

Services be authorized to meet during the session of the Senate on Tuesday, April 1, 2008, at 2:30 p.m., in open session to receive testimony on the current readiness of the Armed Forces 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. DURBIN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 1, 2008, at 2:30 p.m. to hold a closed business meeting.

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

#### SUBCOMMITTEE ON AIRLAND

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 1, 2008, at 9:30 a.m., in open session to receive testimony on the Army's new doctrine (field manual 3-0, operations) 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.

#### SUBCOMMITTEE ON HUMAN RIGHTS AND THE LAW

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate Committee on the Judiciary, Subcommittee on Human Rights and the Law, be authorized to meet during the session of the Senate to conduct a hearing entitled "Rape as a Weapon of War: Accountability for Sexual Violence in Conflict" on Tuesday, April 1, 2008, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building.

#### Witness list

Lisa F. Jackson, Documentary Maker and Director of "The Greatest Silence: Rape in the Congo", New York, NY; Karin Wachter, Acting Gender-Based Violence Senior Technical Advisor, International Rescue Committee, New York, NY; Dr. Kelly Dawn Askin, Senior Legal Officer, Open Society Justice Initiative, New York, NY; Dr. Denis Mukwege, Director, Panzi General Referral Hospital, Bukavu, South Kivu, Democratic Republic of the Congo.

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

#### SUBCOMMITTEE ON STRATEGIC FORCES

Mr. DURBIN. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, April 1, 2008, at 2:30 p.m., in open session to receive testimony on ballistic missile defense 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.

#### DISCHARGE AND REFERRAL—S. 2756

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. 2756, and the bill be referred to the Committee on the Judiciary.

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

#### FINANCIAL LITERACY MONTH

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 495, submitted earlier today by Senator AKAKA.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 495) designating April 2008 as "Financial Literacy Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. AKAKA. Mr. President, it pleases me to once again sponsor a resolution designating April as Financial Literacy Month. I thank the cosponsors of this resolution, Senators ENZI, DODD, STABENOW, LEVIN, SCHUMER, INOUE, MENENDEZ, CRAPO, JOHNSON, CARDIN, LINCOLN, COCHRAN, MARTINEZ, MURRAY, ALLARD, DURBIN, BAUCUS, and FEINSTEIN.

Without a sufficient understanding of economics and personal finance, individuals will not be able to appropriately manage their finances, evaluate credit opportunities, and successfully invest for long-term financial goals in an increasingly complex marketplace. It is essential that we work toward improving education and consumer protection, and empowering individuals through economic and financial literacy in order to build stronger families, businesses, and communities. Now more than ever, it is imperative that education in economics, credit, and personal finance takes center stage. During the past year, we have seen the unscrupulous nature of predatory lenders as they enticed millions of families into complicated loans they could not afford nor understand, and we are now witnessing the results of a faltering housing market that has begun to impact other sectors of the U.S. economy. Rapidly increasing access to credit for Americans was not matched by efforts to ensure they could make sense of the complex agreements they were entering into.

As recent statistics released by the Federal Reserve and the Department of Commerce have shown, consumer debt in America continues to rise. Last year, the total amount of consumer debt topped \$2.5 trillion, of which credit card balances comprise a major portion. Hard-working Americans now spend a record 14 percent of their income just to pay the interest on their accumulated consumer debt. Personal savings rates have been negative for 2

out of the last 3 years, a situation not seen in this country since the Great Depression. In a time of rising costs of energy, higher education, and health care, it is even more challenging for working families to navigate their difficult financial situations.

Furthermore, a study conducted last year by the National Council on Economic Education found that, compared with 2004, even fewer States now require testing knowledge of economics as a requirement for high school graduation. We need to do more to invest in financial literacy now for our young men and women in order to ensure a knowledgeable, prosperous generation of future American leaders who will be able to make decisions that will benefit both their families and our nation.

I thank those organizations and individuals who do their part to ensure the education of personal finance reaches as many Americans as possible, and I applaud their efforts in these times of economic distress.

Taking the month of April to focus our attention on financial literacy will allow us to make steady progress in helping to make Americans more competent with their limited financial resources. I urge my colleagues to join with me in the swift passage of this resolution, and together we can work toward a future where all Americans enjoy the benefits of a financially literate society.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements be printed in the RECORD.

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

The resolution (S. Res. 495) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 495

Whereas the personal savings rate of people in the United States declined from negative 0.5 percent in 2005 to negative 1.0 percent in 2006, making 2005 and 2006 the only years since the Great Depression years of 1932 and 1933 when the savings rate has been negative, and the decline continued in the first month of 2008;

Whereas, in April 2007, a survey on personal finances reported that 25 percent of workers in the United States responded as having "no savings";

Whereas the 2007 Retirement Confidence Survey conducted by the Employee Benefit Research Institute found that only 43 percent of workers or their spouses calculated how much they need to save for retirement, down from 53 percent in 2000;

Whereas consumer debt exceeded \$2,500,000,000,000 in 2007, an increase of 33 percent since 2001;

Whereas household debt reached a record \$13,750,000,000,000 in 2007;

Whereas, during 2007, a near-record high of more than 14 percent of disposable personal income went to paying the interest on personal debt;

Whereas people in the United States are now facing record numbers of homes in foreclosure, and for the first time in history,

they have more total debt than equity in their homes;

Whereas approximately 800,000 families filed for bankruptcy in 2007;

Whereas nearly half of adults in the United States are not aware that they can access their credit reports for free, and 1 in 4 reported having never checked their credit score;

Whereas, in a 2006 survey, the Jump\$tart Coalition for Personal Financial Literacy found that high school seniors scored an average of only 52.4 percent on an exam testing knowledge of basic personal finance;

Whereas approximately 10,000,000 households in the United States do not have accounts at mainstream financial institutions such as banks or credit unions;

Whereas expanding access to the mainstream financial system will provide individuals with less expensive and more secure options for managing their finances and building wealth;

Whereas the 2007 Survey of the States compiled by the National Council on Economic Education found that only 22 States require testing of economics as a high school graduation requirement, 3 fewer States than did so in 2004;

Whereas quality personal financial education is essential to ensure that individuals are prepared to manage money, credit, and debt, and to become responsible workers, heads of households, investors, entrepreneurs, business leaders, and citizens;

Whereas increased financial literacy empowers individuals to make wise financial decisions and reduces the confusion caused by the increasingly complex economy of the United States;

Whereas a greater understanding of, and familiarity with, financial markets and institutions will lead to increased economic activity and growth;

Whereas, in 2003, Congress found it important to coordinate Federal financial literacy efforts and formulate a national strategy; and

Whereas, in light of that finding, Congress passed the Financial Literacy and Education Improvement Act of 2003 (Public Law 108-159; 117 Stat. 2003) establishing the Financial Literacy and Education Commission and designating the Office of Financial Education of the Department of the Treasury to provide support for the Commission: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates April 2008 as “Financial Literacy Month” to raise public awareness about—

(A) the importance of personal financial education in the United States; and

(B) the serious consequences that may result from a lack of understanding about personal finances; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the people of the United States to observe the month with appropriate programs and activities.

#### RYAN HAIGHT ONLINE PHARMACY CONSUMER PROTECTION ACT OF 2007

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 617, S. 980.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 980) to amend the Controlled Substances Act to address online pharmacies.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Ryan Haight Online Pharmacy Consumer Protection Act of 2007”.

#### SEC. 2. REQUIREMENT OF A VALID PRESCRIPTION FOR CONTROLLED SUBSTANCES DISPENSED BY MEANS OF THE INTERNET.

Section 309 of the Controlled Substances Act (21 U.S.C. 829) is amended by adding at the end the following new subsection:

“(e) CONTROLLED SUBSTANCES DISPENSED BY MEANS OF THE INTERNET.—

“(1) No controlled substance may be delivered, distributed, or dispensed by means of the Internet without a valid prescription.

“(2) As used in this subsection:

“(A) The term ‘valid prescription’ means a prescription that is issued for a legitimate medical purpose in the usual course of professional practice by—

“(i) a practitioner who has conducted at least one in-person medical evaluation of the patient; or

“(ii) a covering practitioner.

“(B)(i) The term ‘in-person medical evaluation’ means a medical evaluation that is conducted with the patient in the physical presence of the practitioner, without regard to whether portions of the evaluation are conducted by other health professionals.

“(ii) Nothing in clause (i) shall be construed to imply that one in-person medical evaluation demonstrates that a prescription has been issued for a legitimate medical purpose within the usual course of professional practice.

“(C) The term ‘covering practitioner’ means, with respect to a patient, a practitioner who conducts a medical evaluation (other than an in-person medical evaluation) at the request of a practitioner who—

“(i) has conducted at least one in-person medical evaluation of the patient during the 24-month period ending on the date of that medical evaluation; and

“(ii) is temporarily unavailable to conduct the evaluation of the patient.

“(3) Nothing in this subsection shall apply to—

“(A) the delivery, distribution, or dispensing of a controlled substance by a practitioner engaged in the practice of telemedicine if—

“(i) the telemedicine is being conducted while the patient is being treated by, and physically located in, a hospital or clinic registered under section 303(f), and the practitioner conducting the practice of telemedicine is registered under section 303(f) in the State in which the patient is located and is acting in the usual course of professional practice and in accordance with applicable State law;

“(ii) the telemedicine is being conducted while the patient is being treated by, and in the physical presence of, a practitioner registered under section 303(f) who is acting in the usual course of professional practice, and the practitioner conducting the practice of telemedicine is registered under section 303(f) in the State in which the patient is located and is acting in the usual course of professional practice and in accordance with applicable State law; or

“(iii) the telemedicine is being conducted under any other circumstances that the Attorney General and the Secretary have jointly, by regulation, determined to be consistent with effective controls against diversion and otherwise consistent with the public health and safety; or

“(B) the dispensing or selling of a controlled substance pursuant to practices as determined by the Attorney General by regulation, which shall be consistent with effective controls against diversion.”.

#### SEC. 3. AMENDMENTS TO THE CONTROLLED SUBSTANCES ACT RELATING TO THE DELIVERY OF CONTROLLED SUBSTANCES BY MEANS OF THE INTERNET.

(a) IN GENERAL.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended by adding at the end the following:

“(50) The term ‘Internet’ means collectively the myriad of computer and telecommunications facilities, including equipment and operating software, which comprise the interconnected worldwide network of networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor protocol to such protocol, to communicate information of all kinds by wire or radio.

“(51) The term ‘deliver, distribute, or dispense by means of the Internet’ refers, respectively, to any delivery, distribution, or dispensing of a controlled substance that is caused or facilitated by means of the Internet.

“(52) The term ‘online pharmacy’—

“(A) means a person, entity, or Internet site, whether in the United States or abroad, that knowingly or intentionally delivers, distributes, or dispenses, or offers or attempts to deliver, distribute, or dispense, a controlled substance by means of the Internet; and

“(B) does not include—

“(i) manufacturers or distributors registered under subsection (a), (b), (c), or (d) of section 303 who do not dispense controlled substances to an unregistered individual or entity;

“(ii) nonpharmacy practitioners who are registered under section 303(f) and whose activities are authorized by that registration;

“(iii) mere advertisements that do not attempt to facilitate an actual transaction involving a controlled substance; or

“(iv) a person, entity, or Internet site which is not in the United States and does not facilitate the delivery, distribution, or dispensing of a controlled substance by means of the Internet to any person in the United States.

“(53) The term ‘homepage’ means the opening or main page or screen of the website of an online pharmacy that is viewable on the Internet.

“(54) The term ‘practice of telemedicine’ means the practice of medicine in accordance with applicable Federal and State laws by a practitioner (other than a pharmacist) who is at a location remote from the patient and is communicating with the patient, or health care professional who is treating the patient, using a telecommunications system referred to in section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)).”.

(b) REGISTRATION REQUIREMENTS.—Section 303 of the Controlled Substances Act (21 U.S.C. 823) is amended by adding at the end the following new subsection:

“(i) DISPENSER OF CONTROLLED SUBSTANCES BY MEANS OF THE INTERNET.—(1) An online pharmacy shall obtain a registration specifically authorizing such activity, in accordance with regulations promulgated by the Attorney General. In determining whether to grant an application for such registration, the Attorney General shall apply the factors set forth in subsection (f).

“(2) Registration under this subsection shall be in addition to, and not in lieu of, registration under subsection (f).

“(3) This subsection does not apply to pharmacies that merely advertise by means of the Internet but do not attempt to facilitate an actual transaction involving a controlled substance by means of the Internet.”.

(c) REPORTING REQUIREMENTS.—Section 307(d) of the Controlled Substances Act (21 U.S.C. 827(d)) is amended by—

(1) designating the text as paragraph (1); and

(2) inserting after paragraph (1), as so designated by this Act, the following new paragraph:

“(2) A pharmacy registered under section 303(i) shall report to the Attorney General the