

health care providers in the United States.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 462—DESIGNATING THE FIRST WEEK OF APRIL 2008 AS “NATIONAL ASBESTOS AWARENESS WEEK”

Mr. BAUCUS (for himself, Mr. REID, Mr. LEAHY, Mr. TESTER, Mrs. MURRAY, Mr. ISAKSON, Mr. DURBIN, Mrs. FEINSTEIN, and Mr. KENNEDY) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 462

Whereas dangerous asbestos fibers are invisible and cannot be smelled or tasted;

Whereas the inhalation of airborne asbestos fibers can cause significant damage;

Whereas these fibers can cause mesothelioma, asbestosis, and other health problems;

Whereas asbestos-related diseases can take 10 to 50 years to present themselves;

Whereas the expected survival time for those diagnosed with mesothelioma is between 6 and 24 months;

Whereas generally little is known about late stage treatment and there is no cure for asbestos-related diseases;

Whereas early detection of asbestos-related diseases may give some patients increased treatment options and might improve their prognosis;

Whereas the United States has substantially reduced its consumption of asbestos yet continues to consume almost 2,000 metric tons of the fibrous mineral for use in certain products throughout the Nation;

Whereas asbestos-related diseases have killed thousands of people in the United States;

Whereas asbestos exposures continue and safety and prevention will reduce and has reduced significantly asbestos exposure and asbestos-related diseases;

Whereas asbestos has been a cause of occupational cancer;

Whereas thousands of workers in the United States face significant asbestos exposure;

Whereas thousands of people in the United States die from asbestos-related diseases every year;

Whereas a significant percentage of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of a significant number of office buildings and public facilities built before 1975;

Whereas people in the small community of Libby, Montana have asbestos-related diseases at a significantly higher rate than the national average and suffer from mesothelioma at a significantly higher rate than the national average; and

Whereas the establishment of a “National Asbestos Awareness Week” would raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

Resolved, That the Senate—

(1) designates the first week of April 2008 as “National Asbestos Awareness Week”;

(2) urges the Surgeon General, as a public health issue, to warn and educate people that asbestos exposure may be hazardous to their health; and

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the Surgeon General.

Mr. BAUCUS. Mr. President, I rise to talk about an important resolution I

am submitting. It is the asbestos awareness week resolution. This resolution has passed the Senate for 3 years, and I am pleased to submit it again this year.

This is a very deeply personal issue for me. About 8 years ago, I was in Libby, MT, in the living room of Les Skramstad, and there were several people in the room who were suffering from asbestos-related diseases. This was in Libby. Since then, about 200 people have died of asbestos-related diseases.

Les Skramstad, whom I met that day about 8 or 9 years ago, was dying from mesothelioma. He looked at me and said: As a U.S. Senator, I expect you do something to help us in Libby.

I said: You bet.

He looked me straight in the eye, and because he has been around a little bit, he said: Senator, I am going to be watching you to make sure that is not just an idle promise. I will be watching you.

Boy, I got the message loudly and clearly. I decided right then at that moment that I need to do all I can to help make sure that people in Libby, MT, get justice. As I said, over 200 people died since then.

He was an employee of a W.R. Grace mine. W.R. Grace clearly knew it was poisoning people in Libby, MT, in its mine there. It did not admit it. There is a criminal case going on right now against the officers of W.R. Grace claiming that they did know what they were doing.

Asbestos from this mine is called tremolite. It is not the ordinary crystal asbestos. This is tremolite asbestos, which is much more pernicious. It gets more deeply embedded in your lungs, more angles to the dust that gets into your lungs. It is harder to detect. Sometimes the latency period can be from 20 to 30 years.

Les would come home all dusty from the mine, and he would go home and embrace his wife, and his kids would jump into his lap. Guess what. Les is now dead. He died last month from mesothelioma. Les's wife is dying from asbestos-related diseases. Three of his four children are now dying.

It is the dust, the asbestos dust that is in Libby, MT. This stuff was used on playgrounds. It was used on golf courses. It was used for insulation in attics in homes. People have died and are dying. We are doing all we can to address this, and we are trying to get them proper medical care.

There is a clinic called the CARD Clinic in Libby which is doing a really good job in screening people, trying to find out who has it and who doesn't. Again, it is very hard to find. You need special techniques. We had to change the disability laws in America because—not change but point out to the Social Security Administration that this is a different kind of asbestos, it is not ordinary asbestos, and then decide whether to grant disability payments. They were looking at ordinary asbestos. They didn't know about this asbestos. They didn't know about tremolite

asbestos. Finally, people in Montana are getting disability benefits because of the asbestos diseases they have.

So I am very proud to submit this resolution. As I said, I have been doing this for several years, and we are making this National Asbestos Recognition Week in April, the first week in April. I believe it is so important to highlight this dread disease so we can stamp out the scourge and, in my view, finally banish asbestos. If we can accomplish that, then in some small way we have vindicated the people of Libby, MT.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that an oversight hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Wednesday, March 5, 2008, at 3 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose is to receive testimony on the impacts of the capability of the United States to maintain a domestic enrichment capability as a result of the recently initiated amendment between the United States and the Russian Federation on the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Rosemarie_Calabro@energy.senate.gov.

For further information, please contact Jonathan Epstein (202) 228-3031 or Rosemarie Calabro at (202) 224-5039.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, February 27, 2008, at 9:30 a.m., in open session, and possibly closed session, to receive testimony on the current and future worldwide threats to the national security of the United States.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on Wednesday, February 27, 2008, at 2:30 p.m., in room 253 of the Russell

Senate Office Building, in order to conduct a hearing.

The hearing will focus on the National Aeronautics and Space Administration's fiscal year 2009 budget proposal.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate in order to conduct a hearing on Wednesday, February 27, 2008, at 9:45 a.m., in room SD366 of the Dirksen Senate Office Building. At this hearing, the Committee will hear testimony to consider two nominations: Stanley C. Suboleski, of Virginia, to be an Assistant Secretary of Energy (Fossil Energy), vice Jeffrey D. Jarrett, resigned; and, J. Gregory Copeland, of Texas, to be General Counsel of the Department of Energy, vice David R. Hill.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on Wednesday, February 27, 2008 at 10:00 a.m. in room 406 of the Dirksen Senate Office Building in order to conduct a hearing entitled, "Hearing on the President's Proposed EPA Budget for FY 2009."

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Wednesday, February 27, 2008 at 10 a.m. in SD-430.

Agenda

S. 579, Breast Cancer and Environmental Research Act of 2007; S. 1810, Prenatally and Postnatally Diagnosed Conditions Awareness Act; S. 999, Stroke Treatment and Ongoing Prevention Act of 2007; S. 1760, Healthy Start Reauthorization Act of 2007; H.R. 20, Melanie Blocker-Stokes Postpartum Depression Research and Care Act; and S. 1042, Consistency, Accuracy, Responsibility, and Excellence in Medical Imaging and Radiation Therapy Act of 2007.

National Board for Education Sciences: Jonathan Baron, Frank Handy, Sally Shaywitz.

National Foundation on the Arts and Humanities: Jamsheed Choksy, Gary Glenn, David Hertz, Marvin Scott, Carol Swain.

National Museum and Library Science Board: Julia Bland, Jan Cellucci, William Hagenah, Mark Her-
ring,

Truman Scholarship Foundation: Javaid Anwar, and Assistant Secretary of Labor ODEP: Neil Romano.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on Wednesday, February 27, 2008, at 10 a.m. in order to conduct a hearing entitled "An Uneasy Relationship: U.S. Reliance on Private Security Firms in Overseas Operations."

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

COMMITTEE ON INDIAN AFFAIRS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on Wednesday, February 27, at 9:30 a.m. in room 485 of the Russell Senate Office Building in order to conduct a hearing on S. 2232, the Foreign Aid Lessons for Domestic Economic Assistance Act of 2007.

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

COMMITTEE ON THE JUDICIARY

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary be authorized to meet during the session of the Senate, in order to conduct a hearing entitled "The False Claims Act Correction Act (S. 2041): Strengthening the Government's Most Effective Tool Against Fraud for the 21st Century" on Wednesday, February 27, 2008 at 10 a.m. in room SD-226 of the Dirksen Senate Office Building.

Witness List

Michael F. Hertz, Deputy Assistant Attorney General, Civil Division, U.S. Department of Justice, Washington, DC.

Panel II: Tina M. Gonter, Jacksonville, FL; The Honorable John E. Clark, Of Counsel, Goode, Casseb, Jones, Riklin, Choate & Watson, P.C., San Antonio, TX; John T. Boese, Partner, Fried, Frank, Harris, Shriver & Jacobson LLP, Washington, DC; and Pamela H. Bucy, Bainbridge Professor of Law, University of Alabama School of Law, Tuscaloosa, AL.

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

COMMITTEE ON RULES AND ADMINISTRATION

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on Wednesday, February 27, 2008, at 10:00 a.m., in order to hear testimony on Protecting Voters at Home and at the Polls: Limiting Abusive Robocalls and Vote Caging Practices.

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

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Committee on Small Business and Entrepreneurship be authorized to meet during the session of the Senate in order to conduct a hearing entitled "The President's FY2009 Budget Request for the Small Business Administration on Wednesday, February 27, 2008, beginning at 10:00 a.m., in room 428A of the Russell Senate Office Building.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. BAUCUS. Mr. President, I ask unanimous consent for the Committee on Veterans' Affairs to be authorized to meet during the session of the Senate on Wednesday, February 27, 2008, in order to conduct an oversight hearing entitled "Review of Veterans' Disability Compensation: Expert Reports on PTSD and other issues." The Committee will meet in room 216 of the Hart Senate Office Building, at 9:30 a.m.

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

PERSONNEL SUBCOMMITTEE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Personnel Subcommittee of the Committee on Armed Services be authorized to meet during the session of the Senate on Wednesday, February 27, 2008, at 3:00 p.m., in open session to receive testimony on active component, reserve component, and civilian personnel programs in review of the defense authorization request for Fiscal Year 2009 and the Future Years Defense Program.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 27, 2008, at 2:30 p.m. in order to hold a closed business meeting.

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

SUBCOMMITTEE ON CRIME AND DRUGS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on Crime and Drugs, be authorized to meet during the session of the Senate, in order to conduct a hearing entitled "Supporting the Front Line in the Fight Against Crime: Restoring Federal Funding for State and Local Law Enforcement" on Wednesday, February 27, 2008 at 2 p.m. in the Dirksen Senate Office Building, Room 226.

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

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources be authorized to

meet during the session of the Senate in order to conduct a hearing on Wednesday, February 27, 2008, at 2:30 p.m., in room SD366 of the Dirksen Senate Office Building. At this hearing, the Committee will hear testimony regarding the following legislation:

S. 832, to provide for the sale of approximately 25 acres of public land to the Turnabout Ranch, Escalante, Utah, at fair market value;

S. 2229, to withdraw certain Federal land in the Wyoming Range from leasing and provide an opportunity to re-tire certain leases in the Wyoming Range;

S. 2379, to authorize the Secretary of the Interior to cancel certain grazing leases on land in Cascade-Siskiyou National Monument that are voluntarily waived by the lessees, to provide for the exchange of certain Monument land in exchange for private land, to designate certain Monument land as wilderness, and for other purposes;

S. 2508 and H.R. 903, to provide for a study of options for protecting the open space characteristics of certain lands in and adjacent to the Arapaho and Roosevelt National Forests in Colorado, and for other purposes;

S. 2601 and H.R. 1285, to provide for the conveyance of a parcel of National Forest System land in Kittitas County, Washington, to facilitate the construction of a new fire and rescue station, and for other purposes;

H.R. 523, to require the Secretary of the Interior to convey certain public land located wholly or partially within the boundaries of the Wells Hydroelectric Project of Public Utility District No. 1 of Douglas County, Washington, to the utility district;

H.R. 838, to provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah, and for other purposes.

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

SPECIAL COMMITTEE ON AGING

Mr. BAUCUS. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet during the session of the Senate on Wednesday, February 27, 2008 from 10:30 a.m.-12:30 p.m. in Dirksen 628 for the purpose of conducting a hearing.

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

INDIAN HEALTH CARE IMPROVEMENT ACT AMENDMENTS OF 2007

On Tuesday, February 26, 2008, the Senate passed S. 1200, as amended, as follows:

S. 1200

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
(a) SHORT TITLE.—This Act may be cited as the “Indian Health Care Improvement Act Amendments of 2008”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
TITLE I—AMENDMENTS TO INDIAN LAWS
Sec. 101. Indian Health Care Improvement Act amended.

Sec. 102. Soboba sanitation facilities.
Sec. 103. Native American Health and Wellness Foundation.
Sec. 104. Modification of term.
Sec. 105. GAO study and report on payments for contract health services.
Sec. 106. GAO study of membership criteria for federally recognized Indian tribes.
Sec. 107. GAO study of tribal justice systems.

TITLE II—IMPROVEMENT OF INDIAN HEALTH CARE PROVIDED UNDER THE SOCIAL SECURITY ACT

Sec. 201. Expansion of payments under Medicare, Medicaid, and SCHIP for all covered services furnished by Indian Health Programs.
Sec. 202. Increased outreach to Indians under Medicaid and SCHIP and improved cooperation in the provision of items and services to Indians under Social Security Act health benefit programs.
Sec. 203. Additional provisions to increase outreach to, and enrollment of, Indians in SCHIP and Medicaid.
Sec. 204. Premiums and cost sharing protections under Medicaid, eligibility determinations under Medicaid and SCHIP, and protection of certain Indian property from Medicaid estate recovery.
Sec. 205. Nondiscrimination in qualifications for payment for services under Federal health care programs.
Sec. 206. Consultation on Medicaid, SCHIP, and other health care programs funded under the Social Security Act involving Indian Health Programs and Urban Indian Organizations.
Sec. 207. Exclusion waiver authority for affected Indian Health Programs and safe harbor transactions under the Social Security Act.
Sec. 208. Rules applicable under Medicaid and SCHIP to managed care entities with respect to Indian enrollees and Indian health care providers and Indian managed care entities.
Sec. 209. Annual report on Indians served by Social Security Act health benefit programs.
Sec. 210. Development of recommendations to improve interstate coordination of Medicaid and SCHIP coverage of Indian children and other children who are outside of their State of residency because of educational or other needs.
Sec. 211. Establishment of National Child Welfare Resource Center for Tribes.
Sec. 212. Adjustment to the Medicare Advantage stabilization fund.
Sec. 213. Moratorium on implementation of changes to case management and targeted case management payment requirements under Medicaid.
Sec. 214. Increased civil money penalties and criminal fines for Medicare fraud and abuse.
Sec. 215. Increased sentences for felonies involving Medicare fraud and abuse.

TITLE III—MISCELLANEOUS

Sec. 301. Resolution of apology to Native Peoples of United States.

TITLE I—AMENDMENTS TO INDIAN LAWS **SEC. 101. INDIAN HEALTH CARE IMPROVEMENT ACT AMENDED.**

The Indian Health Care Improvement Act (25 U.S.C. 1601 et seq.) is amended to read as follows:

“SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

“(a) SHORT TITLE.—This Act may be cited as the ‘Indian Health Care Improvement Act’.

“(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

“Sec. 1. Short title; table of contents.
“Sec. 2. Findings.
“Sec. 3. Declaration of national Indian health policy.
“Sec. 4. Definitions.
“**TITLE I—INDIAN HEALTH, HUMAN RESOURCES, AND DEVELOPMENT**
“Sec. 101. Purpose.
“Sec. 102. Health professions recruitment program for Indians.
“Sec. 103. Health professions preparatory scholarship program for Indians.
“Sec. 104. Indian health professions scholarships.
“Sec. 105. American Indians Into Psychology Program.
“Sec. 106. Scholarship programs for Indian Tribes.
“Sec. 107. Indian Health Service extern programs.
“Sec. 108. Continuing education allowances.
“Sec. 109. Community Health Representative Program.
“Sec. 110. Indian Health Service Loan Repayment Program.
“Sec. 111. Scholarship and Loan Repayment Recovery Fund.
“Sec. 112. Recruitment activities.
“Sec. 113. Indian recruitment and retention program.
“Sec. 114. Advanced training and research.
“Sec. 115. Quentin N. Burdick American Indians Into Nursing Program.
“Sec. 116. Tribal cultural orientation.
“Sec. 117. INMED Program.
“Sec. 118. Health training programs of community colleges.
“Sec. 119. Retention bonus.
“Sec. 120. Nursing residency program.
“Sec. 121. Community Health Aide Program.
“Sec. 122. Tribal Health Program administration.
“Sec. 123. Health professional chronic shortage demonstration programs.
“Sec. 124. National Health Service Corps.
“Sec. 125. Substance abuse counselor educational curricula demonstration programs.
“Sec. 126. Behavioral health training and community education programs.
“Sec. 127. Authorization of appropriations.
“**TITLE II—HEALTH SERVICES**

“Sec. 201. Indian Health Care Improvement Fund.
“Sec. 202. Catastrophic Health Emergency Fund.
“Sec. 203. Health promotion and disease prevention services.
“Sec. 204. Diabetes prevention, treatment, and control.
“Sec. 205. Shared services for long-term care.
“Sec. 206. Health services research.
“Sec. 207. Mammography and other cancer screening.
“Sec. 208. Patient travel costs.
“Sec. 209. Epidemiology centers.
“Sec. 210. Comprehensive school health education programs.
“Sec. 211. Indian youth program.
“Sec. 212. Prevention, control, and elimination of communicable and infectious diseases.
“Sec. 213. Other authority for provision of services.
“Sec. 214. Indian women’s health care.
“Sec. 215. Environmental and nuclear health hazards.
“Sec. 216. Arizona as a contract health service delivery area.