

erupt and suddenly a mass outmigration of thousands and thousands of people trying to get to the United States? That is also when you need the National Guard.

Now, I have talked with the Coast Guard and the Navy, and they have a plan whereby they have an entire sentry line of ships that they line up, which I have questions on and we will talk about on another occasion, about that plan, because they have only modeled it if 10,000 were to flee. What happens if 100,000 flee? They are not prepared for that, and everybody in authority with that plan will tell you they are not prepared for it. But whatever it is, if it occurs, which we hope and pray that it will not, the National Guard is going to be a major component of trying to restore order and keep order. Their equipment has been depleted.

Now, if we end up having the typical category 1, 2, and 3 hurricanes, which are severe hurricanes, the Florida National Guard tells me they have adequate equipment, they certainly have the personnel, and they are the best trained in the country, they know how to handle hurricanes, and they are the best of the best. But if they do not have the equipment—they tell me they do for up to a category 3—but if the big one hits, then they are going to have to rely on getting equipment from other National Guards around the country. So what is the lag time on that? And when they reach out to another Guard—for example, the Pennsylvania National Guard with which they have a compact to share equipment—is the Pennsylvania Guard going to have sufficient equipment that they can lend to Florida in an emergency?

These are serious questions which need to be answered before the hurricane season and before any kind of potential outmigration from the island of Cuba so that we have preparations, they are adequately equipped to go along with the experts and expertise of the trained personnel and all of the emergency responders who would respond to that kind of an event.

I am going to continue to sound the alarm until we get some response. I do not believe the Florida Guard has the equipment for a category 5 hurricane coming right up Tampa Bay or hitting directly from the east coast from the Atlantic, in a high urbanized area such as the Dade-Broward line. So I am going to continue to ask this question, as uncomfortable as it will make some people, until somebody will respond.

I think one potential solution is that there be an agreement which would be cut with the Active-Duty—correct that—with the Army Reserves located in Florida that have equipment that there will be an immediate lending of that equipment and/or personnel to the Florida National Guard in the case of a major, catastrophic hurricane hit.

When a hurricane hits, it is a matter of life and death. As time goes on, as expert as our emergency responders

are—and they are expert because they have been through a lot and they are quite experienced and well trained—the ability over time to get those supplies in, even supplies that have been prepositioned closer to where the hurricane is going to hit, the ability to get that transported in is critical in those first days because there is no power.

You wonder, night-vision goggles—what does that have to do with it, that the Florida Guard is 4,400 pairs of night-vision goggles short? It is because, in the aftermath of a hurricane, there is no electricity. Everything is dark at night. As troops are moving through all of that debris, they have to be able to see. That is what those night-vision goggles are for.

So this Senator will continue to sound the alarm. We will get the answers. And the good Lord willing, despite the warnings from La Nina in the Pacific that this is going to be a terribly active hurricane season in the Atlantic, the good Lord willing, we will not have that active hit on the mainland of the United States, but we better be prepared.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MORNING BUSINESS

Mr. NELSON of Florida. I ask unanimous consent that there now be a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COVER THE UNINSURED WEEK 2007

Mr. REID. Mr. President, I rise in recognition of Cover the Uninsured Week, which is being held this year from April 23 to 29. As many of us know, this nonpartisan initiative was created to focus the Nation's attention on one of the most serious challenges facing our health care system—ensuring access to quality, affordable coverage.

Since the first annual Cover the Uninsured Week was observed 5 years ago, the health care crisis has, unfortunately, worsened. At last count, nearly 46 million Americans lacked coverage, including 400,000 in my home State of Nevada. More than 100,000 of these uninsured Nevadans are children. The context for these numbers, which are staggering in themselves, is even more troubling. For too many, premium costs are escalating faster than they can manage while benefits are deteriorating.

Being a hard-working American is also no longer a ticket to health coverage, as shown by the fact that 8 out of 10 uninsured people either work or are in working families. Even when they can find good health insurance, many families must shortchange other basic needs to afford out-of-pocket expenses or forgo necessary care altogether.

Every year we update these statistics and findings about the uninsured, but the same themes still ring true. The goal should be to ensure that all Americans can access and afford the health care they need, regardless of their income, age, employment, or health status. Sadly, we as a nation continue to fall short.

Cover the Uninsured Week is an opportunity to reflect on more than just this current state of affairs. It is also a time to call for a new direction on health care in America. Whether one is a Democrat or Republican, a Member of Congress or the State legislatures, we must all work together to heed the voices of the American people who are counting on us. So in honor of this year's Cover the Uninsured Week, let us all renew our commitment to improving our health care system. I look forward to a strong debate in the Senate on these vital issues, including the next step of updating the State Children's Health Insurance Program to better meet the needs of the Nation's children and families.

VIRGINIA TECH TRAGEDY

Mr. ALEXANDER. Mr. President, I have one other short comment I would like to make, and then I will yield the floor or note the absence of a quorum.

The Governor of Virginia has asked our country to take a moment of silence to remember the tragedy this week at Virginia Tech at noon today. It is also a good time for us to think about our responsibilities in the U.S. Congress. There is hardly any way we can express our grief to these families and to that university for what they have been through this week. It is of such a scale that it is hard to imagine. We want them to know we have been thinking about them, and we would like to do whatever we can to help them and to help make sure nothing like this happens again.

So while Virginia Tech and the Commonwealth of Virginia are reviewing their responsibilities in light of the tragedy this week at Virginia Tech, we in the Federal Government ought to be reviewing our responsibilities too. Our focus should be on whether Federal laws or regulations unwisely restrict or limit how universities are able to deal with students who have mental health problems or who otherwise exhibit behavior about which parents, authorities, or other third parties should know.

Generally, and many Americans do not know this, under Federal law universities cannot tell parents about

their child's problems or their grades without their student's consent. At least one professor at Virginia Tech who was tutoring the shooter has been quoted as saying that she felt that Federal laws prevented her from going to his parents or to others about her concerns. Therefore, I am sending a letter today to Senator KENNEDY and to Senator ENZI, the chairman and the ranking member of the Health, Education, Labor and Pensions Committee on which I serve. I am writing them to request that our committee ask the Secretary of Education, Margaret Spellings, to conduct a review of Federal laws, regulations, and relevant State laws that limit the ability of universities to tell parents or other third parties about a student's problem without the student's consent.

I would hope that Secretary Spellings could review not only the laws and the rules, but also the implementation of these rules on campus. I am a former president of a university. I understand it may very well be that faculty members, and perhaps even some administrators, are unaware of the rules, or at least uncertain about how to apply them.

My hope would be that Secretary Spellings could complete her review within 120 days, and after that our committee might hold a hearing or roundtable to determine whether there is action we need to take.

I ask unanimous consent to have printed in the RECORD at this point a copy of my letters to Senator KENNEDY and Senator ENZI and an article from the New York Times dated April 19 entitled, "Laws Limit Options When a Student Is Mentally Ill," which describes very well the situation in which many university faculty members find themselves.

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

Hon. EDWARD M. KENNEDY,

Chairman, Senate Committee on Health, Education, Labor and Pensions, Washington, DC.

Hon. MICHAEL B. ENZI,

Ranking Member, Senate Committee on Health, Education, Labor and Pensions, Washington, DC.

DEAR TED AND MIKE, While Virginia Tech and the Commonwealth of Virginia are reviewing their responsibilities in light of the tragedy this week on the Virginia Tech campus, we in the federal government should be reviewing our responsibilities, too.

Our focus should be on whether federal laws or regulations unwisely restrict or limit how universities are able to deal with students who have mental health problems or who otherwise exhibit behavior about which parents, authorities or other third parties should know. Generally, under federal law, universities cannot tell parents about their children's problems without the student's consent. At least one professor at Virginia Tech who was tutoring the shooter has been quoted as saying she felt that federal laws prevented her from going to his parents or to others about her concerns.

Therefore, I am writing to request that our Committee on Health, Education, Labor and Pensions ask Secretary of Education Mar-

garet Spellings to conduct a review of federal laws, regulations and relevant state laws that limit the ability of universities to tell parents or other third parties about a student's problems without the student's consent. I would hope that Secretary Spellings could review not only the laws and rules but also the implementation of these rules on campus.

As a former university president, I understand that it very may be that faculty members are unaware of the rules or uncertain about how to apply them. My hope would be that the Secretary could complete her review within 120 days and, after that, our committee might hold a hearing or roundtable to determine whether there is action we need to take.

Thank you very much.

Sincerely,

LAMAR ALEXANDER.

[From the New York Times, Apr. 19, 2007]

LAWS LIMIT OPTIONS WHEN A STUDENT IS
MENTALLY ILL

(By Tamar Lewin)

Federal privacy and antidiscrimination laws restrict how universities can deal with students who have mental health problems.

For the most part, universities cannot tell parents about their children's problems without the student's consent. They cannot release any information in a student's medical record without consent. And they cannot put students on involuntary medical leave, just because they develop a serious mental illness. Nor is knowing when to worry about student behavior, and what action to take, always so clear.

"They can't really kick someone out because they're writing papers about weird topics, even if they seem withdrawn and hostile," said Dr. Richard Kadison, chief of mental health services at Harvard University. "Most state laws are pretty clear: you can only bring students to hospitals if there is imminent risk to themselves or someone else, so universities are in a bit of a bind that way." But, he said, some schools do mandate limited amounts of treatment in certain circumstances.

"At the University of Missouri, if someone makes a suicide attempt, they mandate four counseling sessions, for example," said Dr. Kadison, an author of "College of the Overwhelmed: The Campus Mental Health Crisis and What To Do About It."

Universities can find themselves in a double bind. On the one hand, they may be liable if they fail to prevent a suicide or murder. After the death in 2000 of Elizabeth H. Shin, a student at the Massachusetts Institute of Technology who had written several suicide notes and used the university counseling service before setting herself on fire, the Massachusetts Superior Court allowed her parents, who had not been told of her deterioration, to sue administrators for \$27.7 million. The case was settled for an undisclosed amount.

On the other hand, universities may be held liable if they do take action to remove a potentially suicidal student. In August, the City University of New York agreed to pay \$65,000 to a student who sued after being barred from her dormitory room at Hunter College because she was hospitalized after a suicide attempt.

Also last year, George Washington University reached a confidential settlement in a case charging that it had violated antidiscrimination laws by suspending Jordan Nott, a student who had sought hospitalization for depression.

"This is a very, very difficult and gray area, when you take action to remove the student from the campus environment,

versus when you encourage the student to use the resources available on campus," said Ada Meloy, director of legal and regulatory affairs at the American Council on Education. "In an emergency, you can share certain information, but it's not clear what's an emergency."

Ms. Meloy estimated that situations complicated enough to involve a university's lawyers arise, on average, about twice a semester at large universities.

While shootings like the one at Virginia Tech are extremely rare, suicides, threats and serious mental-health problems are not. Last year, the American College Health Association's National College Health Assessment, covering nearly 95,000 students at 117 campuses, found that 9 percent of students had seriously considered suicide in the previous year, and 1 in 100 had attempted it.

So mental health experts emphasize that, whatever a college's concerns about liability, the goal of campus policies should be to maximize the likelihood that those who need mental-health treatment will get it.

"What we really need to do is encourage students to seek mental health treatment if they need it, to remove any barriers to their getting help, destigmatize it, and make it safe, so they know there won't be negative consequences," said Karen Bower, a lawyer at the Bazelon Center for Mental Health Law in Washington, who represented Mr. Nott.

With the Virginia Tech killings, many universities are planning to remind faculty members of their protocols. "We're actually going to go ahead and have the counseling service here do a session for all our instructors and faculty on what to look for, what the procedures are, and what the counseling center can do," said Shannon Miller, chairwoman of the English department at Temple University.

At Harvard, Dr. Kadison said, dormitory resident assistants watch for signs of trouble, and are usually the first to become aware of worrisome behavior—and to call a dean.

"The dean might insist that they get an evaluation to make sure they're healthy enough to live in a dorm," he said. "If it's not thought that they're in any immediate danger, they can take or not take the recommendation."

Last month, Virginia passed a law, the first in the nation, prohibiting public colleges and universities from expelling or punishing students solely for attempting suicide or seeking mental-health treatment for suicidal thoughts.

"In one sense, the new law doesn't cover new territory, because discrimination against people with mental health problems is already prohibited," said Dana L. Fleming, a lawyer in Manchester, N.H., who is an expert on education law. "But in another sense, it's groundbreaking since it's the first time we've seen states focus on student suicides and come up with some code of conduct for schools."

College counseling services nationwide are seeing more use. "We're seeing more students in our service consistently every year," said Alejandro Martinez, director for counseling and psychological services at Stanford University, which sees about 10 percent of the student body each year. "Certainly more students are experiencing mental illness, including depression. But there's also been a cultural shift," Mr. Martinez said, "in that more students are willing to get help."

College officials say that a growing number of students arrive on campus with a history of mental-health problems and a prescription for psychotropic drugs. But screening for such problems would be illegal, admissions officers say.

"We're restricted by the disabilities act from asking," said Rick Shaw, Stanford's admissions director. "We do ask a question, as most institutions do, about whether a student has been suspended or expelled from school, and if they have been, we ask them to write an explanation of it."

Federal laws also restrict what universities can reveal. Generally, the Family Educational Rights and Privacy Act, FERPA, passed in 1974, makes it illegal to disclose a student's records to family members without the student's authorization.

"Colleges can disclose a student's private records if they believe there's a health and safety emergency, but that health and safety exception hasn't been much tested in the courts, so it's left to be figured out case by case," Ms. Fleming said.

And the Health Insurance Portability and Accountability Act prohibits the release of medical records. "The interaction of all these laws does not make things easy," she said.

Mr. LEVIN. Mr. President, on Monday America was devastated by the deadliest shooting rampage in our Nation's history. A gunman using two semi-automatic handguns, shot and killed 32 students and teachers and injured several dozen others before turning one of his guns on himself. Witnesses described scenes of chaos and grief, with students jumping from second-story windows to escape gunfire, while others heroically blocked their classroom doors to shield them from the gunman.

Many of us watched this tragedy unfold on the news, finding it difficult to grasp the true magnitude of it. Parents and grandparents across America were thinking about the horror of one's child being caught in the middle of such chaos. There is little that could be worse for a parent than sending a child off to college, only to lose them to a senseless act of gun violence.

I express condolences to the family, friends, and community touched by the tragedy at Virginia Tech. I know I reflect the feelings of the people of Michigan when I say that our thoughts and prayers are with them in this hour of pain and grief.

Mr. ISAKSON. Mr. President, today I express my sympathy and I know the sympathy of all of the Members of the Senate and the people of the United States of America on the tragic losses this week at Virginia Tech.

None of us can understand what happened in Blacksburg, VA, but all of us recognize the profound tragedy and the loss of youth in its prime.

I learned this week that one of those losses was a Georgian by the name of Christopher James "Jamie" Bishop, and I, from the floor of the Senate, send to Pine Mountain, GA, my sympathy on the tragic loss of Jamie.

Jamie, who was passionate about his art and an avid amateur photographer, grew up in Pine Mountain, GA, and was valedictorian of Harris County High School. He received his bachelor's degree in German from my alma mater, the University of Georgia, and was a Fulbright scholar at Christian-Albrechts-University in Kiel, Germany.

He returned to the University of Georgia to earn his master's degree in German linguistics.

Jamie, who was known for wearing his hair in a ponytail, had been a German instructor at Virginia Tech since 2005. His wife, Stefanie Hofer, is an assistant professor of German there. By all accounts, Jamie was an intelligent, clever and passionate individual.

I am very proud as a Georgian to have known of his accomplishments, and I send his wife Stefanie and his parents Michael and Jeri my prayers and my hopes that they will accept our sympathy as they endure the heartbreak of the loss of Jamie.

To the families of all of those professors, employees, and students who lost their lives or were hurt in Blacksburg, VA, I extend my sympathy and my deepest prayers that we will find reconciliations out of tragedy.

ARMY AVIATION ASSOCIATION OF AMERICA

Mr. CHAMBLISS. Mr. President, I take great pride in recognizing the Army Aviation Association of America's, AAAAA, 50th anniversary and in honoring their countless historic and noble contributions to the growth and strength of our Nation. Army aviation members play a critical role in every combat theater worldwide, and AAAAA has proven to be a means of unwavering support. This unique organization has been the mechanism for increased communication and professional development among Army aviators throughout the history of organic Army aviation and the Army Aviation Branch. This contribution has led to vast leaps in battlefield mobility, lethality, and flexibility for the U.S. Army. AAAAA and its members have distinguished themselves with thousands of volunteer hours and dollars providing direct support and scholarships to Army aviation soldiers and their family members. I can say with certainty that AAAAA has truly lived its mission of "Supporting the U.S. Army Aviation Soldier and Family" since its inception in 1957. I am pleased to publicly recognize this longstanding commitment to our military personnel and congratulate the Army Aviation Association of America on 50 years of service.

RULES OF PROCEDURE OF THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mrs. FEINSTEIN. Mr. President, on April 18, 2007, the Joint Committee of Congress on the Library met and adopted the rules of procedure for the 110th Congress. I ask unanimous consent that pursuant to paragraph 2 of rule XXVI of the Standing Rules of the Senate that the rules of procedure of the Joint Committee of Congress for the Library be printed in the RECORD.

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

RULES OF PROCEDURE OF THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY, 110TH CONGRESS

TITLE I—MEETINGS OF THE COMMITTEE

1. Regular meetings may be called by the chairman, with the concurrence of the vice-chairman, as may be deemed necessary or pursuant to the provision of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. Meetings of the committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee on the same subject for a period of no more than 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed followed immediately by a recorded vote in open session by a majority of the members of the committee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of the committee staff personal or internal staff management or procedures;

(C) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interest of effective law enforcement;

(E) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to be kept confidential under the provisions of law or Government regulation. (Paragraph 5(b) of rule XXVI of the Standing Rules of the Senate.)

3. Written notices of committee meetings will normally be sent by the committee's staff director to all members at least 3 days in advance. In addition, the committee staff will email or telephone reminders of committee meetings to all members of the committee or to the appropriate staff assistants in their offices.

4. A copy of the committee's intended agenda enumerating separate items of committee business will normally be sent to all members of the committee by the staff director at least 1 day in advance of all meetings. This does not preclude any member of the committee from raising appropriate non-agenda topics.

5. Any witness who is to appear before the committee in any hearing shall file with the clerk of the committee at least 3 business days before the date of his or her appearance, a written statement of his or her proposed