hybrid debt instruments from foreign corporations that may qualify for the lower rate. These hybrid arrangements are treated as debt in the host foreign country and the entity takes a deduction. In the United States, these instruments are classified as equity and thus treated as dividends eligible for the lower rate.

This was not the intention of Congress, and this abuse needs to stop. There should not be preferences in our tax code which make it easier for foreign corporations to raise capital at the expense of American companies. I believe that changes need to be made to our tax system to ensure that U.S companies can compete fairly in a global market place.

The legislation that I am introducing today is the same legislation introduced by Ways and Means Subcommittee on Select Revenue Chairman NEAL. This legislation amends Section 1 of the Internal Revenue Code to disallow the preferential dividends rate for payments from foreign entities not subject to tax in the foreign country, for payments that are deductible in the foreign country, or payments with respect to an instrument not treated as stock in the foreign country. In addition, the bill does not allow dividends from an entity not subject to or exempt from corporate tax in a foreign country to be eligible for the lower rate. If the entity is a passive foreign investment company (PFIC), the dividend would not be eligible for the lower rate even if the entity is also classified as a controlled foreign corporation.

This legislation builds upon a bill that Senator BAUCUS and I introduced last Congress, S. 1363, which prevents dividends received from corporations in a tax haven from receiving the lower rate. This legislation was introduced in the 109th Congress out of concern that the definition of qualifying foreign corporations is overly broad and includes companies in tax haven countries with little or no tax system.

The legislation that I am introducing today includes the provisions of S. 1363 which require that only dividends from foreign companies which are located in countries with a comprehensive income tax and are traded on a U.S. stock exchange may qualify for the preferential rate. In total, this legislation carries out the intent of the 2003 rate deduction on dividends.

The initial proposal to address dividends taxation was designed to eliminate the double taxation of corporate earnings. Eventually, this proposal was modified to lower the tax rate on dividends. I believe that it was never the original intent of Congress to provide the lower rates to dividends which are not subject to double taxation.

I urge my colleagues to support these common sense changes. I ask for unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 1006

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

SECTION 1. CERTAIN FOREIGN DIVIDENDS NOT TREATED AS QUALIFIED DIVIDEND INCOME.

(a) IN GENERAL.—Clause (ii) of section 1(h)(11)(B) of the Internal Revenue Code of 1986 (relating to certain dividends excluded) is amended by striking ''and'' at the end of subclause (II), by striking the period at the end of subclause (III) and inserting '', and'', and by adding at the end the following new subclause:

''(IV) any nonqualified dividend from a foreign corporation.''.

(b) NONQUALIFIED DIVIDEND FROM A FOREIGN CORPORATION.—Paragraph (11) of section 1(h) of such Code (relating to dividends taxed as net capital gain) is amended by redesignating subparagraph (D) as subparagraph (E) and by inserting after subparagraph (C) the following new subparagraph:

''(D) NONQUALIFIED DIVIDEND FROM A FOREIGN CORPORATION.—For purposes of subparagraph (B)(ii)(IV), the term 'nonqualified dividend from a foreign corporation' means any dividend from a foreign corporation if—

''(i) any amount is allowable as a deduction to any person at any time under the taxation law of any foreign country (or any amount is otherwise creditable against the tax imposed under such law) with respect to such dividend,

''(ii) for the taxable year of the corporation in which the distribution is made, or the preceding taxable year—

''(I) such corporation is not treated as a corporation for purposes of the taxation laws of any foreign country to which it would be subject to tax if it were treated as a corporation,

''(II) such corporation is exempt from tax under the taxation laws of any foreign country to which (but for such exemption) it would otherwise be subject to tax (except for exemption on the basis of nonresidence, nondomicile, or similar criteria), or

''(III) such corporation is a passive foreign investment company (as defined in section 1297 (without regard to subsection (e) thereof)), or

''(iii) such dividend is paid with respect to an instrument which is treated as other than stock (or a similar equity interest) under the taxation laws of any foreign country with respect to which the payment is taken into account.''.

(c) CONFORMING AMENDMENT.—Subparagraph (C) of section 1(h)(11) of such Code is amended by striking clause (iii) and by redesignating clause (iv) as clause (iii).

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to dividends received after the date of the enactment of this Act.

SEC. 2. MODIFICATION TO THE DEFINITION OF QUALIFIED FOREIGN CORPORATION.

(a) IN GENERAL.—Clause (ii) of section 1(h)(11)(C) of the Internal Revenue Code of

1986 (relating to dividends on stock readily tradable on United States securities market) is amended by striking ''by such corporation if the stock'' and all that follows and inserting ''by such corporation if—

''(I) the stock with respect to which such dividend is paid is readily tradable on an established securities market in the United States, and

''(II) such corporation is created or organized under the laws of a foreign country which has a comprehensive income tax system which the Secretary determines is satisfactory for the purposes of this paragraph.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to dividends received after the date of the enactment of this Act.

By Mr. LUGAR:

S. 1007. A bill to direct the Secretary of State to work with the Government of Brazil and other foreign governments to develop partnerships that will strengthen diplomatic relations and energy security by accelerating the development of biofuels production, research, and infrastructure to alleviate poverty, create jobs, and increase income, while improving energy security and protecting the environment; to the Committee on Foreign Relations.

Mr. LUGAR. Mr. President, I rise to introduce the ''United States Brazil Energy Cooperation Pact.'' This bill would direct the Secretary of State to work with the Government of Brazil and other foreign governments to develop partnerships that will strengthen diplomatic relations and energy security, including through accelerated development of biofuels production, research and infrastructure. This will help to alleviate poverty, create jobs, and increase income, while improving energy security and protecting the environment..

Earlier this month President Bush and Brazilian President Luiz Inacio Lula da Silva agreed in Sao Paulo to cooperate to promote ethanol in the Americas as an alternative to oil. The agreement aims to increase cooperation on biofuels technology and to develop international biofuels standards. President Bush is following up by hosting President da Silva at Camp David this Saturday, March 31.

President Bush intended his trip to rebuild bridges to Latin America. Many Latin Americans are critical, even hostile, over what they see as the administration's neglect of the region. Strained relationships often are repaired in small steps. The ethanol accord promises mutual benefits for the United States and Brazil, Latin America, and potentially, the rest of the world. If executed in a spirit of partnership and funded generously, it could have a significant regional and global impact on the development of ethanol markets, climate change and the ability of many poor countries to endure oil price shocks.

Although the agreement is overall a win-win-win deal for Brazil, the United States and the region, it has been criticized. Some opponents are simply trying to thwart better U.S.-Brazilian cooperation. But others have raised concerns about the dislocations and unintended consequences of promoting biofuel crops.

Only by addressing such worries and quelling the doubts can the Brazil-U.S. pact fully meet its promise to be a launching pad for what I envision as a transformational Americas-wide energy program that will radically improve the hemisphere's strategic and economic posture. Today I introduce the United States-Brazil Energy Cooperation Pact to capitalize on the opportunity it presents to reestablish strong U.S. relations with our neighbors while also building a more secure energy future.

The bill calls on Brazil and the United States to help fund feasibility studies to assess each Latin American country's biofuel needs and biomass production potential, with special attention to food security and the environment. By encouraging cellulosic ethanol that does not rely on grains, it should help assuage fears, shared by American and Latin American livestock producers alike, that excessive reliance on corn for ethanol will further drive up animal feed costs and thus prices of beef, pork and chicken. For Mexico, where skyrocketing tortilla prices have been blamed on the diversion of corn for ethanol, the bill calls for special efforts to find non-corn sources of biofuels.

The legislation envisions a special hemispheric carbon trading system to encourage preservation of tropical rain forests in the face of growing demand for energy crops, and it calls on the regional development banks, as well as U.S. foreign assistance, to support biofuel infrastructure projects.

The bill contains special provisions to help our closest and poorest neighbors in the Caribbean and Central America revive their moribund sugar cane industries so they can produce their own ethanol. Currently nearly all the ethanol they sell is processed product from Brazil.

And while biofuels are a key element of energy security, better utilization of conventional resources also plays a role. The bill seeks ways to help optimize Mexican oil output, which is lagging to the detriment of both countries, and encourages South America to exploit fully its natural gas supplies with new pipelines and liquefied natural gas facilities.

Giving the United States easy access to foreign ethanol supplies, even as we increase domestic production, is an essential component to meet President Bush's target of 35 billion gallons of renewable fuels use by 2017, which cannot be met by U.S. corn ethanol alone. U.S. corn ethanol production will peak around 14 billion gallons in 2010, experts estimate. Reducing dependence on oil imported from unstable and often hostile regions is a paramount foreign policy imperative.

The U.S. doesn't tax imported oil, but currently levies a 54-cents-per-gallon tariff on imported ethanol to protect U.S. producers from cheaper Brazilian ethanol. It is clear that this barrier to trade in Americas-grown fuel is inconsistent with our political goals in the region, and with our long-term energy security.

Altering the import tax would affect a number of industries and interests. Therefore, the bill calls for a comprehensive study on the current political and economic impacts of the tariff and the potential costs and benefits of repealing it or modifying it.

In this way, I believe that passage of this bill would encourage Administration officials to rethink old policies in order to improve energy cooperation, and encourage other Governments in the region to do likewise. With this legislation, Congress can demonstrate to citizens of the Americas that the U.S. is ready to embark on an equal partnership for progress.

In conclusion, I look forward to working with each of my colleagues to ensure the energy security of our country and the region.

By Mr. SANDERS:

S. 1008. A bill to amend the Atomic Energy Act of 1954 to improve and strengthen the safety inspection process of nuclear facilities; to the Committee on Environment and Public Works.

Mr. SANDERS. Mr. President, today I am introducing legislation that would provide greater assurance to the citizens of our Nation that their elected officials will do everything within their power to provide the highest levels of safety at nuclear facilities. The bill does this by allowing certain State officials to request that the United States Nuclear Regulatory Commission (NRC) conduct an independent safety assessment at key times in the life of a reactor. I ask that the full text of the bill be printed in the RECORD.

Too often we have found that the NRC has been uninterested in the legitimate concerns of national and State legislators who have requested greater safety oversight, especially at problem-plagued nuclear plants. In some instances, safety violations of the highest level have been allowed to continue, undetected, for years before discovery. Citizens deserve to have some greater assurance that when a plant has reached what was the intended end of its useful life and has applied for a license extension—another few decades of operating life—or when a plant seeks an ''uprate''—an increase in power output from what it was permitted previously—or when there have been significant safety problems, that a facility will get a thorough review to protect the public safety. Without this bill, the public will continue to worry.

Under the legislation I am introducing, State officials would be able to request that a special Independent Safety Assessment Team be assembled to thoroughly review the safety of plants that meet the criteria listed in

this bill. The team would be composed of individuals selected by the NRC and the requesting Governor or State public utilities commission to insure greater balance and independence on the Team. The Team's report would make recommendations on safety features that should be improved before additional licensing requests and other operational matters are favorably acted upon.

My legislation offers a simple and fair solution to a technical problem faced by citizens across the Nation and I encourage my colleagues to join me to ensure greater safety at our nuclear facilities.

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

S. 1008

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

SECTION 1. INDEPENDENT SAFETY ASSESSMENTS.

Section 103 of the Atomic Energy Act of 1954 (42 U.S.C. 2133) is amended by inserting after subsection d. the following:

''e. INDEPENDENT SAFETY ASSESSMENTS.—

''(1) DEVELOPMENT OF PROCEDURE.—Not later than 90 days after the date of enactment of this subsection, the Nuclear Regulatory Commission (referred to in this subsection as the 'Commission') shall develop an independent safety assessment procedure.

''(2) CONDUCT OF ASSESSMENT.—

''(A) DEFINITION OF ELIGIBLE REQUESTOR.—In this paragraph, the term 'eligible requestor' means—

''(i) a Governor of a State in which a facility of a licensee is located;

''(ii) a public utility commission of a State in which a facility of a licensee is located; and

''(iii) a Governor of a State that—

''(I) because of dangers to the public relating to potential ingestion of water or foods that have been contaminated with radiation from a commercial nuclear power plant, is located in an emergency planning zone, as defined in section 350.2 of title 44, Code of Federal Regulations (or a successor regulation); and

''(II) is not the same State in which the facility of the licensee is located.

''(B) REQUEST OF ASSESSMENT.—

''(i) IN GENERAL.—At the request of an eligible requestor, the Commission shall conduct an independent safety assessment in accordance with the independent safety assessment procedure developed under paragraph (1) if the licensee has—

''(I) applied to the Commission for—

''(aa) an extension of the operating license of the licensee; or

''(bb) approval of an extended power uprate for the licensee; or

''(II) during any 5-year period, received, under the reactor oversight process of the Commission, 2 or more greater-than-green inspection findings.

''(ii) CONDUCT OF ASSESSMENT.—The Commission shall conduct an assessment requested by an eligible requestor under clause (i) not later than 18 months after the date on which the eligible requestor requested the assessment.

''(3) INSPECTION OF FACILITY.—

''(A) IN GENERAL.—In conducting an independent safety assessment under paragraph (2)(B), the Commission shall inspect the design, construction, maintenance, and operational safety performance of the facility of the licensee.

''(B) SCOPE OF INSPECTION.—An inspection of a facility of a licensee conducted under subparagraph (A) shall—

''(i) be at least equal in scope, depth, and breadth to the independent safety assessment conducted in 1996 by the Commission of the Maine Yankee Nuclear Power Plant, located in Wiscasset, Maine; and

''(ii) include an examination of the systems of the facility of the licensee, including—

''(I) the reactor containment systems;

''(II) the reactor emergency core cooling systems;

''(III) the control room and containment ventilation systems;

''(IV) the electrical system (including testing of relevant transients);

''(V) the condensate and feedwater systems;

''(VI) the spent fuel storage systems;

''(VII) any other system requested by the Governor of the State, or a public utility commission of the State, in which the facility of the licensee is located; and

''(VIII) any other system identified by a majority of the members of an inspection team described in paragraph (4).

''(4) INSPECTION TEAMS.—

''(A) IN GENERAL.—An independent safety assessment conducted under paragraph (2)(B) shall be conducted by an inspection team.

''(B) COMPOSITION.—An inspection team shall be composed of not less than 25 members, of whom—

''(i) not less than 16 members shall be—

''(I) employees of the Commission; and

''(II) unaffiliated with the regional office of the Commission in the region in which the facility of the licensee is located;

''(ii) not less than 6 members shall be independent contractors who have not worked for, or at—

''(I) the facility of the licensee; or

''(II) any other nuclear power plant owned or operated by the owner or operator of the facility of the licensee; and

''(iii) not less than 3 members shall be appointed by the eligible requestor.

''(5) REPORT.—

''(A) PREPARATION OF PRELIMINARY REPORT.—Not later than 90 days after the date on which an inspection team completes an independent safety assessment of a facility of a licensee under paragraph (2)(B), the inspection team shall prepare a preliminary report describing the findings and recommendations of the inspection team.

''(B) AVAILABILITY OF PRELIMINARY REPORT.—For a period of 90 days beginning on the date on which the inspection team completes a preliminary report prepared under subparagraph (A), the inspection team shall make available for review and comment by the public a copy of the preliminary report.

''(C) CONSIDERATION OF COMMENTS.—In preparing a final version of a preliminary report developed under subparagraph (A), the inspection team shall take into consideration any comments received from the public that are appropriate, as determined by the inspection team.

''(D) SUBMISSION OF FINAL VERSION.—Not later than 90 days after the date on which the period of review and public comment ends under subparagraph (B), the inspection team shall submit to the Commission a final version of the preliminary report developed under subparagraph (A).

''(6) AFFECT ON LICENSING ACTIONS.—A final decision by the Commission of whether to extend an operating license, approve an extended power uprate, or continue to operate under a license at a facility of a licensee assessed under paragraph (2)(B) shall not be made until the later of the date on which—

''(A) the Commission has completed the independent safety assessment of the facility of the licensee; and

''(B) the licensee has fully accepted and implemented each finding and recommendation of the report approved by the Commission relating to the independent safety assessment of the facility of the licensee submitted under paragraph (5)(D).

''(7) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $10,000,000 for each of fiscal years 2008 through 2012, to remain available until expended.''.

By Mr. MARTINEZ (for himself and Mr. CORNYN):

S. 1009. A bill to amend part A of title I of the Elementary and Secondary Education Act of 1965 to improve supplemental educational services, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. MARTINEZ. Mr. President, I am here to discuss a topic of great meaning to American families: educating our children. We all want what is best for our children, and to provide them with the tools they need to succeed in tomorrow's workforce.

Today, I want to concentrate on one particular program that can play a key role in ensuring our children are meeting their educational goals.

I rise, along with Senator JOHN CORNYN of Texas, to once again introduce the Raising Achievement Through Improving Supplemental Education Act, or the RAISE Act for short.

The RAISE Act seeks to improve the Supplemental Educational Services program—a tutoring program under No Child Left Behind—to help it become well-known, widely available, and easily accessible to eligible students. It seeks to broaden eligibility requirements and prioritization of the program to target all low-performing students regardless of income status. The Supplemental Educational Services program—also known as SES—was implemented as part of No Child Left Behind and designed to be an innovative tool to help meet the academic needs of low-income students attending continuously failing schools.

Under the program, low-income parents can elect to have free private after-school tutoring for their children. To pay the providers of this tutoring service, school districts would need only to use a required 20 percent allocation of their Federal funds.

By providing direct tutoring after school, the SES program can help those students who are behind catch up with their peers. This, in turn, also improves the overall performance of the school. But, due to the lack of strong implementation, there have been numerous shortfalls nationwide. This is a troubling development that the RAISE Act seeks to correct.

For example, in the 2005–2006 school year, just 20 percent of the eligible 2½ million students participated in SES programs. That translates into hundreds of thousands of eligible children not being provided with tutoring help. The funding has already been set aside—there are children across the

Nation who could benefit from this after-school tutoring program—but they have to know about it to benefit from it.

Parents and State agencies are reporting that poor communication, delayed notification, and lack of transportation have become barriers to their children participating in the program. Also, there were some conflicts with other, better established after-school programs.

In Florida, we have already implemented SES improvements. As a result, Florida is seeing stronger guidelines, better State oversight, and consequently, higher SES program participation rate.

Many of the provisions of the RAISE Act are modeled after the successes already occurring in my home State. And it is notable that States such as Maryland and Indiana—where similar guidelines have been in place longer—they are seeing a remarkable 64 to 68 percent participation rate in their SES programs.

In our school districts where SES programs are thriving, good communication with both parents and providers has been emphasized, as well as access to on-site tutoring at school facilities.

Another important component of the RAISE Act is eligibility for SES. Currently, SES targets low-income, low-performing students. I think we should be targeting all low-performing students, regardless of income status. By overlooking many middle-class families who do not have the money to put their children into private tutoring or after-school programs, many of those children are falling through the cracks.

How can we ensure that no child is being left behind unless we specifically focus programs on those students who need the most help?

The RAISE Act was developed in consultation with school administrators, State education officials, and non-profit and research groups. This is a nationwide imperative and I urge my colleagues to support this innovative set of reforms.

The RAISE Act aims to help every child in the schoolyard have an equal opportunity for scholastic growth and achievement—this also happens to be the fundamental purpose of No Child Left Behind.

Together, all of us in this Chamber can make the RAISE Act a reality, and improve the academic lives of countless American schoolchildren in need.

By Mr. BIDEN (for himself, Mr. KENNEDY, and Mr. ENZI):

S. 1011. A bill to change the name of the National Institute on Drug Abuse to the National Institute on Diseases of Addiction and to change the name of the National Institute on Alcohol Abuse and Alcoholism to the National Institute on Alcohol Disorders and Health; to the Committee on Health, Education, Labor, and Pensions.

Mr. BIDEN. Mr. President, for nearly 35 years I've been working on this floor to address the all too real public health and safety issues associated with drug and alcohol addiction. Stiff prosecution of trafficking and possession of illegal drugs is important; but just as critical is an intense focus on prevention and treatment. To this end, if we are to be successful in this fight, we—you, me, all of us—must understand that addiction is a neurobiological disease, not a lifestyle choice. The frank and constructive approach to help those struggling with the disease of addiction, and to protect society from the crime and violence that sometimes accompany drug trafficking and use, is through treatment. We must continually work hard to resist the counterproductive social stigma that too often brands addicts and thereby encourages them to slip into seclusion rather than seek treatment. As such, we must begin to change the nature of public discourse about addiction by more appropriately naming our own research institutes to reflect this reality: Addition is a preventable and treatable disease.

Today, I rise to introduce legislation recognizing this reality that addiction is a disease and not a chronic, stigmatizing life-sentence. The Recognizing Addiction as a Disease Act of 2007 changes the names of two institutes at the National Institutes of Health: the National Institute on Drug Abuse will become the National Institute on Diseases of Addiction, and the National Institute on Alcohol Abuse and Alcoholism will become the National Institute on Alcohol Disorders and Health.

These name changes accomplish two important objectives. First, they remove the pejorative term ''abuse'' from the institutes' names and properly help to distance that notion from the disease of addiction. Second, the new names more clearly link the concepts of addiction and disease, a connection that scientific study clearly supports. Identifying addiction as a neurobiological disease will diminish the social stigma, discrimination, and the personal shame that is often a barrier to seeking treatment, and it will further a common understanding of diseases of addiction.

The 2005 National Survey on Drug Use and Health reported that addiction affects 23.2 million Americans in our country, of whom only about 10 percent are receiving the treatment they need. Many are deterred from seeking such treatment because of the social stigma associated with admitting to a drug or alcohol dependency. This bill is a small but important step towards remedying this problem, fighting drug use, and successfully treating addiction.

Addiction is now understood to be a disease because scientific research has shown that alcohol and other drugs can change the brain's structure and function. Advances in brain imaging science now make it possible to see inside an addict's brain and pinpoint the parts of the brain affected by drugs or alcohol. These insights will enable the development of new approaches to prevention and treatment. In fact, we now have data indicating that excessive alcohol use and alcohol dependence (alcoholism) are not separate diagnostic categories, but exist along a single continuum of alcohol-disorders associated with increased frequency of a harmful drinking pattern.

Today's introduction of this legislation is timely. Two weeks ago HBO premiered an important new documentary movie, Addiction, which presents an encouraging look at addiction as a treatable disease and the film chronicles the major scientific advances that have helped us better understand and treat addiction. The Institutes collaborated with HBO to create this eye-opening documentary that seeks to help Americans understand addiction. HBO's Addiction Project will acquaint viewers with available evidence-based medical and behavioral treatments. This is especially important for disorders like addiction that for many years were treated outside the medical mainstream. From emergency rooms to living rooms to research laboratories, the documentary follows the trail of an illness that affects one in four families in the United States.

The facts surrounding addiction are self-evident. With nearly 1 in 10 Americans over the age of 12 suffering from some form of substance dependency, addiction takes an emotional, psychological, and social toll on the country. The economic costs of substance dependency and addiction alone are estimated to exceed a half trillion dollars annually in the United States due to health care expenditures, lost productivity, and crime.

I am proud to say that my friends and very distinguished colleagues Senators KENNEDY and ENZI, chairman and ranking member of the Health, Education, Labor, and Pensions Committee, respectively, are cosponsors of this important bill.

Today, the Recognizing Addiction as a Disease Act of 2007 takes a small but important stride towards helping those struggling with diseases of addiction.

By Mr. COCHRAN (for himself and Mr. ROCKEFELLER):

S. 1015. A bill to reauthorize the National Writing Project; to the Committee on Health, Education, Labor, and Pensions.

Mr. COCHRAN. Mr. President, today I am joined by my distinguished colleague and friend from West Virginia, Mr. ROCKEFELLER, in introducing the National Writing Project Act of 2007. The National Writing Project remains the only Federal program to improve the teaching of writing in America's classrooms.

Writing is complex, challenging and it is a basic component of literacy. And, literacy is essential for success in life. A Belden Russonello & Stewart poll announced yesterday that overwhelmingly, Americans want writing taught throughout school curriculum.

Research shows that students taught by Writing Project demonstrate more improvement and higher overall writing performance than their peers.

Writing is not confined to thesis papers, college essays, and book reports. Writing skills for employment in the 21st Century require not only the grammar, construction and analytical thought of traditional writing, but the skills needed to communicate effectively using new technology. Effective instruction in writing requires teachers with high ability, who continuously develop their teaching skills.

A United States Department of Education program since 1991 and nearly 200 nation-wide, university based sites, the National Writing Project annually serves over 140,000 educators through more than 7,000 programs. It is based on a model of teachers teaching teachers: experienced teachers who share and develop the latest and most successful instruction techniques who in turn lead similar local workshops and training sessions for their colleagues.

National Writing Project teachers will be here this week to tell their personal stories and provide other information about what the College Board's National Commission on Writing calls ''arguably the most successful teacher network in the United States.'' I hope all Senators will have the opportunity to visit with teachers from their State and I invite all Senators to join Mr. ROCKEFELLER and me in sponsoring this bill.

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

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

S. 1015

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 ''National Writing Project Act of 2007''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The United States is facing a continuing crisis in writing in schools and in the workplace.

(2) The writing problem has been magnified by the rapidly changing student population, the growing number of English language learners, the increasing numbers of adolescents who are low-achieving writers, the shortage of adequately trained teachers, and the specialized knowledge required of teachers to teach students with special needs who are now part of mainstream classrooms.

(3) Nationwide reports show that nearly one-third of high school graduates are not ready for college-level English composition courses.

(4) Writing is a threshold skill for both employment and promotion. Deficiencies in writing skills have resulted in annual private sector costs for providing writing training that are as high as $3,100,000,000.

(5) Writing is a central feature in State and school district education standards in all disciplines.

(6) Since 1973, the only national program to address the writing problem in the Nation's schools has been the National Writing Project, a network of collaborative university-school programs.

(7) Evaluations of the National Writing Project document significant gains in student performance in writing and effective classroom practices.

(8) The National Writing Project has become a model for programs to improve teaching in such other fields as mathematics, science, history, civics and government, geography, reading and literature, technology, performing arts, and foreign languages.

(9) Each year, more than 135,000 teachers directly benefit from National Writing Project programs in nearly 200 sites located in all 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

SEC. 3. AUTHORIZATION OF THE NATIONAL WRITING PROJECT.

Subpart 2 of part C of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6701 et seq.) is amended to read as follows:

''Subpart 2—National Writing Project

''SEC. 2331. PURPOSES.

''The purposes of this subpart are—

''(1) to support and promote the expansion of the National Writing Project network of sites so that teachers in every region of the United States will have access to a National Writing Project program;

''(2) to ensure the consistent high quality of the sites through ongoing review, evaluation, and technical assistance;

''(3) to support and promote the establishment of programs to disseminate effective practices and research findings about the teaching of writing; and

''(4) to coordinate activities assisted under this subpart with activities assisted under this Act.

''SEC. 2332. NATIONAL WRITING PROJECT.

''(a) AUTHORIZATION.—The Secretary is authorized to award a grant to the National Writing Project, a nonprofit educational organization that has as its primary purpose the improvement of the quality of student writing and learning (hereafter in this section referred to as the 'grantee') to improve the teaching of writing and the use of writing as a part of the learning process in our Nation's classrooms.

''(b) REQUIREMENTS OF GRANT.—The grant shall provide that—

''(1) the grantee will enter into contracts with institutions of higher education or other nonprofit educational providers (hereafter in this section referred to as 'contractors') under which the contractors will agree to establish, operate, and provide the non-Federal share of the cost of teacher training programs in effective approaches and processes for the teaching of writing;

''(2) funds made available by the Secretary to the grantee pursuant to any contract entered into under this section will be used to pay the Federal share of the cost of establishing and operating teacher training programs as provided in paragraph (1); and

''(3) the grantee will meet such other conditions and standards as the Secretary determines to be necessary to assure compliance with the provisions of this section and will provide such technical assistance as may be necessary to carry out the provisions of this section.

''(c) TEACHER TRAINING PROGRAMS.—The teacher training programs described in subsection (b) shall—

''(1) be conducted during the school year and during the summer months;

''(2) train teachers who teach grades kindergarten through college;

''(3) select teachers to become members of a National Writing Project teacher network whose members will conduct writing workshops for other teachers in the area served by each National Writing Project site; and

''(4) encourage teachers from all disciplines to participate in such teacher training programs.

''(d) FEDERAL SHARE.—

''(1) IN GENERAL.—Except as provided in paragraph (2) or (3) and for purposes of subsection (b), the term Federal share' means, with respect to the costs of teacher training programs described in subsection (b), 50 percent of such costs to the contractor.

''(2) WAIVER.—The Secretary may waive the provisions of paragraph (1) on a case-by-case basis if the National Advisory Board described in subsection (e) determines, on the basis of financial need, that such waiver is necessary.

''(3) MAXIMUM.—The Federal share of the costs of teacher training programs conducted pursuant to subsection (b) may not exceed $150,000 for any one contractor, or $300,000 for a statewide program administered by any one contractor in at least five sites throughout the State.

''(e) NATIONAL ADVISORY BOARD.—

''(1) ESTABLISHMENT.—The National Writing Project shall establish and operate a National Advisory Board.

''(2) COMPOSITION.—The National Advisory Board established pursuant to paragraph (1) shall consist of—

''(A) national educational leaders;

''(B) leaders in the field of writing; and

''(C) such other individuals as the National Writing Project determines necessary.

''(3) DUTIES.—The National Advisory Board established pursuant to paragraph (1) shall—

''(A) advise the National Writing Project on national issues related to student writing and the teaching of writing;

''(B) review the activities and programs of the National Writing Project; and

''(C) support the continued development of the National Writing Project.

''(f) EVALUATION.—

''(1) IN GENERAL.—The Secretary shall conduct an independent evaluation by grant or contract of the teacher training programs administered pursuant to this subpart. Such evaluation shall specify the amount of funds expended by the National Writing Project and each contractor receiving assistance under this section for administrative costs. The results of such evaluation shall be made available to the appropriate committees of Congress.

''(2) FUNDING LIMITATION.—The Secretary shall reserve not more than $150,000 from the total amount appropriated pursuant to the authority of subsection (h) for fiscal year 2008 and each of the 5 succeeding fiscal years to conduct the evaluation described in paragraph (1).

''(g) APPLICATION REVIEW.—

''(1) REVIEW BOARD.—The National Writing Project shall establish and operate a National Review Board that shall consist of—

''(A) leaders in the field of research in writing; and

''(B) such other individuals as the National Writing Project determines necessary.

''(2) DUTIES.—The National Review Board shall—

''(A) review all applications for assistance under this subsection; and

''(B) recommend applications for assistance under this subsection for funding by the National Writing Project.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subpart $30,000,000 for fiscal year 2008 and such sums as may be necessary for each of the 5 succeeding fiscal years.''.

Mr. ROCKEFELLER. Mr. President, I rise today to join my distinguished colleague, Senator THAD COCHRAN, in

sponsoring the reauthorization of the National Writing Project. We have worked together for many years on the wonderful program that supports teachers and quality writing. Senator COCHRAN has long been one of this body's strongest advocates for not only the NWP, but for education in general. His leadership is quiet and effective, and truly inspiring.

The National Writing Project, NWP, provides our teachers with professional development to enhance their skills and in turn those teachers bring new skills and new enthusiasm to their classrooms and their students. Over 141,000 educators annually go through the NWP and become invaluable resources to millions of children nationwide. The NWP is at the forefront in the efforts to improve our schools for teachers and students.

The NWP is not only a great idea in theory but it has a record of success by consistently delivering results that can be seen in our classrooms. Students in NWP classrooms have shown demonstrably improved ability to organize and develop ideas in writing. A study published in January 2006 concluded that students whose teachers underwent NWP training uniformly demonstrated positive results.

Every State participates in the program. West Virginia has benefited tremendously from this program. The three sites in my State are Central West Virginia Writing Project, Marshall University Graduate College in South Charleston, the Marshall University Writing Project in Huntington, and the National Writing Project at West Virginia University in Morgantown. I am particularly proud of the leadership at Marshall University on its Technology Project to explore ways to better integrate technology into writing and classroom education. During the 2005–2006 school year the NWP conducted more than 140 programs serving over 3,000 teachers.

The NWP is a perfect example of how the public and the private sector should work in partnership to improve our society. The NWP operating budget comes not only from the Federal Government but from in kind contribution from colleges and universities.

Programs like the NWP are an essential part strengthening our education system, and it deserves our continued support.

By Mr. MCCONNELL (for Mr. ENZI (for himself, Mr. DORGAN, Mr. GRASSLEY, Mr. THOMAS, and Mr. CONRAD)):

S. 1017. A bill to amend the Packers and Stockyards Act, 1921, to prohibit the use of certain anti-competitive forward contracts; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. ENZI. Mr. President, Wyoming's late, great country music star Chris LeDoux has a song Some Things Never Change. I wish that were the case for Wyoming's hardworking livestock producers. As production agriculture has evolved and improved in the United States, producers in Wyoming continue to be held hostage to a regulatory nightmare and bound by the chains of unfair and manipulative marketing contracts. It is this regulatory nightmare that must be addressed. That is why I am reintroducing legislation today to break the chains and require livestock contracts to contain a fixed base price and be traded in open, public markets.

From Kaycee to Kansas City, captive supply is destroying the health of our family ranches. Many of these small businesses have operated for generations. Unfortunately, a handshake and an honest day's labor cannot compete with deceptive business practices. Captive supply is a business practice not well known to those outside of the industry, but a practice that has had a tremendous impact on the ranchers of the West.

I go back to Wyoming almost every weekend. Because Wyoming is such a large State, my travels take me to a different section of the State on each trip. Throughout Wyoming I hear the same concerns from my constituents. They are all clamoring for attention and relief so they can continue the work that so many in their families have done for so many years. These concerns are not unique to Wyoming. Captive supply is an industry-wide problem.

So what is captive supply—and how is it harming our Nation's ranchers to such an extent? Simply put, captive supply refers to the ownership by meat packers of cattle or the contracts they issue to purchase livestock. It is done to ensure that packers will always have a consistent supply of livestock on the kill floor which keeps slaughterhouses in perpetual operation.

The original goal of captive supply makes good business sense. All businesses want to maintain a steady supply of animals to ensure a constant stream of production and control costs.

But captive supply allows packers to go beyond good organization and business performance—to market manipulation—and this is where the problem lies.

The packing industry is highly concentrated. Using captive supply and the market power of concentration, packers can purposefully drive down the prices by refusing to buy in the open market. This deflates all livestock prices and limits the market access of producers that have not aligned with specific packers.

We made an attempt to address the problem of captive supply on the Senate floor during the 2002 Farm Bill debate, but the amendment to ban packer ownership of livestock more than 14 days before slaughter did not survive the conference committee deliberation. I look forward to working with my colleagues on the reauthorization of the Farm Bill this year. I will press this issue during the drafting of the Competition Title of the Farm Bill with my congressional colleagues.

The problems caused by captive supply are alive and well, just as Wyoming producers have testified to me in the phone calls, letters, faxes and emails I receive from them. Although I supported the packer ban and have cosponsored it again this Congress, I do not think that banning packer ownership of livestock will solve the entire captive supply problem. Packers are using numerous methods beyond direct ownership to control cattle and other livestock.

Currently, packers maintain captive supply through various means including direct ownership, forward contracts, and marketing agreements. The difference between the three is subtle, so let me take a moment to describe how they differ. Direct ownership refers to livestock owned by the packer. In forward contracts, producers agree to the delivery of cattle one week or more before slaughter with the price determined before slaughter. Forward contracts are typically fixed, meaning the base price is set.

As with forward contracts, marketing agreements also call for the delivery of livestock more than one week before slaughter, but the price is determined at or after slaughter. A formula pricing method is commonly used for cattle sold under marketing agreements. In formula pricing, instead of a fixed base price, an external reference price, such as the average price paid for cattle at a certain packing plant during one week, is used to determine the base price of the cattle. I find this very disturbing because the packer has the ability to manipulate the weekly average at a packing plant by refusing to buy in the open market. Unfortunately, marketing agreements and formula pricing are much more common than forward contracts.

Livestock producers have the same questions when they lose to the market pressures applied by captive supply. Captive supply gives packers the ability to discriminate against some producers. And those producers pay for it with their bottom line. At the same time, packers use contracts and marketing agreements to give privileged access and premiums to other producers regardless of the quality of their product. These uses of captive supply should be illegal. In fact, they are.

Section 202 of the Packers and Stockyards Act states in (3) (a) and (b):

''It shall be unlawful for any packer with respect to livestock . . . to:

''(a) Engage in or use any unfair, unjustly discriminatory, or deceptive practice or device; or

''(b) Make or give any undue or unreasonable preference or advantage to any particular person or locality in any respect, or subject any particular person or locality to any undue or unreasonable prejudice or disadvantage in any respect.''

Packers that practice price discrimination toward some producers and provide undue preferences to other producers are clearly in violation of the

law. But this law is not being enforced. So what we are left with are unenforced laws or no laws at all to protect the independent producer. The Packers and Stockyards Act is not being enforced and the cost of enforcing the law on a case-by-case basis in the courts is expensive and time-consuming.

A law is not worth the paper it is printed on if it is not enforced. The posted speed limit is not a suggestion. Our law enforcement officers enforce the law when motorists fail to heed the posted sign. This section of the Packers and Stockyards Act is like a sign on the road of commerce that no one is paying attention to because the police are busy doing something else. The bill I am introducing today is not just another sign on the road. It is a speed bump. It does not just warn cars to go slower; it makes it much more difficult for them to speed.

My bill does two things to create the speed bump. It requires that livestock producers have a fixed base price in their contracts. It also puts these contracts up for bid in the open market where they belong.

Under this bill, forward contracts and marketing agreements must contain a fixed base price on the day the contract is signed. This prevents packers from manipulating the base price after the point of sale. You may hear allegations that this bill ends quality-driven production, but it does not prevent adjustments to the base price after slaughter for quality, grade or other factors outside packer control. It prevents packers from changing the base price based on factors that they do control. Contracts that are based on the futures market are also exempted from the bill's requirements.

In an open market, buyers and sellers would have the opportunity to bid against each other for contracts and could witness bids that are made and accepted. Whether they take the opportunity to bid or not is their choice, the key here is that they have access to do so.

My bill also limits the size of contracts to the rough equivalent of a load of livestock, meaning 40 cattle or 30 swine. It does not limit the number of contracts that can be offered by an individual. This key portion prevents small and medium-sized livestock producers, like those found in Wyoming, from being shut out of deals that contain thousands of livestock per contract.

Requiring a firm base price and an open and transparent market ends the potential for price discrimination, price manipulation and undue preferences. These are not the only benefits of my bill. It also preserves the very useful risk management tool that contracts provide to livestock producers. Contracts help producers plan and prepare for the future. My bill makes contracts and marketing agreements an even better risk management tool because it solidifies the base price for the producer. Once the agreement is made, a producer can have confidence on shipping day in his ability to feed his family during the next year because he will know in advance how much he can expect to receive for his livestock.

This bill also encourages electronic trading. An open and public market would function much like the stock market, where insider trading is prohibited. The stock market provides a solid example of how electronic livestock trading can work to the benefit of everyone involved. For example, price discovery in an open and electronic market is automatic.

Captive supply is still weighing on the minds and hurting the pocketbooks of ranchers in Wyoming and across the United States. Wyoming ranchers encourage me to keep up the good fight on this issue on every trip I make to my home state. The economic soul of Wyoming is built on the foundation of small towns and small businesses. All livestock producers, even small and medium-sized ones, should have a fair chance to compete that allows them to get the best price possible for their product. We must do everything we can to keep our small producers in business.

My bill removes one of the largest obstructions preventing livestock producers from competing—formula-priced contracts. I ask my colleagues to assist me in giving their constituents and mine the chance to perform on a level playing field.

While Some Things Never Change, it is time for a sea change in the area of captive supply.

By Mr. DURBIN (for himself, Mr. HAGEL, and Mrs. FEINSTEIN):

S. 1018. A bill to address security risks posed by global climate change and for other purposes; to the Select Committee on Intelligence.

Mr. DURBIN. Mr. President, today, Senator HAGEL and I introduced the bipartisan Global Climate Change Security Oversight Act. We were joined by Senator FEINSTEIN. Our bill states that the consequences of global climate change represent a clear and present danger to the security of the United States.

For years, many of us have examined global warming as an environmental or economic issue. We also need to consider it as a security concern. Our bill begins this process by requiring a National Intelligence Estimate to assess the strategic challenges presented by the world's changing climate.

The National Security Strategy of 2006 stated that the United States now faces new security challenges, including ''environmental destruction, whether caused by human behavior or cataclysmic mega-disasters such as floods, hurricanes, earthquakes, or tsunamis. Problems of this scope may overwhelm the capacity of local authorities to respond, and may even overtax national militaries, requiring a larger international response. These challenges are not traditional national security concerns, such as the conflict of arms or ideologies. But if left unaddressed they can threaten national security.''

Global climate change represents one of the new environmental challenges outlined in the National Security Strategy that poses a threat to our national security. Failing to recognize and plan for the geopolitical challenges of global warming would represent a serious mistake.

A National Intelligence Estimate is a comprehensive review of a potential security threat that combines, correlates and evaluates intelligence from all of the relevant U.S. intelligence agencies. Various intelligence agencies—the CIA, NSA, the Pentagon, FBI, etc. must pool data, share perspectives and work together to assemble an accurate picture of threats to U.S. security.

Without an NIE, the various agencies may never have an opportunity to examine each other's data, and any differences or similarities between the reports could provide important information for policymakers.

In this legislation, we ask for the intelligence community to provide a strategic estimate of the risks posed by global climate change for countries or regions that are of particular economic or military significance to the United States or that are at serious risk of humanitarian suffering. This NIE will assess the political, social, agricultural, and economic challenges for countries and their likely impact.

Every region will be affected differently by global warming and it is critical that our intelligence and military communities are prepared to handle the situations most likely to arise.

For example, rising sea levels will have a profound impact on low lying coastal areas, especially in the Asia-Pacific region. This region is home to 58 percent of the world's population and 57 percent of the world's poorest population. More than 5 million people live in major cities that are in low lying coastal areas.

People in the Asia-Pacific region already endure coastal natural disasters, such as tsunamis, and inland flooding. Between 2001 and 2005, 62,273 people were killed annually by water related disasters in this region. This number is only going to increase as the world warms.

Africa is a place where changes in precipitation patterns will be particularly devastating. Many areas are already under enormous stress from drought and hunger. In 2005, 30 million people in 34 countries confronted food shortages as a result of drought. It is estimated that the droughts will become more severe and impact more people if the temperature continues to rise.

Environmental changes caused by global warming represent a potential threat multiplier for instability around the world. Scarce water, for example, may exacerbate conflict along economic, ethnic, or sectarian divisions.

Water shortages, food insecurity, or flooding all of which may occur as a result of rising global temperatures could also displace people, forcing them to migrate. Many of the most severe effects of global warming are expected in regions where fragile governments are least capable of responding to them.

This NIE will examine these questions and more. It will also do something that we don't do often enough here in Congress: it will look beyond the near horizon of the next election or the next few years and require the intelligence community to think about these issues in the context of the next 30 years.

The bill we introduced today will also fund additional research by the Department of Defense in order to examine the impact of climate change on military operations.

Rising temperatures are altering the international environment. We need to be prepared for this new world.

We hope that our colleagues will join us in this bipartisan effort to assess the strategic implications of climate change. The scientific community has demonstrated that the earth is growing warmer. We are asking the intelligence community to analyze the geopolitical implications of these changes.

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. 1018

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 ''Global Climate Change Security Oversight Act''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) According to the National Oceanic and Atmospheric Administration, in 2007 the average annual temperature in the United States and around the global is approximately 1.0 degree Fahrenheit warmer than at the start of the 20th century, and the rate of warming has accelerated during the past 30 years, increasing globally since the mid-1970s. The fourth assessment report of the Intergovernmental Panel on Climate Change has predicted that the Earth will warm 0.72 degrees Fahrenheit during the next 2 decades with current emission trends.

(2) The annual national security strategy report submitted pursuant to section 108 of the National Security Act of 1947 (50 U.S.C. 404a) for 2006 states that the United States faces new security challenges, including ''environmental destruction, whether caused by human behavior or cataclysmic mega-disasters such as floods, hurricanes, earthquakes, or tsunamis. Problems of this scope may overwhelm the capacity of local authorities to respond, and may even overtax national militaries, requiring a larger international response. These challenges are not traditional national security concerns, such as the conflict of arms or ideologies. But if left unaddressed they can threaten national security.''.

(3) According to the fourth assessment report of the Intergovernmental Panel on Climate Change, average temperature increases of between 2 and 4 degrees Celsius over preindustrial levels are projected to cause the sea level to rise by between 2 and 4 meters by 2100 due to melting of the Greenland and Antarctic ice sheets.

(4) In 2007, more than 200,000,000 people live in coastal floodplains around the world and 2,000,000 square kilometers of land and an estimated $1,000,000,000,000 worth of assets are less than a 1-meter elevation above sea level.

(5) An estimated 1,700,000,000 people in the world live in areas where water is scarce and in 25 years that population is projected to increase to 5,400,000,000. Climate change will impact the hydrological cycle and change the location, time of year, and intensity of water availability.

(6) The report of the World Health Organization entitled ''The World Health Report 2002: Reducing Risks and Promoting Healthy Life'' states that ''Effects of climate change on human health can be expected to be mediated through complex interactions of physical, ecological, and social factors. These effects will undoubtedly have a greater impact on societies or individuals with scarce resources, where technologies are lacking, and where infrastructure and institutions (such as the health sector) are least able to adapt.''.

(7) Environmental changes relating to global climate change represent a potentially significant threat multiplier for instability around the world as changing precipitation patterns may exacerbate competition and conflict over agricultural, vegetative, and water resources and displace people, thus increasing hunger and poverty and causing increased pressure on fragile countries.

(8) The strategic, social, political, and economic consequences of global climate change are likely to have a greater adverse effect on less developed countries with fewer resources and infrastructures that are less able to adjust to new economic and social pressures, and where the margin for governance and survival is thin.

(9) The consequences of global climate change represent a clear and present danger to the security and economy of the United States.

(10) A failure to recognize, plan for, and mitigate the strategic, social, political, and economic effects of a changing climate will have an adverse impact on the national security interests of the United States.

SEC. 3. NATIONAL INTELLIGENCE ESTIMATE ON GLOBAL CLIMATE CHANGE.

(a) REQUIREMENT FOR NATIONAL INTELLIGENCE ESTIMATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 270 days after the date of enactment of this Act, the Director of National Intelligence shall submit to Congress a National Intelligence Estimate on the anticipated geopolitical effects of global climate change and the implications of such effects on the national security of the United States.

(2) NOTICE REGARDING SUBMITTAL.—If the Director of National Intelligence determines that the National Intelligence Estimate required by paragraph (1) cannot be submitted by the date set out in that paragraph, the Director shall notify Congress and provide—

(A) the reasons that the National Intelligence Estimate cannot be submitted by such date; and

(B) an estimated date for the submittal of the National Intelligence Estimate.

(b) CONTENT.—The Director of National Intelligence shall prepare the National Intelligence Estimate required by this section using the mid-range projections of the fourth assessment report of the Intergovernmental Panel on Climate Change—

(1) to assess the political, social, agricultural, and economic risks during the 30-year period beginning on the date of enactment of this Act posed by global climate change for countries or regions that are—

(A) of strategic economic or military importance to the United States and at risk of significant impact due to global climate change; or

(B) at significant risk of large-scale humanitarian suffering with cross-border implications as predicted on the basis of the assessments;

(2) to assess other risks posed by global climate change, including increased conflict over resources or between ethnic groups, within countries or transnationally, increased displacement or forced migrations of vulnerable populations due to inundation or other causes, increased food insecurity, and increased risks to human health from infectious disease;

(3) to assess the capabilities of the countries or regions described in subparagraph (A) or (B) of paragraph (1) to respond to adverse impacts caused by global climate change;

(4) to assess the strategic challenges and opportunities posed to the United States by the risks described in paragraph (1);

(5) to assess the security implications and opportunities for the United States economy of engaging, or failing to engage successfully, with other leading and emerging major contributors of greenhouse gas emissions in efforts to reduce emissions; and

(6) to make recommendations for further assessments of security consequences of global climate change that would improve national security planning.

(c) COORDINATION.—In preparing the National Intelligence Estimate under this section, the Director of National Intelligence shall consult with representatives of the scientific community, including atmospheric and climate studies, security studies, conflict studies, economic assessments, and environmental security studies, the Secretary of Defense, the Secretary of State, the Administrator of the National Oceanographic and Atmospheric Administration, the Administrator of the National Aeronautics and Space Administration, the Administrator of the Environmental Protection Agency, the Secretary of Energy, and the Secretary of Agriculture, and, if appropriate, multilateral institutions and allies of the United States that have conducted significant research on global climate change.

(d) FORM.—The National Intelligence Estimate required by this section shall be submitted in unclassified form, to the extent consistent with the protection of intelligence sources and methods, and include unclassified key judgments of the National Intelligence Estimate. Such National Intelligence Estimate may include a classified annex.

SEC. 4. RESPONSE TO THE NATIONAL INTELLIGENCE ESTIMATE.

(a) REPORT BY THE SECRETARY OF DEFENSE.—Not later than 270 days after the date that the National Intelligence Estimate required by section 3 is submitted to Congress, the Secretary of Defense shall submit to the Committee on Appropriations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate and the Committee on Appropriations, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives a report on—

(1) the projected impact on the military installations and capabilities of the United States of the effects of global climate change as assessed in the National Intelligence Estimate;

(2) the projected impact on United States military operations of the effects of global climate change described in the National Intelligence Estimate; and

(3) recommended research and analysis needed to further assess the impacts on the military of global climate change.

(b) SENSE OF CONGRESS ON THE NEXT QUADRENNIAL DEFENSE REVIEW.—It is the sense of Congress that the Secretary of Defense should address the findings of the National Intelligence Estimate required by section 3 regarding the impact of global climate change and potential implications of such impact on the Armed Forces and for the size, composition, and capabilities of Armed Forces in the next Quadrennial Defense Review.

(c) REPORT BY THE SECRETARY OF STATE.—Not later than 270 days after the date that the National Intelligence Estimate required by section 3 is submitted to Congress, the Secretary of State shall submit to the Committee on Appropriations, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate and the Committee on Appropriations, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives a report that addresses—

(1) the potential for large migration flows in countries of strategic interest or humanitarian concern as a response to changes in climate and the implications for United States security interests; and

(2) the potential for diplomatic opportunities and challenges facing United States policy makers as a result of social, economic, or political responses of groups or nations to global changing climate.

SEC. 5. AUTHORIZATION OF RESEARCH.

(a) IN GENERAL.—The Secretary of Defense is authorized to carry out research on the impacts of global climate change on military operations, doctrine, organization, training, material, logistics, personnel, and facilities and the actions needed to address those impacts. Such research may include—

(1) the use of war gaming and other analytical exercises;

(2) analysis of the implications for United States defense capabilities of large-scale Arctic sea-ice melt and broader changes in Arctic climate;

(3) analysis of the implications for United States defense capabilities of abrupt climate change;

(4) analysis of the implications of the findings derived from the National Intelligence Estimate required in section 3 Act for United States defense capabilities;

(5) analysis of the strategic implications for United States defense capabilities of direct physical threats to the United States posed by extreme weather events such as hurricanes; and

(6) analysis of the existing policies of the Department of Defense to assess the adequacy of the Department's protections against climate risks to United States capabilities and military interests in foreign countries.

(b) REPORT.—Not later than 2 years after the date that the National Intelligence Estimate required by section 3 is submitted to Congress, the Secretary of Defense shall submit to Congress a report on the results of the research, war games, and other activities carried out pursuant to subsection (a).

SEC. 6. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

Mr. HAGEL. Mr. President. I rise today to join Senator DURBIN in introducing the Global Climate Change Security Oversight Act.

Global climate change has implications beyond economic, environmental and energy policies. It has the potential to affect every aspect of our daily lives. It is because of the possible broad impact on U.S. interests at home and abroad that I have agreed to be the lead Republican co-sponsor on the Global Climate Change Security Oversight Act.

Senator DURBIN and I differ on policy initiatives designed to reduce the impact of climate change. We do agree, however, on the need to assess potential impacts of the changing climate on U.S. national security interests so that our Nation can develop responsible, forward-thinking policies that ensure the continued safety and prosperity of the American people.

There will always be uncertainties and incomplete information in climate science. This is the nature of scientific discovery; it is constantly evolving, constantly gaining new insights and explanations of our natural world. National policy must be crafted based on what is known, but also must be able to incorporate the uncertainties of what is yet to be learned.

Our bill provides a foundation for future policy options. It instructs the Director of National Intelligence to conduct a National Intelligence Estimate to assess the potential geopolitical effects of global climate change and the implications for U.S. national security. It asks for a risk assessment of a broad array of impacts based on current scientific understanding. This bill is intended to gather information about the national security implications of projected climate change, so that in the future, Congress can develop policies that protect U.S. interests around the world.

I have said that the debate is not about whether we should take action, but rather what kind of action we should take. It would be irresponsible to attempt to develop a response to the physical effects of climate change without knowing what the potential consequences are. Our actions should always be based on a comprehensive base of scientific information and knowledge. Without this kind of information, we cannot effectively determine what the risks to U.S. national security will be. We cannot realistically design policies that mitigate these risks without this information. General Charles F. ''Chuck'' Wald, USAF, ret., former Deputy Commander, Headquarters U.S. European Command, has stated, ''This bipartisan legislation takes on an important emerging policy issue—the impact of climate change and national security. I support its call for a national intelligence estimate of the topic and authorizing the Secretary of Defense to conduct further research on the military impact of climate change.''

As I have said for many years, the way forward is to responsibly address the issue of climate change with a national strategy that incorporates economic, environmental and energy priorities. These issues are inextricably linked and changes to one will effect the other two. These priorities are also an integral part of U.S. national security. Risk assessment is essential to putting our national resources in the places where they will be most effective. This is even more important when assessing risk to national security. This legislation will provide information we need to continue to help make our country secure in the years to come.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 130—DESIGNATING JULY 28, 2007, AS ''NATIONAL DAY OF THE AMERICAN COWBOY''

Mr. THOMAS (for himself, Mr. CRAIG, Mr. INHOFE, Mr. SALAZAR, Mr. ENSIGN, Mr. BENNETT, Mr. STEVENS, Mr. CORNYN, Ms. LANDRIEU, Mr. BAUCUS, Mr. ALLARD, Mr. BINGAMAN, Mr. DORGAN, Mr. DOMENICI, Mrs. MURRAY, Mr. CRAPO, Mr. ENZI, and Mr. HATCH) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 130

Whereas pioneering men and women, recognized as cowboys, helped establish the American West;

Whereas that cowboy spirit continues to infuse the Nation with its solid character, sound family values, and good common sense;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy loves, lives off of, and depends on the land and its creatures, and is an excellent steward, protecting and enhancing the environment;

Whereas the cowboy continues to play a significant role in the culture and economy of the United States;

Whereas approximately 800,000 ranchers in all 50 States are conducting business and contributing to the economic well-being of nearly every county in the Nation;

Whereas rodeo is the sixth most-watched sport in the United States;

Whereas membership in rodeo and other organizations encompassing the livelihood of a cowboy transcends race and sex and spans every generation;

Whereas the cowboy is an American icon;

Whereas to recognize the American cowboy is to acknowledge the ongoing commitment of the United States to an esteemed and enduring code of conduct; and

Whereas the ongoing contributions made by cowboys to their communities should be recognized and encouraged: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 28, 2007, as ''National Day of the American Cowboy''; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 131—DESIGNATING THE FIRST WEEK OF APRIL 2007 AS ''NATIONAL ASBESTOS AWARENESS WEEK''

Mr. BAUCUS (for himself, Mr. REID, Mr. KENNEDY, Mrs. FEINSTEIN, Mr. DURBIN, Mrs. MURRAY, Mr. LEAHY, and Mr.