

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. 1494

At the request of Mr. DOMENICI, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1494, a bill to amend the Public Health Service Act to reauthorize the special diabetes programs for Type I diabetes and Indians under that Act.

S. 1576

At the request of Mr. KENNEDY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1576, a bill to amend the Public Health Service Act to improve the health and healthcare of racial and ethnic minority groups.

S. 1607

At the request of Mr. BAUCUS, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1607, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1692

At the request of Mr. CARDIN, the names of the Senator from Alaska (Mr. STEVENS) and the Senator from Delaware (Mr. BIDEN) were added as cosponsors of S. 1692, a bill to grant a Federal charter to Korean War Veterans Association, Incorporated.

S. 1708

At the request of Mr. DODD, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1708, a bill to provide for the expansion of Federal efforts concerning the prevention, education, treatment, and research activities related to Lyme and other tick-borne diseases, including the establishment of a Tick-Borne Diseases Advisory Committee.

S. 1739

At the request of Mr. ROCKEFELLER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 1739, a bill to amend section 35 of the Internal Revenue Code of 1986 to improve the health coverage tax credit, and for other purposes.

AMENDMENT NO. 2000

At the request of Mr. NELSON of Florida, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2000 intended to be proposed to H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2067

At the request of Mr. KENNEDY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 2067 intended to be proposed to H.R. 1585, to authorize appro-

priations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. AKAKA, Mr. BENNETT, Mrs. BOXER, Ms. CANTWELL, Mrs. Clinton, Mr. COLEMAN, Mr. DURBIN, Mrs. DOLE, Ms. KLOBUCHAR, Ms. LANDRIEU, Mrs. LINCOLN, Mrs. MCCASKILL, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Ms. SNOWE, Ms. STABENOW, and Mr. VOINOVICH):

S. 1841. A bill to provide a site for the National Women's History Museum in Washington, District of Columbia, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, I rise to introduce the National Women's History Museum Act of 2007, a bill that would clear the way to locate a long-overdue historical and educational resource in our Nation's capital city.

In each of the last two Congresses, the Senate has approved earlier versions of this bill by unanimous consent. I appreciate that past support, and I appreciate the cosponsorship today from 18 of my colleagues, Senators AKAKA, BENNETT, BOXER, CANTWELL, CLINTON, COLEMAN, DURBIN, DOLE, KLOBUCHAR, LANDRIEU, LINCOLN, MCCASKILL, MIKULSKI, MURKOWSKI, MURRAY, SNOWE, STABENOW, and VOINOVICH.

Women constitute the majority of our population. They make invaluable contributions to our country, not only in traditional venues like the home, schools, churches, and volunteer organizations, but in Government, corporations, medicine, law, literature, sports, entertainment, the arts, and the military services. The need for a museum recognizing the contributions of American women is of long standing.

A presidential commission on commemorating women in American history concluded that, "Efforts to implement an appropriate celebration of women's history in the next millennium should include the designation of a focal point for women's history in our Nation's capital."

That report was issued in 1999. Nearly a decade later, although Congress has commendably made provisions for the National Museum for African American History and Culture, the National Law Enforcement Museum, and the National Building Museum, there is still no national institution in the capital region dedicated to women's role in our country's history.

The proposed legislation calls for no new Federal program and no new claims on the budget. It would simply direct the General Services Adminis-

tration to negotiate and enter into an occupancy agreement with the National Women's History Museum, Inc. to establish a museum in the long-vacant Pavilion Annex of the Old Post Office building in Washington, DC.

The National Women's History Museum is a nonprofit, nonpartisan, educational institution based in the District of Columbia. Its mission is to research and present the historic contributions that women have made to all aspects of human endeavor, and to present the contributions that women have made to the Nation in their various roles in family, the economy, and society.

The Pavilion Annex to the Old Post Office was a commercial failure and remains a continuing drain on Federal maintenance budgets. Putting the building to use as a museum would provide lease payments and establish a new historical and educational destination site on Pennsylvania Avenue that would bring new visitor traffic and new economic activity to the neighborhood.

These are sound reasons for supporting this bill. The best reason, however, is the obligation to demonstrate the gratitude and respect we owe to the many generations of American women who have helped build, sustain, and advance our society. They deserve a building to present their stories, as well as the stories of pioneering women like abolitionist Harriet Tubman, Supreme Court Justice Sandra Day O'Connor, astronaut Sally Ride, and Secretary of State Madeleine Albright.

That women's roll of honor would also include a distinguished predecessor in my Senate seat, the late Senator Margaret Chase Smith, the first woman nominated for President of the United States by a major political party, and the first woman elected to both Houses of Congress. Senator Smith began representing Maine in the U.S. House of Representatives in 1940, won election to the Senate in 1948, and enjoyed bipartisan respect over her long career for her independence, integrity, wisdom, and decency. She remains my role model and, through the example of her public service, an exemplar of the virtues that would be honored in the National Women's History Museum.

I thank my colleagues for their past support of this effort, and urge them to renew that support for this bill.

By Mr. KENNEDY (for himself, Mr. KERRY, Mr. DODD, Ms. MIKULSKI, Mrs. CLINTON, Mr. OBAMA, Mr. SANDERS, Mr. INOUE, Mr. LEVIN, Mr. AKAKA, Mr. FEINGOLD, Ms. CANTWELL, Mr. MENENDEZ, and Mr. WHITEHOUSE):

S. 1842. A bill to amend title XVIII of the Social Security Act to provide for patient protection by limiting the number of mandatory overtime hours a nurse may be required to work in certain providers of services to which payments are made under the Medicare

Program; to the Committee on Finance.

Mr. KENNEDY. Mr. President, it is a privilege to introduce the Safe Nursing and Patient Care Act today, and I am pleased to have my colleague from Massachusetts, Senator KERRY, joining me in this effort. This important bill will limit mandatory overtime for nurses in order to protect patient safety and improve working conditions for nurses.

The widespread insistence on mandatory overtime across the country means that over-worked nurses are often forced to provide care when they are too tired to perform their jobs. The result is unnecessary risk for their patients and for the nurses themselves. A recent study by the University of Pennsylvania School of Nursing found that nurses who work shifts of 12½ hours or more are three times more likely to commit errors than nurses who work a standard shift of 8½ hours or less.

A study by researchers at Columbia University Medical Center and RAND Corporation found that when nurses work too much overtime, their patients are more likely to suffer hospital-related infections.

These studies, and many more like them, compellingly illustrate the critical threat to patient safety when nurses are overworked.

The grueling conditions in which nurses are obliged to work jeopardizes the future of this essential profession. We face a critical shortage of nurses. The American Hospital Association reports that hospitals needed 118,000 more RNs to fill immediate vacancies in December 2005. This is an 8.5 percent vacancy rate, and it is expected to rise to 20 percent in coming years, undermining their ability to provide emergency care. In addition, nearly half a million trained nurses are not currently working in the nursing profession, even though they are desperately needed.

Job dissatisfaction and harsh overtime are major factors in the nursing shortage. As a 2004 report by the CDC concluded, poor working conditions are contributing to difficulties with retention and recruitment in nursing. Nurses are not treated with the respect they deserve in the workplace, and many caring nurses refuse to work in an environment in which they know they are putting their patients at risk.

Our Safe Nursing and Patient Care Act deals with these critical problems. By restricting mandatory overtime for nurses, the act helps ensure that nurses are able to provide the highest quality of care to their patients. By improving the quality of life of nurses, the act encourages more dedicated workers to enter nursing and to make it their life-time career.

This legislation is obviously needed to protect public safety. Federal safety standards already limit work hours for pilots, flight attendants, truck drivers, railroad engineers and other profes-

sionals. We need to guarantee the same safe working conditions for nurses, who care for so many of our most vulnerable citizens.

Some hospitals have already taken action. In recent years, after negotiations with their nurses, Brockton Hospital and St. Vincent Hospital in Massachusetts have agreed to limit mandatory overtime. Mr. President, 11 States have adopted laws or regulations to end forced overtime. These limits will protect patients and improve working conditions for nurses, and will help in the recruitment and retention of nurses in the future.

Improving conditions for nurses is an essential part of our ongoing effort to reduce medical errors and improve patient outcomes. But it is also a matter of basic fairness and respect. Nurses perform one of the most difficult and important jobs in our society. They care about their patients and want to provide the best possible treatment. They cannot do their job when they're exhausted and overworked. Nurses, and the patients they care for, deserve better. The Safe Nursing and Patient Care Act respects the dignity of hard-working nurses, and I urge my colleagues to support it.

By Mr. KENNEDY (for himself, Mr. SPECTER, Mr. HARKIN, Mrs. CLINTON, Ms. SNOWE, Ms. MIKULSKI, Mr. OBAMA, Mr. DURBIN, Mr. DODD, Mr. LEAHY, Mrs. MCCASKILL, Mr. WHITEHOUSE, Mrs. BOXER, Ms. STABENOW, and Mrs. MURRAY):

S. 1843. A bill to amend title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967 to clarify that an unlawful practice occurs each time compensation is paid pursuant to a discriminatory compensation decision or other practice, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. KENNEDY. Mr. President, it's an honor to join my colleagues in introducing the Fair Pay Restoration Act to correct the Supreme Court's recent 5-4 decision in *Ledbetter v. Goodyear Tire & Rubber Company*, which undermined basic protection for workers against pay discrimination under the Civil Rights Act of 1964. The decision also undermines pay discrimination claims under the Americans with Disabilities Act and the Age Discrimination in Employment Act. Our bill would restore the clear intent of Congress when we passed these important laws that workers must have a reasonable time to file a pay discrimination claim after they become victims of discriminatory compensation.

No American should be denied equal pay for equal work. Employees' ability to provide for their children, save for retirement, and enjoy the benefit of their labor should not be limited by discrimination. The Court's decision undermined these bedrock principles by imposing unrealistically short time limits on such claims.

The jury in this case found that Goodyear Tire and Rubber Company discriminated against Lilly Ledbetter by downgrading her evaluations because she was a woman in a traditionally male job. For over a decade, the company used these discriminatory evaluations to pay her less than male workers who held the same position and performed the same duties. Supervisors at the plant where she worked were openly biased against women. One told her that "the plant did not need women," and that they "caused problems." Ms. Ledbetter's pay fell to 15 to 40 percent behind her male counterparts.

Finally, after years, she realized what was happening and filed suit for the back pay she had been unfairly denied. The jury found that the only reason Ms. Ledbetter was paid less was because she was a woman, and she was awarded full damages to correct this basic injustice.

The Supreme Court ruled against her, holding that she filed her lawsuit far too long after Goodyear first began to pay her less than her male colleagues. Never mind that she had no way of knowing at first that male workers were being paid more. Never mind that the company discriminated against her for decades, and that the discrimination continued with each new paycheck she received.

The Supreme Court's ruling defies both Congress's intent and common sense. Pay discrimination is not like other types of discrimination, because employees generally don't know what their colleagues earn, and such information is difficult to obtain.

Pay discrimination is not like being told "You're fired," or "You didn't get the job," when workers at least know they have been denied a job benefit. With pay discrimination, the paycheck typically comes in the mail, and employees usually have no idea if they have been paid fairly. They should be able to file a complaint within a reasonable time after receiving a discriminatory paycheck, instead of having to file the complaint soon after the company first decides to shortchange them for discriminatory reasons.

The decision actually creates a perverse incentive for workers to file lawsuits before they know a pay decision is based on discrimination. Workers who wait to learn the truth before filing a complaint of discrimination could be out of time. As a result, the decision will create unnecessary litigation as workers rush to beat the clock in their claims for equal pay.

The Supreme Court's decision also breaks faith with the Civil Rights Act of 1991, which was enacted with overwhelming bipartisan support, a vote of 93 to 5 in the Senate, and 381 to 38 in the House. The 1991 act had corrected this same problem in the context of seniority, overturning the Court's decision in a separate case. At the time, there was no need to clarify Title VII for pay discrimination claims, since

the courts were interpreting Title VII correctly. Obviously, Congress now needs to act again to ensure that the law adequately protects workers against pay discrimination.

The Congressional Budget Office has made clear that this bill will not create costs for the Equal Employment Opportunity Commission or the Federal courts. It simply restores the status quo as Congress intended and as it existed on May 28, 2007, before the Ledbetter decision was made.

It is unacceptable that some workers are unable to file a lawsuit against ongoing discrimination. Yet that is what happened to Lilly Ledbetter. I hope that all of us, on both sides of the aisle, can join in correcting this obvious wrong.

In recent years, the Supreme Court also has undermined other bipartisan civil rights laws in ways Congress never intended. It has limited the Age Discrimination in Employment Act, made it harder to protect children who are harassed in school, and eliminated peoples' right to challenge practices with a discriminatory impact on their access to public services. The Court has also made it more difficult for workers with disabilities to prove that they're entitled to the protection of the law.

Congress needs to correct these problems as well. The Fair Pay Restoration Act makes sure that what happened to Lilly Ledbetter will not happen to any others. As Justice Ginsburg wrote in her powerful dissent, the Court's decision is "totally at odds with the robust protection against employment discrimination Congress intended." I urge my colleagues, Republicans and Democrats alike, to restore the law as it was before the decision, so that victims of ongoing pay discrimination have a reasonable time to file their claims.

COLLEGE COST REDUCTION ACT OF 2007

On Thursday, July 19, 2007, the Senate passed H.R. 2669.

The bill, as amended, is as follows:

H.R. 2669

Resolved, That the bill from the House of Representatives (H.R. 2669) entitled "An Act to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008," do pass with the following amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE; REFERENCES.

(a) **SHORT TITLE.**—This Act may be cited as the "Higher Education Access Act of 2007".

(b) **REFERENCES.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

TITLE I—GRANTS TO STUDENTS IN ATTENDANCE AT INSTITUTIONS OF HIGHER EDUCATION

SEC. 101. TUITION SENSITIVITY.

(a) **AMENDMENT.**—Section 401(b) (20 U.S.C. 1070a(b)) is amended by striking paragraph (3).

(b) **AUTHORIZATION AND APPROPRIATION OF FUNDS.**—There is authorized to be appropriated, and there is appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Education to carry out the amendment made by subsection (a), \$5,000,000 for fiscal year 2008.

SEC. 102. PROMISE GRANTS.

(a) **AMENDMENT.**—Subpart 1 of part A of title IV (20 U.S.C. 1070a et seq.) is amended by adding at the end the following:

"SEC. 401B. PROMISE GRANTS.

"(a) **GRANTS.**—

"(1) **IN GENERAL.**—From amounts appropriated under subsection (e) for a fiscal year and subject to subsection (b), the Secretary shall award grants to students in the same manner as the Secretary awards Federal Pell Grants to students under section 401, except that—

"(A) at the beginning of each award year, the Secretary shall establish a maximum and minimum award level based on amounts made available under subsection (e);

"(B) the Secretary shall only award grants under this section to students eligible for a Federal Pell Grant for the award year; and

"(C) when determining eligibility for the awards under this section, the Secretary shall consider only those students who submitted a Free Application for Federal Student Aid or other common reporting form under section 483 as of July 1 of the award year for which the determination is made.

"(2) **STUDENTS WITH THE GREATEST NEED.**—The Secretary shall ensure grants are awarded under this section to students with the greatest need as determined in accordance with section 471.

"(b) **COST OF ATTENDANCE LIMITATION.**—A grant awarded under this section for an award year shall be awarded in an amount that does not exceed—

"(1) the student's cost of attendance for the award year; less

"(2) an amount equal to the sum of—

"(A) the expected family contribution for the student for the award year; and

"(B) any Federal Pell Grant award received by the student for the award year.

"(c) **SUPPLEMENT NOT SUPPLANT.**—Grants awarded from funds made available under subsection (e) shall be used to supplement, and not supplant, other Federal, State, or institutional grant funds.

"(d) **USE OF EXCESS FUNDS.**—

"(1) **FIFTEEN PERCENT OR LESS.**—If, at the end of a fiscal year, the funds available for making grant payments under this section exceed the amount necessary to make the grant payments required under this section to eligible students by 15 percent or less, then all of the excess funds shall remain available for making grant payments under this section during the next succeeding fiscal year.

"(2) **MORE THAN FIFTEEN PERCENT.**—If, at the end of a fiscal year, the funds available for making grant payments under this section exceed the amount necessary to make the grant payments required under this section to eligible students by more than 15 percent, then all of such funds shall remain available for making such grant payments but grant payments may be made under this paragraph only with respect to awards for that fiscal year.

"(e) **AUTHORIZATION AND APPROPRIATION OF FUNDS.**—

"(1) **IN GENERAL.**—There are authorized to be appropriated, and there are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Education to carry out this section—

"(A) \$2,620,000,000 for fiscal year 2008;

"(B) \$3,040,000,000 for fiscal year 2009;

"(C) \$3,460,000,000 for fiscal year 2010;

"(D) \$3,900,000,000 for fiscal year 2011;

"(E) \$4,020,000,000 for fiscal year 2012;

"(F) \$10,000,000 for fiscal year 2013;

"(G) \$3,650,000,000 for fiscal year 2014;

"(H) \$3,850,000,000 for fiscal year 2015;

"(I) \$4,175,000,000 for fiscal year 2016; and

"(J) \$4,180,000,000 for fiscal year 2017.

"(2) **AVAILABILITY OF FUNDS.**—Funds appropriated under paragraph (1) for a fiscal year shall remain available through the last day of the fiscal year immediately succeeding the fiscal year for which the funds are appropriated."

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on July 1, 2008.

TITLE II—STUDENT LOAN BENEFITS, TERMS, AND CONDITIONS

SEC. 201. DEFERMENTS.

(a) **FISL.**—Section 427(a)(2)(C)(iii) (20 U.S.C. 1077(a)(2)(C)(iii)) is amended by striking "3 years" and inserting "6 years".

(b) **INTEREST SUBSIDIES.**—Section 428(b)(1)(M)(iv) (20 U.S.C. 1078(b)(1)(M)(iv)) is amended by striking "3 years" and inserting "6 years".

(c) **DIRECT LOANS.**—Section 455(f)(2)(D) (20 U.S.C. 1087e(f)(2)(D)) is amended by striking "3 years" and inserting "6 years".

(d) **PERKINS.**—Section 464(c)(2)(A)(iv) (20 U.S.C. 1087dd(c)(2)(A)(iv)) is amended by striking "3 years" and inserting "6 years".

(e) **EFFECTIVE DATE AND APPLICABILITY.**—The amendments made by this section shall take effect on July 1, 2008, and shall only apply with respect to the loans made to a borrower of a loan under title IV of the Higher Education Act of 1965 who obtained the borrower's first loan under such title prior to October 1, 2012.

SEC. 202. STUDENT LOAN DEFERMENT FOR CERTAIN MEMBERS OF THE ARMED FORCES.

(a) **FEDERAL FAMILY EDUCATION LOANS.**—Section 428(b)(1)(M)(iii) (20 U.S.C. 1078(b)(1)(M)(iii)) is amended—

(1) in the matter preceding subclause (I), by striking "not in excess of 3 years";

(2) in subclause (II), by striking "or" and inserting a comma; and

(3) by adding at the end the following:

"and for the 180-day period following the demobilization date for the service described in subclause (I) or (II); or".

(b) **DIRECT LOANS.**—Section 455(f)(2)(C) (20 U.S.C. 1087e(f)(2)(C)) is amended—

(1) in the matter preceding clause (i), by striking "not in excess of 3 years";

(2) in clause (ii), by striking "or" and inserting a comma; and

(3) by adding at the end the following:

"and for the 180-day period following the demobilization date for the service described in clause (i) or (ii); or".

(c) **PERKINS LOANS.**—Section 464(c)(2)(A)(iii) (20 U.S.C. 1087dd(c)(2)(A)(iii)) is amended—

(1) in the matter preceding subclause (I), by striking "not in excess of 3 years";

(2) in subclause (II), by striking the semicolon and inserting a comma; and

(3) by adding at the end the following:

"and for the 180-day period following the demobilization date for the service described in subclause (I) or (II); or".

(d) **APPLICABILITY.**—Section 8007(f) of the Higher Education Reconciliation Act of 2005 (20 U.S.C. 1078 note) is amended by striking "loans for which" and all that follows through the period at the end and inserting "all loans under title IV of the Higher Education Act of 1965."

(e) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on July 1, 2008.

SEC. 203. INCOME-BASED REPAYMENT PLANS.

(a) **FFEL.**—Section 428 (as amended by sections 201(b) and 202(a)) (20 U.S.C. 1078) is further amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (D), by striking "income contingent" and inserting "income-based"; and

(ii) in subparagraph (E)(i), by striking "income-sensitive" and inserting "income-based"; and