

Medicaid managed care entity, an Indian health care provider that is—

“(A) a Federally-qualified health center that is covered under the Federal Tort Claims Act (28 U.S.C. 1346(b), 2671 et seq.);

“(B) providing health care services pursuant to a contract or compact under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) that are covered under the Federal Tort Claims Act (28 U.S.C. 1346(b), 2671 et seq.); or

“(C) the Indian Health Service providing health care services that are covered under the Federal Tort Claims Act (28 U.S.C. 1346(b), 2671 et seq.);

are deemed to satisfy such requirement.

“(6) DEFINITIONS.—For purposes of this subsection:

“(A) INDIAN HEALTH CARE PROVIDER.—The term ‘Indian health care provider’ means an Indian Health Program or an Urban Indian Organization.

“(B) INDIAN; INDIAN HEALTH PROGRAM; SERVICE; TRIBE; TRIBAL ORGANIZATION; URBAN INDIAN ORGANIZATION.—The terms ‘Indian’, ‘Indian Health Program’, ‘Service’, ‘Tribe’, ‘tribal organization’, ‘Urban Indian Organization’ have the meanings given such terms in section 4 of the Indian Health Care Improvement Act.

“(C) INDIAN MEDICAID MANAGED CARE ENTITY.—The term ‘Indian Medicaid managed care entity’ means a managed care entity that is controlled (within the meaning of the last sentence of section 1903(m)(1)(C)) by the Indian Health Service, a Tribe, Tribal Organization, or Urban Indian Organization, or a consortium, which may be composed of 1 or more Tribes, Tribal Organizations, or Urban Indian Organizations, and which also may include the Service.

“(D) NON-INDIAN MEDICAID MANAGED CARE ENTITY.—The term ‘non-Indian Medicaid managed care entity’ means a managed care entity that is not an Indian Medicaid managed care entity.

“(E) COVERED MEDICAID MANAGED CARE SERVICES.—The term ‘covered Medicaid managed care services’ means, with respect to an individual enrolled with a managed care entity, items and services that are within the scope of items and services for which benefits are available with respect to the individual under the contract between the entity and the State involved.

“(F) MEDICAID MANAGED CARE PROGRAM.—The term ‘Medicaid managed care program’ means a program under sections 1903(m) and 1932 and includes a managed care program operating under a waiver under section 1915(b) or 1115 or otherwise.”.

(b) APPLICATION TO SCHIP.—Section 2107(e)(1) of such Act (42 U.S.C. 1397gg(1)), as amended by section 206(b)(2), is amended by adding at the end the following new subparagraph:

“(H) Subsections (a)(2)(C) and (h) of section 1932.”.

(c) EFFECTIVE DATE.—This section and the amendments made by this section take effect on October 1, 2009.

#### SEC. 209. ANNUAL REPORT ON INDIANS SERVED BY SOCIAL SECURITY ACT HEALTH BENEFIT PROGRAMS.

Section 1139 of the Social Security Act (42 U.S.C. 1320b-9), as amended by the sections 202, 205, and 206, is amended by redesignating subsection (e) as subsection (f), and inserting after subsection (d) the following new subsection:

“(e) ANNUAL REPORT ON INDIANS SERVED BY HEALTH BENEFIT PROGRAMS FUNDED UNDER THIS ACT.—Beginning January 1, 2008, and annually thereafter, the Secretary, acting through the Administrator of the Centers for Medicare & Medicaid Services and the Director of the Indian Health Service, shall submit a report to Congress regarding the en-

rollment and health status of Indians receiving items or services under health benefit programs funded under this Act during the preceding year. Each such report shall include the following:

“(1) The total number of Indians enrolled in, or receiving items or services under, such programs, disaggregated with respect to each such program.

“(2) The number of Indians described in paragraph (1) that also received health benefits under programs funded by the Indian Health Service.

“(3) General information regarding the health status of the Indians described in paragraph (1), disaggregated with respect to specific diseases or conditions and presented in a manner that is consistent with protections for privacy of individually identifiable health information under section 264(c) of the Health Insurance Portability and Accountability Act of 1996.

“(4) A detailed statement of the status of facilities of the Indian Health Service or an Indian Tribe, Tribal Organization, or an Urban Indian Organization with respect to such facilities’ compliance with the applicable conditions and requirements of titles XVIII, XIX, and XXI, and, in the case of title XIX or XXI, under a State plan under such title or under waiver authority, and of the progress being made by such facilities (under plans submitted under section 1880(b), 1911(b) or otherwise) toward the achievement and maintenance of such compliance.

“(5) Such other information as the Secretary determines is appropriate.”.

#### SEC. 210. DEVELOPMENT OF RECOMMENDATIONS TO IMPROVE INTERSTATE COORDINATION OF MEDICAID AND CHIP COVERAGE OF INDIAN CHILDREN AND OTHER CHILDREN WHO ARE OUTSIDE OF THEIR STATE OF RESIDENCY BECAUSE OF EDUCATIONAL OR OTHER NEEDS.

(a) STUDY.—The Secretary shall conduct a study to identify barriers to interstate coordination of enrollment and coverage under the Medicaid program under title XIX of the Social Security Act and the State Children’s Health Insurance Program under title XXI of such Act of children who are eligible for medical assistance or child health assistance under such programs and who, because of educational needs, migration of families, emergency evacuations, or otherwise, frequently change their State of residency or otherwise are temporarily present outside of the State of their residency. Such study shall include an examination of the enrollment and coverage coordination issues faced by Indian children who are eligible for medical assistance or child health assistance under such programs in their State of residence and who temporarily reside in an out-of-State boarding school or peripheral dormitory funded by the Bureau of Indian Affairs.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary, in consultation with directors of State Medicaid programs under title XIX of the Social Security Act and directors of State Children’s Health Insurance Programs under title XXI of such Act, shall submit a report to Congress that contains recommendations for such legislative and administrative actions as the Secretary determines appropriate to address the enrollment and coverage coordination barriers identified through the study required under subsection (a).

#### SEC. 211. ESTABLISHMENT OF NATIONAL CHILD WELFARE RESOURCE CENTER FOR TRIBES.

(a) ESTABLISHMENT.—The Secretary of Health and Human Services shall establish a National Child Welfare Resource Center for Tribes that is—

(1) specifically and exclusively dedicated to meeting the needs of Indian tribes and tribal organizations through the provision of assistance described in subsection (b); and

(2) not part of any existing national child welfare resource center.

(b) ASSISTANCE PROVIDED.—

(1) IN GENERAL.—The National Child Welfare Resource Center for Tribes shall provide information, advice, educational materials, and technical assistance to Indian tribes and tribal organizations with respect to the types of services, administrative functions, data collection, program management, and reporting that are provided for under State plans under parts B and E of title IV of the Social Security Act.

(2) IMPLEMENTATION AUTHORITY.—The Secretary may provide the assistance described in paragraph (1) either directly or through grant or contract with public or private organizations knowledgeable and experienced in the field of Indian tribal affairs and child welfare.

(c) APPROPRIATIONS.—There is appropriated to the Secretary of Health and Human Services, out of any money in the Treasury of the United States not otherwise appropriated, \$1,000,000 for each of fiscal years 2009 through 2013 to carry out the purposes of this section.

#### SEC. 212. ADJUSTMENT TO THE MEDICARE ADVANTAGE STABILIZATION FUND.

Section 1858(e)(2)(A)(i) of the Social Security Act (42 U.S.C. 1395w-27a(e)(2)(A)(i)), as amended by section 110 of the Medicare, Medicaid, and SCHIP Extension Act of 2007 (Public Law 110-173), is amended by striking “\$1,790,000,000” and inserting “\$1,657,000,000”.

**SA 3900.** Mr. SANDERS (for himself, Mr. OBAMA, Ms. CANTWELL, Mr. KERRY, Ms. SNOWE, Ms. COLLINS, Mr. SUNUNU, Mr. MENENDEZ, Mr. LEAHY, Mrs. CLINTON, Mr. KENNEDY, and Mr. DURBIN) proposed an amendment to amendment SA 3899 proposed by Mr. DORGAN (for himself, Ms. MURKOWSKI, Mr. BAUCUS, Mr. KENNEDY, Mr. SMITH, Mr. NELSON of Nebraska, and Mr. SALAZAR) to the bill S. 1200, to amend the Indian Health Care Improvement Act to revise and extend the Act; as follows:

At the end of title II, insert the following:

#### SEC. 2 \_\_\_\_ . LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM.

(a) IN GENERAL.—There are authorized to be appropriated, and there are appropriated, out of any money in the Treasury not otherwise appropriated—

(1) \$400,000,000 (to remain available until expended) for making payments under subsections (a) through (d) of section 2604 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623); and

(2) \$400,000,000 (to remain available until expended) for making payments under section 2604(e) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8623(e)), notwithstanding the designation requirement of section 2602(e) of such Act (42 U.S.C. 8621(e)).

(b) DESIGNATION.—Any amount provided under subsection (a) is designated as an emergency requirement and necessary to meet emergency needs pursuant to subsections (a) and (b) of section 204 of S. Con. Res. 21 (110th Congress), the concurrent resolution on the budget for fiscal year 2008.

#### NOTICE OF HEARING

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland

Security and Governmental Affairs will hold a hearing entitled, "United Nations Development Program in North Korea: A Case Study." In early 2007, reports surfaced of significant management failures in the operations of the United Nations Development Program (UNDP) in North Korea. Several months later, the UNDP took the unprecedented step of suspending its North Korean operations. The Subcommittee's hearing will examine UNDP operations in North Korea, reviewing such issues as inappropriate staffing, inadequate administrative and fiscal controls, inaccessible audits and insufficient whistleblower safeguards. Witnesses for the upcoming hearing will include representatives of the Department of State and the Government Accountability Office. The Subcommittee will also receive a public briefing from representatives of the United Nations. A final witness list will be available Tuesday, January 22, 2008.

The Subcommittee hearing is scheduled for Thursday, January 24, 2008, at 10 a.m., in Room 342 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at 224-9505.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON FINANCE

Mr. DORGAN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, January 22, 2008, 10 a.m., in room 215 of the Dirksen Senate Office Building, in order to conduct a hearing entitled "Strengthening America's Economy: Stimulus That Makes Sense."

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

##### COMMITTEE ON THE JUDICIARY

Mr. DORGAN. 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 on Executive Nominations on Tuesday, January 22, 2008, at 2 p.m. in room SD-226 of the Dirksen Senate Office Building.

*Witness list Kevin J. O'Connor, of Connecticut, to be Associate Attorney General, Department of Justice and Gregory G. Katsas, of Massachusetts, to be Assistant Attorney General, Civil Division, Department of Justice.*

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

#### PRIVILEGES OF THE FLOOR

Mr. BAUCUS. Mr. President, I ask unanimous consent that the following people be allowed privileges of the floor: Susan Hinck, Elise Stein, Mollie Lane, Kayleigh Brown, Michael Bagel, and Emily Schwartz.

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

Mr. DORGAN. Madam President, on behalf of Senator INOUE, I wish to request unanimous consent that Ms. Cheryl Peterson, a public health nurse fellow from the Indian Health Service, who is serving on his staff, be permitted floor privileges for the duration of S. 1200, the Indian health bill.

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

#### NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for 2007 fourth quarter Mass Mailings is Friday, January 25, 2008. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510-7116.

The Public Records office will be open from 9 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office on (202) 224-0322.

#### REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENTS NOS. 110-11, 110-12, AND 110-13

Mr. CASEY. Mr. President, I ask unanimous consent that the Injunction of Secrecy be removed from the following treaties transmitted to the Senate on January 22, 2008, by the President of the United States: Extradition Treaty with Romania and Protocol to the Treaty on Mutual Legal Assistance in Criminal Matters with Romania, Treaty Document No. 110-11; Extradition Treaty with Bulgaria and an Agreement on Certain Aspects of Mutual Legal Assistance in Criminal Matters with Bulgaria, Treaty Document No. 110-12; and International Convention on Control of Harmful Anti-Fouling Systems on Ships, Treaty Document No. 110-13; I further ask that the treaties be considered as having been read the first time; that they be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's messages be printed in the RECORD.

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

The messages of the President are as follows:

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty between the United States of America and Romania (the "Extradition Treaty" or the "Treaty") and the Protocol to the Treaty between the United States of America and Romania on Mutual Legal Assistance in Criminal Matters (the "Protocol"), both signed at Bucharest on September 10, 2007. I also transmit, for the infor-

mation of the Senate, the reports of the Department of State with respect to the Extradition Treaty and Protocol.

The Extradition Treaty would replace the outdated Extradition Treaty between the United States and Romania, signed in Bucharest on July 23, 1924, and the Supplementary Extradition Treaty, signed in Bucharest on November 10, 1936. The Protocol amends the Treaty Between the United States of America and Romania on Mutual Legal Assistance in Criminal Matters, signed in Washington on May 26, 1999 (the "1999 Mutual Legal Assistance Treaty"). Both the Extradition Treaty and the Protocol also fulfill the requirements for bilateral instruments (between the United States and each European Union (EU) Member State) that are contained in the Extradition and Mutual Legal Assistance Agreements between the United States and the EU currently before the Senate.

The Extradition Treaty follows generally the form and content of other extradition treaties recently concluded by the United States. It would replace an outmoded list of extraditable offenses with a modern "dual criminality" approach, which would enable extradition for such offenses as money laundering and other newer offenses not appearing on the list. The Treaty also contains a modernized "political offense" clause, and it provides that neither Party shall refuse extradition based on the citizenship of the person sought. Finally, the new Treaty incorporates a series of procedural improvements to streamline and speed the extradition process. The Protocol primarily serves to amend the 1999 Mutual Legal Assistance Treaty in areas required pursuant to the U.S.-EU Mutual Legal Assistance Agreement, specifically: mutual legal assistance to administrative authorities; expedited transmission of requests; use limitations; identification of bank information; joint investigative teams; and video conferencing.

I recommend that the Senate give early and favorable consideration to the Extradition Treaty and the Protocol, along with the U.S.-EU Extradition and Mutual Legal Assistance Agreements and the other related bilateral instruments between the United States and European Union Member States.

GEORGE W. BUSH.

THE WHITE HOUSE, January 22, 2008.

*To the Senate of the United States:*

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty between the Government of the United States of America and the Government of the Republic of Bulgaria (the "Extradition Treaty" or the "Treaty") and the Agreement on Certain Aspects of Mutual Legal Assistance in Criminal Matters between the Government of the United States of America and the Government of the