

Breast and Cervical Cancer Early Detection Program and the Mammography Quality Standards Act;

Whereas, in the last 25 years early detection and testing rates have increased, with nearly 75 percent of women over 40 years of age now receiving regular mammograms, compared with 30 percent of such women in 1982;

Whereas, in the last 25 years, the 5 year breast cancer survival rate has increased to 98 percent when the cancer is caught before it spreads beyond the breast, compared with 74 percent in 1982;

Whereas, without better prevention and a cure, 1 in 8 women in the United States will continue to suffer from breast cancer—a devastating disease with physical, emotional, psychological, and financial pain that can last a lifetime;

Whereas, without a cure, an estimated 5,000,000 Americans will be diagnosed with breast cancer—and more than 1,000,000 could die—over the next 25 years;

Whereas, Susan G. Komen for the Cure is challenging individuals, communities, States, and Congress to make breast cancer an urgent priority;

Whereas, Susan G. Komen for the Cure recognizes that in the world of breast cancer, the big questions are still without answers: what causes the disease and how it can be prevented; and

Whereas, Susan G. Komen for the Cure is marking its 25th anniversary by recommitting to finish what it started and end breast cancer: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates Susan G. Komen for the Cure on its 25th anniversary;

(2) recognizes Susan G. Komen for the Cure as a global leader in the fight against breast cancer and commends the strides the organization has made in that fight; and

(3) supports Susan G. Komen for the Cure's commitment to attaining the goal of a world without breast cancer.

#### ORDERS FOR WEDNESDAY, APRIL 25, 2007

Mr. BINGAMAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 9:30 a.m., Wednesday, April 25; that on Wednesday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business for 60 minutes, with Senators permitted to speak therein, with the first 30 minutes under the control of the majority and final 30 minutes under the control of the Republicans; that following morning business, the Senate resume consideration of S. 761.

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

#### ORDER FOR ADJOURNMENT

Mr. BINGAMAN. Mr. President, I understand my colleague from Tennessee, Senator ALEXANDER, wishes to make some final comments tonight.

If there is no further business today, I ask unanimous consent that following the remarks of Senator ALEXANDER, the Senate stand adjourned under the previous order.

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

The Senator from Tennessee is recognized.

#### AMERICA'S COMPETITIVENESS

Mr. ALEXANDER. Mr. President, I thank the Senator from New Mexico. I say to him, it is always nice to serve with him in the Senate but especially this week because this week the Senate, as anyone can see, is debating perhaps the two greatest issues facing our country. One is a way forward in Iraq, about which we have profound disagreements; two is, how do we keep our jobs in a competitive world, how do we keep our brainpower advantage so we can continue this remarkable situation we find ourselves in where our country produces about 30 percent of all the money in the world, gross domestic product, for about 5 percent of the people?

I believe the election last November was as much about the conduct of business in Washington, DC, as it was about the conduct of the war in Iraq. I think most people—and I have said this many times—most people want to see us acting like grownups dealing with big issues. They know that while we have our principles and we have our politics, there are some issues before us that are simply too big for one political party to solve. We have not reached the point on Iraq where we can do that. I am hopeful we can. We need a political settlement here as much as Iraq needs one there. But we have reached—or we are close to reaching—a political settlement on the other great issue we are debating this week; that is, competitiveness. This is a great big issue. This is of concern to Tennesseans in every county where I go. This is the feeling down deep in your gut or in your heart while sitting around the table at night: Am I going to have a job? As the Presiding Officer has spoken eloquently to this, we come at this from many different ways, but we see that our country now is in a very fortunate position that we can't take for granted.

I was trying to think of an appropriate analogy today, and I was thinking of the University of Tennessee women's basketball team. I heard some nice compliments paid to the Wisconsin teams today. I think Pat Summitt and the University of Tennessee women's basketball team have won seven national championships, including the one this year.

There was a time 20 years ago when the University of Tennessee women's basketball team coached by Pat Summitt played any team in the Southeastern Conference and it wasn't even close. Everybody knew the Lady Volunteers—the Lady Vols—were so good, so strong, so far ahead that they were going to win. Now they still win, but they really have to work to win because there are a lot of great teams in the Southeastern Conference. In fact,

there are a lot of great teams around the country, and that is the way as we look in the world in which we live today.

We cannot take for granted 1 year longer that our children and our grandchildren will enjoy this remarkable standard of living we have. There are a number of steps we need to take to deal with that.

The step we are talking about this week with a reasonable degree of consensus is keeping our brainpower advantage. Why do we say brainpower advantage? Because that is one way we gained our wealth as a country. In fact, many of the studies show that at least half and maybe a good deal more of the growth in the wealth of families, the family incomes in America since World War II, has come from technological advances. That is going back a long ways. That is from Thomas Edison's inventions. That is from Henry Ford's inventions, Walter Chrysler's inventions, and more recently the Google invention. Wherever those inventions come, the jobs grow.

I learned a long time ago that as important as it is for Governors, for example, to recruit jobs, it is more important to grow jobs. We were feeling pretty good down in Tennessee 25 years ago when Saturn came from General Motors and Nissan came to Tennessee. I added it all up, and that was 10,000 or 12,000 jobs. Then the suppliers came, and that was a lot more jobs.

But in Tennessee, as in most places in America, we lose jobs every year. The numbers are a little elusive. But in a State such as Tennessee where 2.5 million people work, maybe we lose 10 percent of our jobs every year. They just disappear. Companies go out of business. But that must mean we must create about that many new jobs every year. So the strong economies, the economies that are growing—the United States being the prime example—are the economies which create the best environment for the growth of the largest number of good new jobs. That is what a progrowth policy is.

We Republicans, we on this side of the aisle, are saying progrowth—yes, that means low taxes. I agree. I vote for low taxes. When I was Governor of Tennessee, we had low taxes. I believe we had the lowest taxes per capita in the country. That wasn't enough. We were the third poorest State, and we had low taxes. The problem was we had a lot of other rules and regulations and impediments and impairments that kept us from raising our family incomes. For example, we had a usury limit of 10 percent. We had very restrictive banking laws. On the good side, we had a right-to-work law. That helped us. There were a number of things that created a more competitive environment. On the negative side, we had a bad road system. Now we have one of the best four-lane highway systems in America.

As we worked through the goal of how do we in our State of Tennessee go

from being the third poorest State to what we became—the fastest growing State in family incomes—we went through all those other issues and finally centered on better schools, better colleges, better universities, more brainpower, because if you went to work at the Saturn plant, you had to know statistics, you had to know other forms of math, you had to speak English well and work as part of a team. There really weren't any blue-collar jobs left in the auto industry; they were high-tech jobs, and you had to be well trained to be there.

As we have said to each other—and we all believe this, almost every one of us—our children have to know more than we did. Standards are higher and higher and higher because as some jobs leave our country, if we want to create more good new jobs, we are going to have to be smart enough to create them, smart enough to work at them, and smart enough to keep them. That is what the brainpower advantage is.

We have had that advantage. We have had the greatest K-12 system in the world here for a long time. It has some problems now, but it has been a remarkable system for our country. There is no doubt we have the finest system of colleges and universities in the world. More than half a million students around the world come here.

The former President of Brazil, Cardoso, was visiting with a group of Senators a couple of years ago, and someone asked him: What will you take back to Brazil, Mr. President? He taught at the Library of Congress and in other places in the world. He is an academic. He said: The American university.

No one in the world has a system like the American universities. That is why we have people lining up in India and China and everywhere else to come to our schools.

Then we have these remarkable National Laboratories, such as the Oak Ridge National Laboratory. Just in Knoxville, TN, the area where I grew up, with the Tennessee Valley Authority, the University of Tennessee research campus, and the Oak Ridge National Laboratory, we have more than 3,000 Ph.D.s. What a concentration of brain power. Out of that comes entrepreneurial hotspots, new jobs, and this high standard of living we talk about in our State, as well as for our country.

So what is the problem? You might even look at it, as the International Monetary Fund has said over the last several years, that we have been able to keep that high level of gross national product, but we all know anecdotally, and now from recommendations we have gotten from people who know what they are talking about, that we have a gathering storm. That is why simultaneously a number of us in the Senate, on both sides of the aisle, all began to come to about the same conclusion.

Senator LIEBERMAN and Senator ENSIGN, for example, took legislation

from a group called the Council on Competitiveness, which said if we don't stay competitive, we are not going to keep our jobs. So what do we need to do? They told us. Senator BINGAMAN and I, with Senator DOMENICI's encouragement, and Representatives BOEHLERT and GORDON in the House of Representatives joined in, asked the National Academy of Sciences: We said, OK, you are supposed to know this. The Senator from Ohio and the Senator from Tennessee, we might have an idea, we might have a friend with a math program, but you are supposed to know. Exactly what do we need to do to keep our high standard of living, to keep our jobs from going to China and India? Tell us in priority order. They did that. They gave us this report, "Rising Above the Gathering Storm."

They said if we want to keep our jobs, we better do these 20 things in priority order. These aren't the only 20 things. Each of us can think of more to do. We might not agree about some of those things. Some might be tort reform. Some might be to give poor kids vouchers to go to school. Those things aren't in here. Some overhaul of the tax system. There are a lot of barriers to innovation, but this group came up with 20 recommendations.

What happened to that? We have worked together with the administration—homework sessions we called them—and we took the best advice we could. These 20 recommendations weren't willy-nilly. These were three Nobel laureates, a former president of MIT, business leaders like Craig Barrett of Intel, Bob Gates, the head of Texas A&M, now the Defense Secretary. They gave their summer. They reviewed hundreds of proposals. They said of all the proposals, here is one that seems effective; that makes a difference. Let's try it. This is what we need to do to keep our advantage.

We usually don't have that kind of dispassionate, disinterested advice. I think that is why, after we got going, we were able to have a piece of legislation, Domenici-Bingaman, that had 70 cosponsors—35 on this side, 35 on that side. We had a Republican majority, and we worked together to produce that bill, and Senator Frist and Senator REID introduced it last year as we were going out of session.

What has happened this year? We have a Democratic majority, and Senator REID and Senator MCCONNELL have taken the same bill, after it has made its way through all these committees—and it is a big bill, 208 pages. I reread it over the weekend. It is remarkably well organized, remarkably literate, remarkably easy to understand, and makes a lot of sense.

Is it perfect? No. We have 100 Senators. We have 62 cosponsors of this legislation by the majority leader and the minority leader. Yet there are several things, if I were writing it, that I would take out.

We have had a healthy debate today. We have had some good points made by

Senator DEMINT and Senator SUNUNU and Senator GREGG and some others who are critical of provisions of the bill. That is the way the Senate is supposed to work. We put it out there, we work hard to get our advice, we have debates, we have votes, and we go on to the next thing, which is what we are doing tomorrow.

I would like to say, if all of us insisted on every right each of us has, we would never get anything done. So I am very grateful to my colleagues for the work they have done to help bring this to a conclusion, which we hope we can reach tomorrow.

I would like to make just a couple of other comments in response to some of the criticisms of the legislation. I don't want to make too many because most of the comments have been favorable. I mean, it is very impressive when senior members, such as Senators KENNEDY and ENZI from the HELP Committee, and Senators INOUE and STEVENS from Commerce, and Senators BINGAMAN and DOMENICI from the Energy Committee bring this bill directly to the Senate floor and have a sense of urgency about its passage and step back and don't insist on all their prerogatives so we can actually come to a conclusion. They have produced a remarkably good bill.

In improving it, however, one thing that was done to improve it yesterday was an amendment that was adopted which Senator BINGAMAN offered. That took out any direct spending in the bill. So there is no mandatory spending in this legislation. This is an authorization bill. It doesn't spend one single penny. That is important for everyone to know.

There is also the question of its cost. Let me go to a Statement of Administration Policy that arrived last night. I used to work in the White House, in the Congressional Relations Office. I think if I had been doing it, and if the Senate had been working on this for 2 years, with maybe a dozen Senators, including some Republicans, I think I might have driven over here and given this to somebody. I would have appreciated that, and I think many other Senators would have. Nevertheless, I put this in the RECORD this morning as a courtesy to the White House because the President has spoken out forcefully for the competitiveness agenda in his State of the Union message for the last 2 years, and he put a large amount of funding in his budget for the next 4 years in support of it, and a number of the President's proposals, most of them in fact, are incorporated in this legislation.

So among the National Academy of Sciences, the Council on Competitiveness, and all the committees, we have the President of the United States, the most important voice in the country, saying this is what we need to do. I am grateful for that.

I am also grateful for this Statement of Administration Policy which has made some helpful suggestions, and we have been considering them. This

statement points out, for example, that the Senate bill in support of competitiveness objectives would cost \$61 billion over the next 4 years. Most of it comes from doubling funding for the hard sciences in the Office of Science in the Department of Energy, doing that over 10 years, and authorizing—again, not spending, authorizing—doubling of the National Science Foundation over 5 years. Mr. President, \$61 billion is what the Senate bill would do. That is \$9 billion more than the President's proposal.

Let me point out that the President himself proposed \$52 billion over the next 4 years. We have proposed \$8 billion or \$9 billion more—no direct spending, and fairly close to what the President had recommended. As Senator BINGAMAN said, the Budget Committee and the Senate, by a 97-to-1 vote, approved an amendment making about \$1 billion of room in our budget for the first year of these proposals.

In terms of new programs, it has been said there may be \$16 billion of new proposals over the next 4 years. Let me try to put that in perspective. I consider this progrowth legislation. Over on this side of the aisle, we get very excited about progrowth legislation. I do. I like it. I just talked about how I was a progrowth Governor. The first thing that comes to mind is taxes, the Bush 2001 tax cuts. I voted for them. I will vote for them again. They are progrowth. They cost \$552 billion over 5 years—\$552 billion over 5 years. That is a lot of money. We do that over here and don't think twice about it because it is progrowth.

This is \$16 billion over 4 years. It is progrowth. To my way of thinking, it is just as progrowth as tax cuts. In fact, most of the research shows that our brain power advantage is the single most important reason that we grow the largest number of new jobs in our country. Our tax structure is important, but our brain power advantage is more important. So this is progrowth.

Another way of thinking about it, if we are \$8 billion more than the President's proposals, \$8 billion is about what we spend in a month in Iraq. We spend about \$2 billion a week in Iraq. I vote for that, too. But if we don't have growth, if we don't invest in education and research and keep our competitive advantage, we will never be able to pay for the urgent needs we have—in Medicare, Medicaid, to clean up after hurricanes, and to have a strong national defense. So this is progrowth legislation.

As I look through the Statement of Administration Policy, I won't seek to discuss each of these items, but there are some differences of opinion between those in the administration and those of us who worked on the bill. In some cases, it boils down to the President liking his new programs and not liking our new programs, although most of his are in there. It is not quite fair for the White House to say it is wrong for the Senate to add a few new

programs but not wrong for the President to add a few new programs. We are coequal branches of the Government.

He has a new Math Now Program. We think it is a good program, and it is in here, but it is a new educational program. We have new educational programs, too, that were recommended by the Augustine commission, such as the You Teach Program from the University of Texas and the Penn Science Program from the University of Pennsylvania, both of which were judged to be the most outstanding programs in the country to help train existing teachers or train new teachers. And who told us that? This committee of 21, including three Nobel laureates who spent the summer reviewing all the ideas. That is pretty good advice we are getting, Mr. President. So I think we should take it.

The administration doesn't like what we call ARPA-E. It is what has been called DARPA over in the Defense Department, which has been very successful as a research agency. Out of it came Stealth, which permits us to own the night in our military activities. Out of it came the Internet. There are some differences between using that to solve our energy problems, but we think we ought to try. That is just a difference of opinion.

There are a few other differences of opinion. One is that some people think—although I haven't heard it said much on the floor today—we should not be using our National Laboratories to have math and science programs for teachers and students. I do not agree with that. My experience is totally the reverse. Our biggest problem with math and science is inspiring kids to learn math and science. What would inspire you more than to go to the Oak Ridge Laboratory, Los Alamos, being near a Nobel Prize winner if you are 14 or 15 years old or if you are a teacher? If you want to be a musician in Nashville, you would rather go on the road with Vince Gill or Martina McBride than sit in the business office of the Grand Ole Opry. So if we have these great National Laboratories, let's use them to inspire our students.

That is new. That is true, it is new. But what is wrong with a new idea every now and then if it has promise and it looks as if will work and it is recommended by the National Academy of Sciences, the Institute of Engineering, and the National Academy of Medicine as something we ought to do? There are a variety of very good suggestions made by the administration's statement of policy. We are taking them all into account.

We have had a number of amendments today. One of the concerns of the administration was that we not duplicate educational programs. That is our concern as well. In the work that we did, we asked the National Academies to look at existing programs and help us not duplicate those. So as an example, the National Academies suggested that we create a special pro-

gram of scholarships to train new teachers. We looked at the National Science Foundation and, in fact, asked the Director. He already had a program like that called the Robert Noyce Scholarship Program. We judged that to be an effective program. Instead of creating a new one, we expanded the existing one. So we have been very sensitive to that.

The legislation itself sets up a Cabinet council which will review existing math and science programs in kindergarten through the 12th grade to try to make sure we do not duplicate and that all of the money we spend is effective. The administration has its own academic competitiveness council. It has been at work for about 18 months, I think. It hasn't reached its conclusions yet. It is going to be a very useful council as well. And the President's own Math Now proposal, a new program, will also be helpful in helping us take the existing programs and focus them correctly.

So the new Cabinet council within the administration, set up by this bill, the existing Academic Competitiveness Council already ongoing in the administration, and our own oversight, should help us continue this very valid inquiry to make sure the programs weren't duplicated.

I told the visiting chief State school officers today, who were here from around the country, that there was a lot to take home from this bill, and there is. When the academies were asked to put this in priority order, they didn't put a research and development tax credit as the No. 1 thing to keep our jobs. They didn't put bringing in students from overseas as the No. 1 thing, although we think it is terrifically important. They didn't even put more research in the universities as the No. 1 thing.

They said improving kindergarten through the 12th grade. And they took a number of steps, some of which I have already mentioned: the summer institutes of the National Laboratories, the teacher institutes at the National Science Foundation—70,000 new teachers will be trained to teach advanced placement courses in math, science, and the critical foreign languages. Especially, this will mean low-income children who are just as smart but just haven't had the opportunity to have a teacher who knew how to teach it or the money to pay for the test, this will take care of that. This is from a Houston, TX, program that has been judged effective because it has worked for many years.

Then I think a very exciting program is the idea of supporting these specialty math and science schools in each State, a residential math and science school such as the one in North Carolina, the one in Georgia. The Governor of Tennessee has just begun to have one. It forms a nucleus of excellence in a subject matter, in this case math and science, that attracts and inspires the best students and teachers.

We found in our State over the last 20 years that summer academies, just 2 or 4 weeks, in different subjects, has made a remarkable difference in the quality of education. In Georgia, for example, their experience is that half the students who go to the Georgia math and science academy then go to Georgia Tech. That means they stay in Georgia instead of going somewhere else and then they are the source of the new jobs and higher standard of living for our future.

As I hope you can tell, I am excited about what has happened today. I know enough about the Senate to know we are not through. The Senate is not done until it is done. My hope is that Senator BINGAMAN is right and we can finish tomorrow.

I thank the majority leader and the Republican leader for creating an environment in which we can succeed. They

have given us the time to do it and our colleagues have been diligent. I hope our colleagues will come to the floor tomorrow with their suggestions. But I want the American people to know what I said when I began. It is always a privilege to serve in the Senate, but especially it is a privilege this week because this is the Senate acting as grown-ups, not playing partisan, petty politics, not dealing with little kindergarten issues. We are dealing with the two foremost issues facing our country: How we go forward in Iraq—we have profound disagreements still—and how we keep our competitive advantage, our brain power advantage, so we can keep our jobs. We are coming to a consensus because of very hard work on both sides. I think the American people will be proud of the result, if we are able to succeed, which I very much hope we can.

I thank the Chair and yield the floor.

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ADJOURNMENT UNTIL 9:30 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow, Wednesday, April 25.

Thereupon, the Senate, at 7:58 p.m., adjourned until Wednesday, April 25, 2007, at 9:30 a.m.

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CONFIRMATION

Executive nomination confirmed by the Senate Tuesday, April 24, 2007:

THE JUDICIARY

Halil Suleyman Ozerden, of Mississippi, to be United States District Judge for the Southern District of Mississippi.