

complicated and wide-ranging, and we must provide all possible assistance. I am working with VA Secretary James Peake to ensure that VA is forthright about the numbers of suicides and attempted suicides among veterans. Solid and reliable information is critical to our understanding of the issues. Prevention of suicide is a vitally important mission.

A growing number of veterans are in need of mental health care. VA's Special Committee on Post-Traumatic Stress Disorder advised in its 2006 formal report that virtually all returning servicemembers face readjustment issues. An assessment of mental health problems among returning soldiers, recently published in the *Journal of the American Medical Association* in November, 2007, found that 42.4 percent of National Guard and reservists screened by the Department of Defense required mental health treatment.

Additionally, a March 2007 study published in the *Archives of Internal Medicine* reported that more than one-third of war veterans who have served in either Iraq or Afghanistan suffer from various mental ailments, including post-traumatic stress disorder, anxiety, depression, substance use disorder and other problems. A RAND study released in April 2008, emphasized the high risks of PTSD and depression, especially among servicemembers sent on multiple deployments, and among National Guard and reservists.

Further, the RAND study found that the stigma associated with mental health care continues to prevent servicemembers and veterans from accessing care. VA and the Department of Defense must redouble their efforts to ensure that receiving mental health care does not harm one's career. No individual is immune to the risk of mental health problems, and all must have the opportunity to receive care.

On April 25, 2007, the Committee on Veterans' Affairs held a hearing on veterans' mental health concerns, and on VA's response. We heard heart-wrenching testimony from the witnesses.

The provisions of this bill are a direct outgrowth of that hearing and the testimony given by those who have suffered with mental health issues, and by their family members. Earlier versions of the provisions included in this bill were also discussed at a legislative hearing on October 24, 2007.

This bill represents a bi-partisan approach, and is cosponsored by Senators BURR, ROCKEFELLER, MIKULSKI, BINGAMAN, ENSIGN, SMITH, COLLINS, CLINTON, DOLE, and SESSIONS. It is a tribute to Justin Bailey, a veteran of Operation Iraqi Freedom, who died in a VA domiciliary facility while receiving care for PTSD and a substance use disorder. This was a tragedy that will live on with Justin's parents, who have so courageously advocated for improvements to VA mental health care.

Provisions included in this legislative package stem from bills which have all been reported favorably by the

Senate Committee on Veterans' Affairs, including: S. 1233 as reported on August 29, 2007; and S. 2004, S. 2142, S. 2160, and S. 2162, as ordered reported on November 14, 2007.

I will briefly outline other provisions in S. 2162, as amended.

As I mentioned, the legislation would make sweeping changes to VA mental health treatment and research. Most notably, it would ensure a minimum level of substance use disorder care for veterans in need. It would also require VA to improve treatment of veterans with multiple disorders, such as PTSD and substance use disorder. To ascertain if VA's residential mental health facilities are appropriately staffed, this bill would mandate a review of such facilities. It would also create a vital research program on PTSD and Substance Use Disorders, in cooperation with, and building on the work of, the National Center for PTSD.

Veterans with physical and mental wounds often turn to drugs and alcohol to ease their pain. Experts believe that stress is the primary cause of drug abuse, and of relapse to drug abuse. Research by Sinha, Fuse, Aubin and O'Malley in *Psychopharmacology*, 2000, and by Brewer et al. in *Addiction*, 1998, has found that patients with psychological trauma, including PTSD, are often susceptible to alcohol and drug abuse. Similarly, according to the National Institute on Drug Abuse, patients subjected to chronic stress, as experienced by those with PTSD, are prone to drug use. VA has long dealt with substance abuse issues, but there is much more than can be done. This legislation would provide a number of solutions to enhance substance use disorder treatment.

The inclusion of families in mental health treatment is vital. To this end, the bill would fully authorize VA to provide mental health services to families of veterans and would set up a program to help veterans and families transition to civilian life.

Beneficiary travel reimbursements are essential to improving access to VA health care for veterans in rural areas. This legislation would increase the beneficiary travel mileage reimbursement rate from 11 cents per mile to 28.5 cents per mile, and permanently set the deductible to the 2007 amount of \$3 each way.

It is important that veterans who rely on VA for their health care have access to emergency care. This bill would make corrections to the procedure used by VA to reimburse community hospitals for emergency care provided to eligible veterans so as to ensure that both veterans and community hospitals are not inappropriately burdened by emergency care costs.

Too often, veterans suffer from lack of care merely because they are unaware of the services available to them. This legislation would enhance outreach and accessibility by creating a pilot program on the use of peers to help reach out to veterans. It would

also encourage improved accessibility for mental health care in rural areas.

The legislation also addresses homelessness, which is far too prevalent in the veteran population. The bill would create targeted programs to provide assistance for low-income veteran families. It would also allow homeless service providers to receive VA funds without offsetting other sources of income and require that facilities which furnish services to homeless veterans are able to meet the needs of women veterans.

The committee heard testimony that epilepsy is often associated with traumatic brain injury, the injury that many are calling the signature wound of the current conflicts. This suggests a strong need to improve VA's effectiveness in dealing with epilepsy. The pending legislation would establish six VA epilepsy centers of excellence, which will focus on research, education, and clinical care activities in the diagnosis and treatment of epilepsy. These centers would restore VA to the position of leadership it once held in epilepsy research and treatment.

The medical community has made impressive advances in pain care and management, but VA has lagged behind in implementing a standardized policy for dealing with pain. The bill includes a provision that would establish a pain care program at all inpatient facilities, to prevent long-term chronic pain disability. It also provides for education for VA's health care workers on pain assessment and treatment, and would require VA to expand research on pain care.

I urge all of my colleagues to support S. 2162, as amended. It has the potential to bring relief and support to tens of thousands of veterans and their families across the country.

Mrs. BOXER. Mr. President, I ask unanimous consent that the committee substitute amendment be withdrawn, the Akaka-Burr substitute amendment which is at the desk be agreed to; the bill, as amended, be read a third time and passed; the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

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

The amendment (No. 4824) was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (S. 2162), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

PROVIDING FOR CERTAIN FEDERAL EMPLOYEE BENEFITS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Rules Committee be discharged from further consideration of S. 2967 and that the Senate then proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2967) to provide for certain Federal employee benefits to be continued for certain employees of the Senate Restaurants after operations of the Senate Restaurants are contracted to be performed by a private business concern, and for other purposes.

Mrs. BOXER. Mr. President, I ask unanimous consent that the bill be read three times, passed, the motions to reconsider be laid upon the table, and that any statements be printed in the RECORD.

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

The bill (S. 2967) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 2967

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

SECTION 1. CONTINUED BENEFITS FOR CERTAIN SENATE RESTAURANTS EMPLOYEES.

(a) DEFINITIONS.—In this section:

(1) CONTRACTOR.—The term “contractor” means the private business concern that enters into a food services contract with the Architect of the Capitol.

(2) COVERED INDIVIDUAL.—The term “covered individual” means any individual who—

(A) is a Senate Restaurants employee who is an employee of the Architect of the Capitol on the date of enactment of this Act, including—

(i) a permanent, full-time or part-time employee;

(ii) a temporary, full-time or part-time employee; and

(iii) an employee in a position described under the second or third provisos under the subheading “SENATE OFFICE BUILDINGS” under the heading “CAPITOL BUILDINGS AND GROUNDS” under the heading “ARCHITECT OF THE CAPITOL” in the Legislative Branch Appropriations Act, 1972 (2 U.S.C. 2048);

(B) becomes an employee of the contractor under a food services contract on the transfer date; and

(C) with respect to benefits under subsection (c)(2) or (3), files an election before the transfer date with the Office of Human Resources of the Architect of the Capitol to have 1 or more benefits continued in accordance with this section.

(3) FOOD SERVICES CONTRACT.—The term “food services contract” means a contract under which food services operations of the Senate Restaurants are transferred to, and performed by, a private business concern.

(4) TRANSFER DATE.—The term “transfer date” means the date on which a contractor begins the performance of food services operations under a food services contract.

(b) ELECTION OF COVERAGE.—

(1) IN GENERAL.—

(A) RETIREMENT COVERAGE.—Not later than the day before the transfer date, an individual described under subsection (a)(2)(A) and (B) may file an election with the Office of Human Resources of the Architect of the Capitol to continue coverage under the retirement system under which that individual is covered on that day.

(B) LIFE AND HEALTH INSURANCE COVERAGE.—If the individual files an election under subparagraph (A) to continue retirement coverage, the individual may also file an election with the Office of Human Resources of the Architect of the Capitol to continue coverage of any other benefit under

subsection (c)(2) or (3) for which that individual is covered on that day. Any election under this subparagraph shall be filed not later than the day before the transfer date.

(2) NOTIFICATION TO THE OFFICE OF PERSONNEL MANAGEMENT.—The Office of Human Resources of the Architect of the Capitol shall provide timely notification to the Office of Personnel Management of any election filed under paragraph (1).

(c) CONTINUITY OF BENEFITS.—

(1) PAY.—The rate of basic pay of a covered individual as an employee of a contractor, or successor contractor, during a period of continuous service may not be reduced to a rate less than the rate of basic pay paid to that individual as an employee of the Architect of the Capitol on the day before the transfer date, except for cause.

(2) RETIREMENT AND LIFE INSURANCE BENEFITS.—

(A) IN GENERAL.—For purposes of chapters 83, 84, and 87 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) the rate of basic pay of the covered individual during the period described under clause (i) shall be deemed to be the rate of basic pay of that individual as an employee of the Architect of the Capitol on the date on which the Architect of the Capitol enters into the food services contract.

(B) TREATMENT AS CIVIL SERVICE RETIREMENT OFFSET EMPLOYEES.—In the case of a covered individual who on the day before the transfer date is subject to subchapter III of chapter 83 of title 5, United States Code, but whose employment with the Architect of the Capitol is not employment for purposes of title II of the Social Security Act and chapter 21 of the Internal Revenue Code of 1986—

(i) the employment described under subparagraph (A)(i) shall, for purposes of subchapter III of chapter 83 of title 5, United States Code, be deemed to be—

(I) employment of an individual described under section 8402(b)(2) of title 5, United States Code; and

(II) Federal service as defined under section 8349(c) of title 5, United States Code; and

(ii) the basic pay described under subparagraph (A)(ii) for employment described under subparagraph (A)(i) shall be deemed to be Federal wages as defined under section 8334(k)(2)(C)(i) of title 5, United States Code.

(3) HEALTH INSURANCE BENEFITS.—For purposes of chapters 89, 89A, and 89B of title 5, United States Code, any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol.

(4) LEAVE.—

(A) CREDIT OF LEAVE.—Subject to section 6304 of title 5, United States Code, annual and sick leave balances of any covered individual shall be credited to the leave accounts of that individual as an employee of the contractor, or any successor contractor. A food services contract may include provisions similar to regulations prescribed under section 6308 of title 5, United States Code, to implement this subparagraph.

(B) ACCRUAL RATE.—During any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, that individual shall continue to accrue annual and sick leave at rates not less than the rates applicable to that individual on the day before the transfer date.

(C) TECHNICAL AND CONFORMING AMENDMENT.—The second and third provisos under the subheading “SENATE OFFICE BUILDINGS” under the heading “CAPITOL BUILDINGS AND GROUNDS” under the heading “ARCHITECT OF THE CAPITOL” in the Legislative Branch Appropriations Act, 1972 (2 U.S.C. 2048) are repealed.

(5) TRANSIT SUBSIDY.—For purposes of any benefit under section 7905 of title 5, United States Code, any period of continuous service performed by a covered individual as an employee of a contractor, or successor contractor, shall be deemed to be a period of service as an employee of the Architect of the Capitol.

(6) EMPLOYEE PAY; GOVERNMENT CONTRIBUTIONS; TRANSIT SUBSIDY PAYMENTS; AND OTHER BENEFITS.—

(A) PAYMENT BY CONTRACTOR.—A contractor, or any successor to the contractor, shall pay—

(i) the pay of a covered individual as an employee of a contractor, or successor contractor, during a period of continuous service;

(ii) Government contributions for the benefits of a covered individual under paragraph (2) or (3);

(iii) any transit subsidy for a covered individual under paragraph (5); and

(iv) any payment for any other benefit for a covered individual in accordance with a food services contract.

(B) REIMBURSEMENTS AND PAYMENTS BY ARCHITECT OF THE CAPITOL.—From appropriations made available to the Architect of the Capitol under the heading “SENATE OFFICE BUILDINGS” under the heading “ARCHITECT OF THE CAPITOL”, the Architect of the Capitol shall—

(i) reimburse a contractor, or any successor contractor, for that portion of any payment under subparagraph (A) which the Architect of the Capitol agreed to pay under a food services contract; and

(ii) pay a contractor, or any successor contractor, for any administrative fee (or portion of an administrative fee) which the Architect of the Capitol agreed to pay under a food services contract.

(7) REGULATIONS.—

(A) OFFICE OF PERSONNEL MANAGEMENT.—

(i) IN GENERAL.—After consultation with the Architect of the Capitol, the Director of the Office of Personnel Management shall prescribe regulations to provide for the continuity of benefits under paragraphs (2) and (3).

(ii) CONTENTS.—Regulations under this subparagraph shall—

(I) include regulations relating to employee deductions and employee and employer contributions and deposits in the Civil Service Retirement and Disability Fund, the Employees’ Life Insurance Fund, and the Employees Health Benefits Fund; and

(II) provide for the Architect of the Capitol to perform employer administrative functions necessary to ensure administration of continued coverage of benefits under paragraphs (2) and (3), including receipt and transmission of the deductions, contributions, and deposits described under subclause (I), the collection and transmission of such information as necessary, and the performance of other administrative functions as may be required.

(B) THRIFT SAVINGS PLAN BENEFITS.—After consultation with the Architect of the Capitol, the Executive Director appointed by the Federal Retirement Thrift Investment Board under section 8474(a) of title 5, United States Code, shall prescribe regulations to provide

for the continuity of benefits under paragraph (2) of this subsection relating to subchapter III of chapter 84 of that title. Regulations under this subparagraph shall include regulations relating to employee deductions and employee and employer contributions and deposits in the Thrift Savings Fund.

(d) COVERED INDIVIDUALS NOT ENTITLED TO SEVERANCE PAY.—

(1) IN GENERAL.—Except as provided under paragraph (2), a covered individual shall not be entitled to severance pay under section 5595 of title 5, United States Code, by reason of—

(A) separation from service with the Architect of the Capitol and becoming an employee of a contractor under a food services contract; or

(B) termination of employment with a contractor, or successor to a contractor.

(2) SEPARATION DURING 90-DAY PERIOD.—

(A) IN GENERAL.—

(i) COVERED INDIVIDUALS.—Except as provided under clause (ii), a covered individual shall be entitled to severance pay under section 5595 of title 5, United States Code, if during the 90-day period following the transfer date the employment of that individual with a contractor is terminated as provided under a food services contract.

(ii) EXCEPTION.—Clause (i) shall not apply to a covered individual who is terminated for cause.

(B) TREATMENT.—For purposes of section 5595 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual described under subparagraph (A) as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual described under subparagraph (A) with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(e) VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

(1) SUBMISSION OF PLAN.—Not later than 30 days after the date of enactment of this Act, the Architect of the Capitol shall submit a plan under section 210 of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 60q) to the applicable committees as provided under that section.

(2) PLAN.—

(A) IN GENERAL.—Notwithstanding section 210(e) of the Legislative Branch Appropriations Act, 2005 (2 U.S.C. 60q(e)), the plan submitted under this subsection shall—

(i) offer a voluntary separation incentive payment to any employee described under subsection (a)(2)(A) of this section in accordance with section 210 of that Act; and

(ii) offer such a payment to any such employee who becomes a covered individual, if that individual accepts the offer during the 90-day period following the transfer date.

(B) TREATMENT OF COVERED INDIVIDUALS.—For purposes of the plan under this subsection—

(i) any period of continuous service performed by a covered individual as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(f) EARLY RETIREMENT TREATMENT FOR CERTAIN SEPARATED EMPLOYEES.—

(1) IN GENERAL.—This subsection applies to—

(A) an employee of the Senate Restaurants of the Office of the Architect of the Capitol who—

(i) voluntarily separates from service on or after the date of enactment of this Act, but prior to the day before the transfer date; and

(ii) on such date of separation—

(I) has completed 25 years of service as defined under section 8331(12) or 8401(26) of title 5, United States Code; or

(II) has completed 20 years of such service and is at least 50 years of age; and

(B) except as provided under paragraph (2), a covered individual—

(i) whose employment with a contractor is terminated as provided under a food services contract during the 90-day period following the transfer date; and

(ii) on the date of such termination—

(I) has completed 25 years of service as defined under section 8331(12) or 8401(26) of title 5, United States Code; or

(II) has completed 20 years of such service and is at least 50 years of age.

(2) EXCEPTION.—Paragraph (1)(B) shall not apply to a covered individual who is terminated for cause.

(3) TREATMENT.—

(A) ANNUITY.—Notwithstanding any provision of chapter 83 or 84 of title 5, United States Code, an employee described under paragraph (1) is entitled to an annuity which shall be computed consistent with the provisions of law applicable to annuities under section 8336(d) or 8414(b) of title 5, United States Code.

(B) SEPARATION DURING 90-DAY PERIOD.—For purposes of chapter 83 or 84 of title 5, United States Code—

(i) any period of continuous service performed by a covered individual described under paragraphs (1)(B) and (2) as an employee of a contractor shall be deemed to be a period of service as an employee of the Architect of the Capitol; and

(ii) any termination of employment of a covered individual described under paragraphs (1)(B) and (2) with a contractor shall be treated as a separation from service with the Architect of the Capitol.

(g) CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(1) EMPLOYEES OF THE ARCHITECT OF THE CAPITOL.—Section 101(5) of the Congressional Accountability Act of 1995 (2 U.S.C. 1301(5)) is amended by striking “, the Botanic Garden, or the Senate Restaurant” and inserting “or the Botanic Garden”.

(2) DISABILITIES.—Section 210(a)(7) of the Congressional Accountability Act of 1995 (2 U.S.C. 1331(a)(7)) is amended by striking “the Senate Restaurants and the Botanic Garden” and inserting “the Botanic Garden”.

(3) CONTINUING APPLICATION TO CERTAIN ACTS AND OMISSIONS.—For purposes of the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) a covered individual shall be treated as an employee of the Architect of the Capitol with respect to any act or omission which occurred before the transfer date.

(h) DEPOSIT OF COMMISSIONS.—

(1) SENATE RESTAURANTS FOOD SERVICES CONTRACT.—Any commissions paid by a contractor under a food services contract shall be deposited in the miscellaneous items account within the contingent fund of the Senate.

(2) USE OF FUNDS.—Any funds deposited under paragraph (1) shall be available for expenditure in the same manner as funds appropriated into that account.

(i) EFFECTIVE DATE.—This Act shall take effect on the date of enactment of this Act and apply to the remainder of the fiscal year in which enacted and each fiscal year thereafter.

REGARDING STATEMENTS MADE BY THE GOVERNMENT OF THE RUSSIAN FEDERATION THAT UNDERMINE THE REPUBLIC OF GEORGIA

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 741, S. Res. 550.

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

The legislative clerk read as follows:

A resolution (S. Res. 550) expressing the sense of the Senate regarding provocative and dangerous statements made by the government of the Russian Federation that undermine the territorial integrity of the Republic of Georgia.

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

Mrs. BOXER. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, with no intervening action or debate, and that any statements related to the resolution be printed in the RECORD.

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

The resolution (S. Res. 550) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 550

Whereas, since 1993, the territorial integrity of the Republic of Georgia has been reaffirmed by the international community and 32 United Nations Security Council resolutions;

Whereas the Government of the Republic of Georgia has pursued with good faith the peaceful resolution of territorial conflicts in the regions of Abkhazia and South Ossetia since the end of hostilities in 1993;

Whereas President of Georgia Mikheil Saakashvili has offered a clear plan for resolving the conflict in Abkhazia and securing legitimate interests of the Abkhaz and South Ossetian people within a unified Georgia;

Whereas, for several years, the Government of Russia has engaged in an ongoing process of usurping the sovereignty of Georgia in Abkhazia and South Ossetia by awarding subsidies, the right to vote in elections in Russia, and Russian passports to people living in those regions;

Whereas the announcement of the Government of the Russian Federation that it will establish “official ties” with the breakaway regions of Abkhazia and South Ossetia and further involve itself in aspects of their government appears to be a thinly veiled attempt at annexation;

Whereas the statements and counter-productive behavior of the Government of the Russian Federation in these regions has undermined the peace and security of those regions, the Republic of Georgia, and the region as a whole; and

Whereas the consistent effort to undermine the sovereignty of a neighbor is incompatible with the role of the Russian Federation as one of the world’s leading powers and is inconsistent with the commitments to international peacekeeping made by the Government of the Russian Federation: Now, therefore, be it

Resolved, That the Senate—

(1) condemns recent decisions made by the Government of the Russian Federation to establish “official ties” with the breakaway