

S. Res. 472. A resolution commending the employees of the Department of Homeland Security, their partners at all levels of government, and the millions of law enforcement, fire service, and emergency medical services personnel, emergency managers, and other emergency response providers nationwide for their dedicated service in protecting the people of the United States and the Nation from acts of terrorism, natural disasters, and other large-scale emergencies; considered and agreed to.

ADDITIONAL COSPONSORS

S. 329

At the request of Mr. CRAPO, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 329, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 335

At the request of Mr. DORGAN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 335, a bill to prohibit the Internal Revenue Service from using private debt collection companies, and for other purposes.

S. 772

At the request of Mr. KOHL, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 772, a bill to amend the Federal antitrust laws to provide expanded coverage and to eliminate exemptions from such laws that are contrary to the public interest with respect to railroads.

S. 988

At the request of Ms. MIKULSKI, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 988, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 2002

At the request of Mr. HATCH, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 2002, a bill to amend the Internal Revenue Code of 1986 to simplify certain provisions applicable to real estate investment trusts, and for other purposes.

S. 2004

At the request of Mrs. MURRAY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2004, a bill to amend title 38, United States Code, to establish epilepsy centers of excellence in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 2060

At the request of Mr. FEINGOLD, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 2060, a bill to amend the Elementary and Secondary Education Act of 1965 to establish a Volunteer Teacher Advisory Committee.

S. 2099

At the request of Mr. SALAZAR, the name of the Senator from South Da-

kota (Mr. JOHNSON) was added as a cosponsor of S. 2099, a bill to amend title XVIII of the Social Security Act to repeal the Medicare competitive bidding project for clinical laboratory services.

S. 2119

At the request of Mr. JOHNSON, the names of the Senator from Montana (Mr. TESTER) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 2119, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 2161

At the request of Mr. JOHNSON, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2161, a bill to ensure and foster continued patient safety and quality of care by making the antitrust laws apply to negotiations between groups of independent pharmacies and health plans and health insurance issuers (including health plans under parts C and D of the Medicare Program) in the same manner as such laws apply to protected activities under the National Labor Relations Act.

S. 2419

At the request of Mr. KENNEDY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2419, a bill to permit employees to request, and to ensure employers consider requests for, flexible work terms and conditions, and for other purposes.

S. 2544

At the request of Mr. KENNEDY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 2544, a bill to provide for a program of temporary extended unemployment compensation.

S. 2580

At the request of Mr. BROWN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 2580, a bill to amend the Higher Education Act of 1965 to improve the participation in higher education of, and to increase opportunities in employment for, residents of rural areas.

S. 2606

At the request of Mr. DODD, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2606, a bill to reauthorize the United States Fire Administration, and for other purposes.

S. 2639

At the request of Mr. JOHNSON, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 2639, a bill to amend title 38, United States Code, to provide for an assured adequate level of funding for veterans health care.

S. 2643

At the request of Mr. CARPER, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 2643, a bill to amend the Clean Air Act to require the Administrator of the

Environmental Protection Agency to promulgate regulations to control hazardous air pollutant emissions from electric utility steam generating units.

S. 2663

At the request of Mr. SALAZAR, his name was added as a cosponsor of S. 2663, a bill to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of non-compliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

S. 2668

At the request of Mr. KERRY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2668, a bill to amend the Internal Revenue Code of 1986 to remove cell phones from listed property under section 280F.

S. 2678

At the request of Mrs. McCASKILL, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 2678, a bill to clarify the law and ensure that children born to United States citizens while serving overseas in the military are eligible to become President.

S. RES. 390

At the request of Mr. KOHL, the names of the Senator from New York (Mr. SCHUMER) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Res. 390, a resolution designating March 11, 2008, as National Funeral Director and Mortician Recognition Day.

S. RES. 445

At the request of Ms. COLLINS, her name was added as a cosponsor of S. Res. 445, a resolution expressing the sense of the Senate on the assassination of former Prime Minister of Pakistan Benazir Bhutto, and the political crisis in Pakistan.

S. RES. 455

At the request of Mr. GRASSLEY, his name was added as a cosponsor of S. Res. 455, a resolution calling for peace in Darfur.

At the request of Mr. DURBIN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. Res. 455, supra.

S. RES. 459

At the request of Mr. LUGAR, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. Res. 459, a resolution expressing the strong support of the Senate for the North Atlantic Treaty Organization to extend invitations for membership to Albania, Croatia, and Macedonia at the April 2008 Bucharest Summit, and for other purposes.

AMENDMENT NO. 4085

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of amendment No. 4085 intended to

be proposed to S. 2663, a bill to reform the Consumer Product Safety Commission to provide greater protection for children's products, to improve the screening of noncompliant consumer products, to improve the effectiveness of consumer product recall programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INOUYE (for himself and Mr. STEVENS):

S. 2688. A bill to improve the protections afforded under Federal law to consumers from contaminated seafood by directing the Secretary of Commerce to establish a program, in coordination with other appropriate Federal agencies, to strengthen activities for ensuring that seafood sold or offered for sale to the public in or affecting interstate commerce is fit for human consumption; to the Committee on Commerce, Science, and Transportation.

Mr. INOUYE. Mr. President, I rise today to introduce the Commercial Seafood Consumer Protection Act. I am joined by Senator STEVENS, the Vice Chairman of the Senate Committee, Science, and Transportation Committee. I thank him for his work on this important issue.

The average American eats approximately 16 pounds of fish and shellfish each year. Given this fact, it is essential that Americans have confidence in the safety and quality of the seafood they consume. Yet just last year, Americans faced news reports of tainted seafood imports reaching their kitchen tables. The Commercial Seafood Consumer Protection Act will help prevent such contaminated seafood from ever reaching the mouths of consumers.

The Commercial Seafood Consumer Protection Act would work to ensure that commercially distributed seafood in the United States is fit for human consumption by strengthening the National Oceanic and Atmospheric Administration's, NOAA, fee-for-service seafood inspection program, SIP. Specifically, the bill would increase the number and capacity of NOAA laboratories that are involved with the SIP under the National Marine Fisheries Service.

The bill would further direct the Secretary of Commerce and the Secretary of Health and Human Services to work together to create an infrastructure that provides a better system for importing safe seafood. This new system would provide a means to inspect foreign facilities, and examine and test imported seafood. It would also provide technical assistance and training to foreign facilities and governments. Additionally, it would also expedite seafood imports from countries that consistently maintain high standards.

The Commercial Seafood Consumer Protection Act is a strong step in protecting the safety and quality of the seafood products Americans consume.

Mr. President, 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. 2688

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Commercial Seafood Consumer Protection Act".

SEC. 2. SEAFOOD SAFETY.

(a) IN GENERAL.—The Secretary of Commerce shall, in coordination with the Secretary of Health and Human Services and other appropriate Federal agencies, establish a program to strengthen Federal activities for ensuring that commercially distributed seafood in the United States meets the food quality and safety requirements of Federal law.

(b) MEMORANDUM OF UNDERSTANDING.—The Secretary of Commerce and the Secretary of Health and Human Services shall enter into an agreement within 180 days after enactment of this Act to strengthen cooperation on seafood safety. The agreement shall include provisions for—

(1) cooperative arrangements for examining and testing seafood imports;

(2) coordination of inspections of foreign facilities;

(3) technical assistance and training of foreign facilities for marine aquaculture, technical assistance for foreign governments concerning United States regulatory requirements, and appropriate information transfer arrangements between the United States and foreign governments;

(4) developing a process for expediting imports of seafood into the United States from foreign countries and exporters that consistently adhere to the highest standards for ensuring seafood safety;

(5) establishing a system to track shipments of seafood in the distribution chain within the United States;

(6) labeling requirements to assure species identity and prevent fraudulent practices;

(7) a process by which officers and employees of the National Oceanic and Atmospheric Administration and National Marine Fisheries Service may be commissioned by the Secretary of Health and Human Services for seafood examinations and investigations conducted under section 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381);

(8) the sharing of information concerning observed non-compliance with United States food requirements domestically and in foreign countries and new regulatory decisions and policies that may affect regulatory outcomes; and

(9) conducting joint training on subjects that affect and strengthen seafood inspection effectiveness by Federal authorities.

SEC. 3. CERTIFIED LABORATORIES.

Within 180 days after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of Health and Human Services, shall increase the number of laboratories certified to the standards of the Food and Drug Administration in the United States and in countries that export seafood to the United States for the purpose of analyzing seafood and ensuring that it complies with Federal law. Such laboratories may include Federal, State, and private facilities. The Secretary of commerce shall publish in the Federal Register a list of certified laboratories, and shall update the list, and publish the updated list, no less frequently than annually.

SEC. 4. NOAA LABORATORIES.

In any fiscal year beginning after the date of enactment of this Act, the Secretary of Commerce may increase the number and capacity of laboratories operated by the National Oceanic and Atmospheric Administration involved in carrying out testing and other activities under this Act to the extent the Secretary determines that increased laboratory capacity is necessary to carry out the provisions of this Act and as provided for in appropriations Acts.

SEC. 5. CONTAMINATED SEAFOOD.

(a) REFUSAL OF ENTRY.—The Secretary of Health and Human Services shall issue an order refusing admission into the United States of all imports of seafood or seafood products originating from a country or exporter if the Secretary determines, on the basis of reliable evidence, that shipments of such seafood or seafood products is not likely to meet the requirements of Federal law.

(b) INCREASED TESTING.—If the Secretary determines, on the basis of reliable evidence that seafood imports originating from a country may not meet the requirements of Federal law, and determines that there is a lack of adequate certified laboratories to provide for the entry of shipments pursuant to section 3, then the Secretary shall order an increase in the percentage of shipments tested of seafood originating from such country to improve detection of potential violations of such requirements.

(c) ALLOWANCE OF INDIVIDUAL SHIPMENTS FROM EXPORTING COUNTRY OR EXPORTER.—Notwithstanding an order under subsection (a) with respect to seafood originating from a country or exporter, the Secretary may permit individual shipments of seafood originating in that country or from that exporter to be admitted into the United States if—

(1) the exporter presents evidence from a laboratory certified by the Secretary that a shipment of seafood meets the requirements of Federal law;

(2) the Secretary, or an entity commissioned to carry out examinations and investigations under section 702(a) of the Federal Food, Cosmetic, and Drug Act (21 U.S.C. 372(a)), has inspected the shipment and has found that the shipment meets the requirements of Federal law.

(d) CANCELLATION OF ORDER.—The Secretary may cancel an order under subsection (a) with respect to seafood exported from a country or exporter if all shipments into the United States under subsection (c) of seafood originating in that country or from that exporter more than 1 year after the date on which the Secretary issued the order have been found, under the procedures described in subsection (c), to meet the requirements of Federal law. If the Secretary determines that an exporter has failed to comply with the requirements of an order under subsection (a), the 1-year period in the preceding sentence shall run from the date of that determination rather than the date on which the order was issued.

(e) RELIABLE EVIDENCE DEFINED.—In this section, the term "reliable evidence" includes—

(1) the detection of failure to meet Federal law requirements under subsection (a) by the Secretary;

(2) the detection of all seafood products that fail to meet Federal law requirements by an entity commissioned to carry out examinations and investigations under section 702(a) of the Federal Food, Cosmetic, and Drug Act (21 U.S.C. 372(a)) or a laboratory certified under subsection (c);

(3) findings from an inspection team formed under section 6; or

(4) the detection by other importing countries of non-compliance of shipments of seafood or seafood products that originate from the exporting country or exporter.