

Whereas, the North American Free Trade Agreement and other United States free trade agreements grant foreign firms new rights and privileges regarding acquisition of land and facilities and operating within a state that exceed those granted to American businesses under state and federal laws; and

Whereas, the North American Free Trade Agreement already has generated "regulatory takings" cases against state and local land use decisions, state environmental and public health policies, adverse state court rulings, and state and local contracts that would not have been possible in United States courts; and

Whereas, when states are bound to comply with government procurement provisions contained in trade agreements, common economic development and environmental policies such as buy-local laws, prevailing wage laws, policies to prevent offshoring of state jobs, as well as recycled content laws could be subject to challenge as violating the obligations in the trade agreements; and

Whereas, recent trade agreements curtail state regulatory authority by placing constraints on future policy options; and

Whereas, the World Trade Organization General Agreement on Trade in Services could undermine state efforts to expand health care coverage and rein in health care costs and places constraints on state and local land use planning and gambling policy; and

Whereas, new General Agreement on Trade in Services negotiations could impose additional constraints on state regulation of energy, higher education, professional licensing, and other issues; and

Whereas, despite the indisputable fact that international trade agreements have a far-reaching impact on state and local laws, federal government trade negotiators have failed to respect states' rights to prior informed consent before binding states to conform state law and authority to trade agreement requirements and have refused even to send copies of key correspondence to state legislatures; and

Whereas, the current encroachment on state regulatory authority by international commercial and trade agreements has occurred due in no small part to the fact that United States trade policy is being formulated and implemented under the Fast Track Trade Authority procedure; and

Whereas, Fast Track Trade Authority eliminates vital checks and balances established in the United States Constitution by broadly delegating Congress' exclusive Constitutional authority to set the terms of trade to the Executive Branch such that the Executive Branch is empowered to negotiate broad-ranging trade agreements and to sign them before Congress votes on the agreements; and

Whereas, the ability of the Executive Branch to sign trade agreements prior to Congress' vote of approval means Executive Branch negotiators are able to ignore congressional negotiating objectives or states' demands, and neither Congress nor the states have any means to enforce any decision regarding what provisions must be contained in every United States trade agreement and what provisions may not be included in any United States trade agreement; and

Whereas, federal trade negotiators have ignored and disrespected states' demands regarding whether states agree to be bound to certain nontariff trade agreement provisions; and

Whereas, Fast Track Trade Authority also circumvents normal Congressional review and amendment committee procedures, limits debate to twenty hours total, and forbids any floor amendments to the implementing

legislation that is presented to Congress to conform hundreds of United States laws to trade agreement obligations and to incorporate the actual trade agreement itself into United States federal law, which preempts state law; and

Whereas, Fast Track Trade Authority is not necessary for negotiating trade agreements, as demonstrated by the existence of scores of trade agreements, including major pacts such as the agreements administered by the World Trade Organization implemented in the past thirty years without use of Fast Track Trade Authority; and

Whereas, Fast Track Trade Authority, which was established in 1974 by President Richard Nixon when trade agreements were limited to traditional matters such as tariffs and quotas, is now woefully outdated and inappropriate given the diverse range of nontrade issues now included in "trade" agreements that broadly affect federal and state nontrade regulatory authority; and

Whereas, the current grant of Fast Track Trade Authority expires in July 2007: Now, therefore, be it

*Resolved by the House of Representatives of the Twenty-fourth Legislature of the State of Hawaii, Regular Session of 2007, That the United States Congress is respectfully requested to create a replacement for the outdated Fast Track Trade Authority system so that United States trade agreements are developed and implemented using a more democratic, inclusive mechanism that enshrines the principles of federalism and state sovereignty; and be it further*

*Resolved, That the Congress is requested to include in this new process for developing and implementing trade agreements an explicit mechanism for ensuring the prior informed consent of state legislatures before states are bound to the nontariff terms of any trade agreement that affect state regulatory authority so as to ensure that the United States Trade Representative respects the decisions made by states; and be it further*

*Resolved, That certified copies of this Resolution be transmitted to the President of the United States, Ambassador Susan Schwab, United States Trade Representative, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of Hawaii's congressional delegation.*

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 457. A bill to extend the date on which the National Security Personnel System will first apply to certain defense laboratories (Rept. No. 110-79).

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE (for himself and Mr. COBURN):

S. 1585. A bill to designate the Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma, as the "Ernest Childers Department of Veterans Affairs Outpatient Clinic"; to the Committee on Veterans' Affairs.

By Mr. LEAHY (for himself, Mr. SUNUNU, Mr. GREGG, and Mr. SANDERS):

S. 1586. A bill to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont; to the Committee on Energy and Natural Resources.

By Ms. SNOWE (for herself, Mr. CARPER, Mr. ISAKSON, Mr. KERRY, Mr. OBAMA, Mr. LIEBERMAN, Mrs. LINCOLN, and Mr. BAYH):

S. 1587. A bill to amend the Internal Revenue Code to allow a special depreciation allowance for reuse and recycling property and to provide for tax-exempt financing of recycling equipment, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU (for herself, Mr. COLEMAN, Ms. SNOWE, Mr. BAYH, Ms. STABENOW, Mr. LUGAR, and Mr. COCHRAN):

S. 1588. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a minor child's congenital or developmental deformity or disorder due to trauma, infection, tumor, or disease; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself, Mr. KERRY, Mr. AKAKA, Mr. SALAZAR, Mr. WHITEHOUSE, and Ms. MIKULSKI):

S. 1589. A bill to amend title XIX of the Social Security Act to reduce the costs of prescription drugs for enrollees of Medicaid managed care organizations by extending the discounts offered under fee-for-service Medicaid to such organizations; to the Committee on Finance.

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

S. 1590. A bill to provide for the reinstatement of a license for a certain Federal Energy Regulatory Commission project; to the Committee on Energy and Natural Resources.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ISAKSON:

S. Res. 230. A resolution designating the month of July 2007, as "National Teen Safe Driver Month"; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 185

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 185, a bill to restore habeas corpus for those detained by the United States.

S. 242

At the request of Mr. DORGAN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 242, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription drugs, and for other purposes.

S. 311

At the request of Ms. LANDRIEU, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 311, a bill to amend the

Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 339

At the request of Mr. BAYH, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 339, a bill to promote the national security and stability of the United States economy by reducing the dependence of the United States on oil through the use of alternative fuels and new technology, and for other purposes.

S. 376

At the request of Mr. LEAHY, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 376, a bill to amend title 18, United States Code, to improve the provisions relating to the carrying of concealed weapons by law enforcement officers, and for other purposes.

S. 384

At the request of Ms. LANDRIEU, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 384, a bill to provide pay protection for members of the Reserve and the National Guard, and for other purposes.

S. 397

At the request of Mr. MARTINEZ, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 397, a bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit against income tax for the purchase of private health insurance, and for other purposes.

S. 399

At the request of Mr. BUNNING, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. 399, a bill to amend title XIX of the Social Security Act to include podiatrists as physicians for purposes of covering physicians services under the Medicaid program.

S. 402

At the request of Mrs. LINCOLN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 402, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for qualified timber gains.

S. 406

At the request of Mrs. HUTCHISON, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of S. 406, a bill to ensure local governments have the flexibility needed to enhance decision-making regarding certain mass transit projects.

S. 450

At the request of Mrs. LINCOLN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 450, a bill to amend title XVIII of the Social Security Act to repeal the

medicare outpatient rehabilitation therapy caps.

S. 469

At the request of Mr. BAUCUS, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 469, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions.

S. 543

At the request of Mr. NELSON of Nebraska, the names of the Senator from Hawaii (Mr. INOUE) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 543, a bill to improve Medicare beneficiary access by extending the 60 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility under the Medicare program.

S. 584

At the request of Mrs. LINCOLN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 584, a bill to amend the Internal Revenue Code of 1986 to modify the rehabilitation credit and the low-income housing credit.

S. 642

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 642, a bill to codify Executive Order 12898, relating to environmental justice, to require the Administrator of the Environmental Protection Agency to fully implement the recommendations of the Inspector General of the Agency and the Comptroller General of the United States, and for other purposes.

S. 667

At the request of Mr. BOND, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 667, a bill to expand programs of early childhood home visitation that increase school readiness, child abuse and neglect prevention, and early identification of developmental and health delays, including potential mental health concerns, and for other purposes.

S. 774

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 774, a bill to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to permit States to determine State residency for higher education purposes and to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes.

S. 871

At the request of Mr. LIEBERMAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 871, a bill to establish and provide for

the treatment of Individual Development Accounts, and for other purposes.

S. 881

At the request of Mrs. LINCOLN, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Michigan (Mr. LEVIN) and the Senator from North Carolina (Mrs. DOLE) were added as cosponsors of S. 881, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

At the request of Mr. SMITH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 881, *supra*.

S. 897

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 897, a bill to amend the Internal Revenue Code of 1986 to provide more help to Alzheimer's disease caregivers.

S. 898

At the request of Ms. MIKULSKI, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 898, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 969

At the request of Mr. DODD, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 969, a bill to amend the National Labor Relations Act to modify the definition of supervisor.

S. 970

At the request of Mr. SMITH, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 970, a bill to impose sanctions on Iran and on other countries for assisting Iran in developing a nuclear program, and for other purposes.

S. 991

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 991, a bill to establish the Senator Paul Simon Study Abroad Foundation under the authorities of the Mutual Educational and Cultural Exchange Act of 1961.

S. 1003

At the request of Ms. STABENOW, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1003, a bill to amend title XVIII of the Social Security Act to improve access to emergency medical services and the quality and efficiency of care furnished in emergency departments of hospitals and critical access hospitals by establishing a bipartisan commission to examine factors that affect the effective delivery of such services, by providing for additional payments for certain physician services furnished in such emergency departments, and by establishing a Centers for Medicare & Medicaid Services Working Group, and for other purposes.

S. 1033

At the request of Mr. LIEBERMAN, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 1033, a bill to assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of nations within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations.

S. 1064

At the request of Mrs. CLINTON, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1064, a bill to provide for the improvement of the physical evaluation processes applicable to members of the Armed Forces, and for other purposes.

S. 1117

At the request of Mr. BOND, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1117, a bill to establish a grant program to provide vision care to children, and for other purposes.

S. 1224

At the request of Mr. ROCKEFELLER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1224, a bill to amend title XXI of the Social Security Act to reauthorize the State Children's Health Insurance Program, and for other purposes.

S. 1226

At the request of Mr. BAYH, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 1226, a bill to amend title XIX of the Social Security Act to establish programs to improve the quality, performance, and delivery of pediatric care.

S. 1242

At the request of Mr. TESTER, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 1242, a bill to amend the Federal Crop Insurance Act and Farm Security and Rural Investment Act of 2002 to establish a biofuel pilot program to offer crop insurance to producers of experimental biofuel crops and a program to make loans and loan guarantees to producers of experimental biofuel crops.

S. 1243

At the request of Mr. KERRY, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1243, a bill to amend title 10, United States Code, to reduce the age for receipt of military retired pay for nonregular service from 60 years of age to 55 years of age.

S. 1249

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1249, a bill to require the President to close the Department of Defense detention facility at Guantánamo Bay, Cuba, and for other purposes.

S. 1257

At the request of Mr. LIEBERMAN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1257, a bill to provide the District of Columbia a voting seat and the State of Utah an additional seat in the House of Representatives.

S. 1267

At the request of Mr. LUGAR, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1267, a bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

S. 1301

At the request of Mr. DEMINT, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1301, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 1307

At the request of Mr. COLEMAN, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1307, a bill to include Medicare provider payments in the Federal Payment Levy Program, to require the Department of Health and Human Services to offset Medicare provider payments by the amount of the provider's delinquent Federal debt, and for other purposes.

S. 1310

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1310, a bill to amend title XVIII of the Social Security Act to provide for an extension of increased payments for ground ambulance services under the Medicare program.

S. 1334

At the request of Mr. DODD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1334, a bill to amend section 2306 of title 38, United States Code, to make permanent authority to furnish government headstones and markers for graves of veterans at private cemeteries, and for other purposes.

S. 1338

At the request of Mr. ROCKEFELLER, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1338, a bill to amend title XVIII of the Social Security Act to provide for a two-year moratorium on certain Medicare physician payment reductions for imaging services.

S. 1356

At the request of Mr. BROWN, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1356, a bill to amend the Federal Deposit Insurance Act to establish industrial bank holding company regulation, and for other purposes.

S. 1363

At the request of Mrs. CLINTON, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 1363, a bill to improve health care for severely injured members and former members of the Armed Forces, and for other purposes.

S. 1373

At the request of Mr. PRYOR, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1373, a bill to provide grants and loan guarantees for the development and construction of science parks to promote the clustering of innovation through high technology activities.

S. 1382

At the request of Mr. REID, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 1382, a bill to amend the Public Health Service Act to provide the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1398

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1398, a bill to expand the research and prevention activities of the National Institute of Diabetes and Digestive and Kidney Diseases, and the Centers for Disease Control and Prevention with respect to inflammatory bowel disease.

S. 1409

At the request of Mrs. CLINTON, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1409, a bill to provide and enhance education, housing, and entrepreneur assistance for veterans who serve in the Armed Forces after September 11, 2001, and for other purposes.

S. 1410

At the request of Mr. COLEMAN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 1410, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids.

S. 1416

At the request of Mrs. LINCOLN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1416, a bill to amend the Internal Revenue Code of 1986 to make permanent the deduction for mortgage insurance premiums.

S. 1418

At the request of Mr. DODD, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1418, a bill to provide assistance to improve the health of newborns, children, and mothers in developing countries, and for other purposes.

S. 1487

At the request of Mrs. FEINSTEIN, the name of the Senator from California

(Mrs. BOXER) was added as a cosponsor of S. 1487, a bill to amend the Help America Vote Act of 2002 to require an individual, durable, voter-verified paper record under title III of such Act, and for other purposes.

S. 1502

At the request of Mr. CONRAD, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1502, a bill to amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make their land available for access by the public under programs administered by States and tribal governments.

S. 1514

At the request of Mr. DODD, the names of the Senator from New Mexico (Mr. DOMENICI) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 1514, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 1523

At the request of Mrs. BOXER, the names of the Senator from Virginia (Mr. WARNER), the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 1523, a bill to amend the Clean Air Act to reduce emissions of carbon dioxide from the Capitol power plant.

S. 1557

At the request of Mr. DODD, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 1557, a bill to amend part B of title IV of the Elementary and Secondary Education Act of 1965 to improve 21st Century Community Learning Centers.

S. CON. RES. 3

At the request of Mr. SALAZAR, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. Con. Res. 3, a concurrent resolution expressing the sense of Congress that it is the goal of the United States that, not later than January 1, 2025, the agricultural, forestry, and working land of the United States should provide from renewable resources not less than 25 percent of the total energy consumed in the United States and continue to produce safe, abundant, and affordable food, feed, and fiber.

S. RES. 201

At the request of Mr. CHAMBLISS, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 201, a resolution supporting the goals and ideals of "National Life Insurance Awareness Month".

S. RES. 203

At the request of Mr. MENENDEZ, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. Res. 203, a resolution call-

ing on the Government of the People's Republic of China to use its unique influence and economic leverage to stop genocide and violence in Darfur, Sudan.

S. RES. 215

At the request of Mr. ALLARD, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. Res. 215, a resolution designating September 25, 2007, as "National First Responder Appreciation Day".

S. RES. 224

At the request of Mrs. FEINSTEIN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. Res. 224, a resolution expressing the sense of the Senate regarding the Israeli-Palestinian peace process.

AMENDMENT NO. 1415

At the request of Mrs. HUTCHISON, the name of the Senator from Nevada (Mr. ENSIGN) was withdrawn as a cosponsor of amendment No. 1415 proposed to S. 1348, a bill to provide for comprehensive immigration reform and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE (for himself and Mr. COBURN):

S. 1585. A bill to designate the Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma, as the "Ernest Childers Department of Veterans Affairs Outpatient Clinic"; to the Committee on Veterans' Affairs.

Mr. INHOFE. Mr. President, I rise today for myself and on the behalf of my colleague, Dr. COBURN, to reintroduce a bill to honor the memory of an American hero and proud son from our great State of Oklahoma. Ernest Childers was the first Native American to receive the Congressional Medal of Honor. This is our Nation's highest military award and it was awarded to him by Congress "for conspicuous gallantry and intrepidity at risk of life above and beyond the call of duty in action."

Ernest Childers was born in Broken Arrow, Oklahoma, on February 1, 1918 as the third of five children. His father died when he was young and he grew up mostly on a farm. His hunting skills in his youth provided much of the food for his family and formed the basis of a great military career.

Ernest Childers enlisted in the Oklahoma National Guard in 1937 while attending the Chilocco Indian School in north-central Oklahoma. He then went to Fort Sill in Lawton, Oklahoma, for basic training before being deployed to Africa in World War II. On September 22, 1943, despite a broken instep that forced him to crawl, Second Lieutenant Childers advanced against enemy machine gun nests in Oliveto, Italy, killing two snipers and capturing an enemy mortar observer in the process. His actions were instrumental in helping the Americans win the Battle of Oliveto and won him the Congressional

Medal of Honor. He continued his career in the Army earning several other military awards including the Combat Infantry Badge, Europe and Africa Campaign Medals, The Purple Heart, The Bronze Star, and the Oklahoma Distinguished Service Cross. He retired from the Army in August of 1965 as a lieutenant colonel in Oklahoma's 45th Infantry Division.

Ernest Childers passed away on March 17, 2005, and was Oklahoma's last Congressional Medal of Honor winner still living in the State. He was an honored guest of many Presidential inaugurations and as a Creek Indian, was named Oklahoma's Most Outstanding Indian by the Tulsa Chapter of the Council of American Indians in 1966. He once said "The American Indian has only one country to defend, and when you're picked on, the American Indian never turns his back." I am proud and believe it is only appropriate to introduce once again this year a bill to rename the Department of Veterans Affairs' Outpatient Clinic in Tulsa, Oklahoma, the Ernest Childers Department of Veterans Affairs Outpatient Clinic to honor the enduring legacy of a true hero and fine soldier. 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. 1585

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

#### SECTION 1. DESIGNATION OF ERNEST CHILDERS DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC.

(a) DESIGNATION.—The Department of Veterans Affairs Outpatient Clinic in Tulsa, Oklahoma, shall be known and designated as the "Ernest Childers Department of Veterans Affairs Outpatient Clinic".

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the outpatient clinic referred to in subsection (a) shall be considered to be a reference to the "Ernest Childers Department of Veterans Affairs Outpatient Clinic".

By Mr. BINGAMAN (for himself, Mr. KERRY, Mr. AKAKA, Mr. SALAZAR, Mr. WHITEHOUSE, and Ms. MIKULSKI):

S. 1589. A bill to amend title XIX of the Social Security Act to reduce the costs of prescription drugs for enrollees of Medicaid managed care organizations by extending the discounts offered under fee-for-service Medicaid to such organizations; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, I rise today to with Senators KERRY, AKAKA, SALAZAR and WHITEHOUSE to introduce the Drug Rebate Equalization Act of 2007.

As you know, the Medicaid drug rebate ensures that State Medicaid programs receive the best price for prescription drugs for their beneficiaries. Unfortunately, health plans that serve over 10 million Medicaid beneficiaries cannot access the same discounts