MCCASKILL) was added as a cosponsor of S. 3140, a bill to provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

S. 3144

At the request of Mr. BAUCUS, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 3144, a bill to amend part B of title XVIII of the Social Security Act to delay and reform the Medicare competitive acquisition program for purchase of durable medical equipment, prosthetics, orthotics, and supplies.

S.J. RES. 41

At the request of Mr. MCCONNELL, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from Mississippi (Mr. COCHRAN) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S.J. Res. 41, a joint resolution approving the renewal of import restrictions contained in the Burmese Freedom and Democracy Act of 2003.

S. RES. 440

At the request of Mr. BROWN, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Colorado (Mr. SALAZAR), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from North Dakota (Mr. CONRAD) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. Res. 440, a resolution recognizing soil as an essential natural resource, and soils professionals as playing a critical role in managing our Nation's soil resources.

S. RES. 584

At the request of Mr. BINGAMAN, his name was added as a cosponsor of S. Res. 584, a resolution recognizing the historical significance of Juneteenth Independence Day and expressing the sense of the Senate that history should be regarded as a means for understanding the past and solving the challenges of the future.

At the request of Mr. DURBIN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. Res. 584, supra.

AMENDMENT NO. 4979

At the request of Mr. NELSON of Florida, the names of the Senator from New York (Mrs. CLINTON), the Senator from North Dakota (Mr. DORGAN), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Missouri (Mrs. MCCASKILL), the Senator from Arkansas (Mr. PRYOR), the Senator from Oregon (Mr. SMITH) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of amendment No. 4979 intended to be proposed to S. 3001, an original bill to authorize appropriations for fiscal year 2009 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INOUYE (for himself, Mr. STEVENS, Ms. CANTWELL, Ms. SNOWE, and Mr. KERRY):

S. 3160. A bill to reauthorize and amend the National Sea Grant College Program Act, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. INOUYE. 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 order to be printed in the RECORD, as follows:

S. 3160

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 ''National Sea Grant College Program Amendments Act of 2008''.

SEC. 2. REFERENCES

Except as otherwise expressly provided therein, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.).

SEC. 3. FINDINGS AND PURPOSE.

(a) FINDINGS.—Section 202(a) (33 U.S.C. 1121(a)) is amended—

(1) by striking subparagraphs (D) and (E) of paragraph (1) and inserting the following:

''(D) encourage the development of preparation, forecast, analysis, mitigation, response, and recovery systems for coastal hazards;

''(E) understand global environmental processes and their impacts on ocean, coastal, and Great Lakes resources; and'';

(2) by striking ''program of research, education,'' in paragraph (2) and inserting ''program of integrated research, education, extension,''; and

(3) by striking paragraph (6) and inserting the following:

''(6) The National Oceanic and Atmospheric Administration, through the national sea grant college program, offers the most suitable locus and means for such commitment and engagement through the promotion of activities that will result in greater such understanding, assessment, development, management, and conservation of ocean, coastal, and Great Lakes resources. The most cost-effective way to promote such activities is through continued and increased Federal support of the establishment, development, and operation of programs and projects by sea grant colleges, sea grant institutes, and other institutions, including strong collaborations between Administration scientists and research and outreach personnel at academic institutions.''.

(b) PURPOSE.—Section 202(c) (33 U.S.C. 1121(c)) is amended by striking ''to promote research, education, training, and advisory service activities'' and inserting ''to promote integrated research, education, training, and extension services and activities''.

(c) TERMINOLOGY.—Subsections (a) and (b) of section 202 (15 U.S.C. 1121(a) and (b)) are amended by striking ''utilization,'' each place it appears and inserting ''management,''.

SEC. 4. DEFINITIONS.

Section 203 (33 U.S.C. 1122) is amended—

(1) in paragraph (4) by striking ''utilization,'' and inserting ''management,'';

(2) in paragraph (11) by striking ''advisory services'' and inserting ''extension services'';

(3) in each of paragraphs (12) and (13) by striking ''(33 U.S.C. 1126)''; and

(4) by adding at the end the following:

''(17) The term 'regional research and information plan' means a plan developed by one or more sea grant colleges or sea grant institutes that identifies regional priorities.''.

SEC. 5. NATIONAL SEA GRANT COLLEGE PROGRAM.

(a) PROGRAM ELEMENTS.—Section 204(b) (33 U.S.C. 1123(b)) is amended—

(1) by amending in paragraph (1) to read as follows:

''(1) sea grant programs that comprise a national sea grant college program network, including international projects conducted within such programs and regional and national projects conducted among such programs;'';

(2) by amending paragraph (2) to read as follows:

''(2) administration of the national sea grant college program and this title by the national sea grant office and the Administration;''; and

(3) by amending paragraph (4) to read as follows:

''(4) any regional or national strategic investments in fields relating to ocean, coastal, and Great Lakes resources developed in consultation with the Board and with the approval of the sea grant colleges and the sea grant institutes.''.

(b) TECHNICAL CORRECTION.—Section 204(c)(2) (33 U.S.C. 1123(c)(2)) is amended by striking ''Within 6 months of the date of enactment of the National Sea Grant College Program Reauthorization Act of 1998, the'' and inserting ''The''.

(c) FUNCTIONS OF DIRECTOR OF NATIONAL SEA GRANT COLLEGE PROGRAM.—Section 204(d) (33 U.S.C. 1123(d)) is amended—

(1) in paragraph (2)(A), by striking ''long range'';

(2) in paragraph (3)(A)—

(A) by striking ''(A)(i) evaluate'' and inserting ''(A) evaluate and assess'';

(B) by striking ''activities; and'' and inserting ''activities;''; and

(C) by striking clause (ii); and

(3) in paragraph (3)(B)—

(A) by redesignating clauses (ii) through (iv) as clauses (iii) through (v), respectively, and by inserting after clause (i) the following:

''(ii) encourage collaborations among sea grant colleges and sea grant institutes to address regional and national priorities established under subsection (c)(1);''; and

(B) in clause (iii) (as so redesignated) by striking ''encourage'' and inserting ''ensure''.

SEC. 6. PROGRAM OR PROJECT GRANTS AND CONTRACTS.

Section 205 (33 U.S.C. 1124) is amended—

(1) by striking ''States or regions.'' in subsection (a)(2) and inserting ''States, regions, or the Nation.''; and

(2) by striking the matter following paragraph (3) in subsection (b) and inserting the following:

''The total amount that may be provided for grants under this subsection and subsection 208(b) during any fiscal year shall not exceed an amount equal to 5 percent of the total funds appropriated for such year under section 212.''.

SEC. 7. EXTENSION SERVICES BY SEA GRANT COLLEGES AND SEA GRANT INSTITUTES.

Section 207(a) (33 U.S.C. 1126(a)) is amended in each of paragraphs (2)(B) and (3)(B) by striking ''advisory services'' and inserting ''extension services''.

SEC. 8. FELLOWSHIPS.

Section 208(a) (33 U.S.C. 1127) is amended—

(1) by striking ''Not later than 1 year after the date of the enactment of the National Sea Grant College Program Act Amendments of 2002, and every 2 years thereafter,'' in subsection (a) and inserting ''Every 2 years,''; and

(2) by striking ''year.'' in subsection (b) and inserting ''year and is not subject to Federal cost share requirements''.

SEC. 9. NATIONAL SEA GRANT ADVISORY BOARD.

(a) REDESIGNATION OF SEA GRANT REVIEW PANEL AS BOARD.—

(1) REDESIGNATION.—The sea grant review panel established by section 209 of the National Sea Grant College Program Act (33 U.S.C. 1128), as in effect before the date of the enactment of this Act, is redesignated as the National Sea Grant Advisory Board.

(2) MEMBERSHIP NOT AFFECTED.—An individual serving as a member of the sea grant review panel immediately before the enactment of this Act may continue to serve as a member of the National Sea Grant Advisory Board until the expiration of such member's term under section 209(c) of such Act (33 U.S.C. 1128(c).

(3) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to such sea grant review panel is deemed to be a reference to the National Sea Grant Advisory Board.

(4) CONFORMING AMENDMENTS.—

(A) IN GENERAL.—Section 209 (33 U.S.C. 1128) is amended by striking so much as precedes subsection (b) and inserting the following:

''SEC. 209. NATIONAL SEA GRANT ADVISORY BOARD.

''(a) ESTABLISHMENT.—There shall be an independent committee to be known as the National Sea Grant Advisory Board.''.

(B) DEFINITION.—Section 203(9) (33 U.S.C. 1122(9)) is amended to read as follows:

''(9) The term 'Board' means the National Sea Grant Advisory Board established under section 209.'';

(C) OTHER PROVISIONS.—The following provisions are each amended by striking ''panel'' each place it appears and inserting ''Board'':

(i) Section 204 (33 U.S.C. 1123).

(ii) Section 207 (33 U.S.C. 1126).

(iii) Section 209 (33 U.S.C. 1128).

(b) DUTIES.—Section 209(b) (33 U.S.C. 1128(b)) is amended to read as follows:

''(b) DUTIES.—

''(1) IN GENERAL.—The Board shall advise the Secretary and the Director concerning—

''(A) strategies for utilizing the sea grant college program to address the Nation's highest priorities regarding the understanding, assessment, development, management, and conservation of ocean, coastal, and Great Lakes resources;

''(B) the designation of sea grant colleges and sea grant institutes; and

''(C) such other matters as the Secretary refers to the Board for review and advice.

''(2) BIENNIAL REPORT.—The Board shall report to the Congress every two years on the state of the national sea grant college program. The Board shall indicate in each such report the progress made toward meeting the priorities identified in the strategic plan in effect under section 204(c). The Secretary shall make available to the Board such information, personnel, and administrative services and assistance as it may reasonably require to carry out its duties under this title.''.

(c) MEMBERSHIP, TERMS, AND POWERS.—Section 209(c)(1) (33 U.S.C. 1128(c)(1)) is amended—

(1) by inserting ''coastal management,'' after ''resources management,''; and

(2) by striking ''utilization,'' and inserting ''management,''.

(d) EXTENSION OF TERM.—Section 209(c)(2) (33 U.S.C. 1128(c)(2)) is amended to read as follows:

''(2) The term of office of a voting member of the Board shall be 4 years. The Director may extend the term of office of a voting member of the Board once by up to 1 year.''.

(e) ESTABLISHMENT OF SUBCOMMITTEES.—Section 209(c) (33 U.S.C. 1128(c)) is amended by adding at the end the following:

''(8) The Board may establish such subcommittees as are reasonably necessary to carry out its duties under subsection (b). Such subcommittees may include individuals who are not Board members.''.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

Section 212 of the National Sea Grant College Program Act (33 U.S.C. 1131) is amended—

(1) by striking subsection (a)(1) and inserting the following: ''(1) IN GENERAL.—There are authorized to be appropriated to the Secretary to carry out this title—

''(A) $100,000,000 for fiscal year 2009;

''(B) $105,000,000 for fiscal year 2010;

''(C) $110,000,000 for fiscal year 2011;

''(D) $115,000,000 for fiscal year 2012;

''(E) $120,000,000 for fiscal year 2013; and

''(F) $125,000,000 for fiscal year 2014.'';

(2) in subsection (a)(2)—

(A) by striking ''biology and control of zebra mussels and other important aquatic'' in subparagraph (A) and inserting ''biology, prevention, and control of aquatic''; and

(B) by striking ''blooms, including Pfiesteria piscicida; and'' in subparagraph (C) and inserting ''blooms; and'';

(3) in subsection (c)(1) by striking ''rating under section 204(d)(3)(A)'' and inserting ''performance assessments'';

(4) by striking subsection (c)(2) and inserting the following:

''(2) regional or national strategic investments authorized under section 204(b)(4);''.

SEC. 11. REPEAL OF ANNUAL COORDINATION REPORT REQUIREMENT.

Section 9 of the National Sea Grant College Program Act Amendments of 2002 (33 U.S.C. 857-20) is repealed.

By Mr. VOINOVICH:

S. 3162. A bill to amend the Internal Revenue Code of 1986 to provide relief to improve the competitiveness of United States corporations and small businesses, to eliminate tax incentives to move jobs and profits overseas, and for other purposes; to the Committee on Finance.

MR. VOINOVICH. Mr. President, when the Senate reconvenes in January 2009 for the 111th Congress, we will have an historic opportunity, through fundamental tax reform, to transform the U.S. economy in a manner that will make our nation stronger and more prosperous for generations. A number of factors make the 111th Congress the occasion for a perfect storm for the Tax Code. At the beginning of the next Congress, a new President will take office and will be looking to enact major tax changes. At the end, the 2001 and 2003 tax relief will expire, resulting in an unprecedented tax increase on the American people. And in between, the reach of the deeply flawed alternative minimum tax—or AMT—will threaten to hit tens of millions of middle-class Americans unless Congress enacts major tax legislation. Finally, the competitive pressures of a global economy will force us to change our uncompetitive and inefficient methods of business taxation, including one of the highest corporate marginal rates in the world.

I am not proposing today a comprehensive tax reform bill that would touch every part of the Tax Code, but I am introducing legislation that addresses one large piece of tax reform, in the hopes of starting a conversation that will inform policymakers as we develop a more comprehensive reform in the next couple of years. Today, I am introducing the Manufacturing, Assembling, Development, and Export in the USA—or MADE in the USA—Tax Act. The purpose of my legislation is to provide tax relief to improve the competitiveness of U.S. corporations and small businesses and to eliminate incentives that favor foreign competition and encourage companies to move jobs and profits overseas.

A number of factors contribute to a company's decision about where to locate activity and jobs, including wages, workforce skills, transportation costs, and local regulations. But there is no doubt that taxes are an important factor. Recent economic research concludes that in a global economy, workers bear the brunt of higher corporate tax rates, through lower wages and fewer jobs. Therefore, it is imperative that we have a Tax Code that makes the United States an attractive place to locate production, research, and other activity. While the MADE in the USA Tax Act would not address the ''wage pull'' that sends jobs to places like China and India, it would deal with the ''tax push'' that encourages jobs to leave the United States.

The MADE in the USA Tax Act would eliminate tax breaks that encourage companies to move jobs overseas or that benefit foreign competitors and then use that revenue to cut tax rates on large and small businesses that invest and create jobs in the United States. The centerpiece of the legislation is a one-fifth reduction in the Federal corporate rate, to 28 percent from 35 percent. Of the 30 member countries of the Organization for Economic Cooperation and Development—which includes the major industrialized nations of North America, Europe, and Asia—the United States has the second highest combined Federal-State corporate tax rate at 39.3 percent, lower only than Japan's rate of 39.5 percent. The average is 27.6 percent, and Ireland has the lowest rate at 12.5 percent.

Even Communist China, our biggest economic rival in the 21st century, recently cut its corporate tax rate to 25 percent. It will be that much harder to compete with China for jobs and investment when businesses operating in the United States have to pay a tax rate 15 percent higher than they would have to pay in China.

In fact, a constituent of mine from Norwalk, OH, Tom Secor, who owns his

own small business, came to my office and told a story about a business trip he made to China. He said that he saw an editorial in a Chinese newspaper that was discussing all the concerns that Americans have with Chinese competition. The conclusion of the editorial was that the Americans could solve most of their problems with Chinese competition if they would just reform their own Tax Code. Imagine that: even Communist China knows that the United States needs tax reform to stay competitive, but for some reason we refuse to learn that lesson ourselves.

In addition to slashing the corporate rate on U.S. production, my legislation would also take steps to make small businesses more competitive and simplify the tax rules for individuals operating in the global economy. Specifically, my legislation would increase the domestic activities deduction for partnerships, S corporations, and sole proprietorships to 12 percent from 9 percent; make permanent the 2003 expansion in small business expensing; simplify the international tax rules for Americans working abroad by repealing complex and punitive rules enacted in 2006; and repeal the burdensome 3 percent withholding requirement for contractors, also enacted in 2006.

These tax reforms, which will help create high-paying jobs in the United States, will be paid for by repealing a number of existing tax breaks that favor foreign competition and that encourage companies to move jobs and profits overseas. Among those tax breaks I would eliminate are tax shelters that allow foreign competitors to hide their U.S. income offshore, creating an unlevel playing field for domestic businesses such as small manufacturers and domestic insurance companies; tax credits for moving our Nation's technological innovation—such as patents, copyrights, and ''know-how''—overseas, along with the high-wage manufacturing jobs that accompany that intellectual property; tax loopholes that encourage U.S. corporations to reincorporate as foreign corporations; a tax exemption for executives of offshore hedge funds if the executives put their money in certain deferred compensation plans; and tax breaks for foreign oil and gas production.

Reducing the tax rates on corporate and small business income should lead to job creation and wage increases for American workers. Paying for these tax cuts by eliminating tax breaks for foreign production and offshore tax shelters means we can accomplish these goals in a fiscally responsible manner. My legislation is intended to be revenue neutral, as I believe that we can enact progrowth tax policy without increasing the national debt.

In 1984, President Ronald Reagan declared to the American people that the Tax Code was fundamentally unfair and that he was going to reform it. President Reagan held his belief in the unjustness of the Tax Code deep in his heart. He knew that hundreds of targeted tax subsidies for the benefit of powerful interests forced average Americans to pay higher marginal rates and reduced economic growth. He saw tax reform not as a retreat from his 1981 tax relief agenda but, rather, as a logical continuation and enhancement of that agenda. The Tax Reform Act of 1986 was the culmination of the quest he began in 1981 to create a Tax Code with low marginal rates that raised the necessary revenue to fund the government with the least possible interference in our free market economy.

We must enact fundamental tax reform to help make the Tax Code simple, fair, transparent, and economically efficient. According to the President's Advisory Panel on Federal Tax Reform, headed by former Senators Connie Mack and John Breaux, only 13 percent of taxpayers file without the help of either a tax preparer or computer software. Since enacting the Tax Reform Act of 1986—legislation intended to simplify the filing process for taxpayers—over 15,000 provisions have been added to the Internal Revenue Code.

It is not just a matter of saving taxpayers time and effort. This is about saving taxpayers real money. The Tax Foundation has estimated that comprehensive tax reform could save Americans as much as $265 billion in compliance costs associated with preparing their returns. Now, that would be a real tax reduction that wouldn't cost the Treasury one dime.

I have been working on tax reform for years. In 2003, I attached an amendment to the Jobs and Growth Tax Relief Reconciliation Act that would have created a blue ribbon commission to study fundamental tax reform. The amendment was adopted by voice vote but later was removed in conference.

In the autumn of 2004, I offered my tax reform commission amendment again, this time to the American Jobs Creation Act. The Senate again adopted my amendment. During conference negotiations, the White House contacted me and requested that I withdraw my amendment because the President was preparing to take a leadership role by appointing his own tax reform panel. I enthusiastically agreed to defer to his leadership, and I withdrew my amendment. It seemed to me that the tax reform bandwagon was finally starting to roll.

In January 2005, President Bush announced the creation of an all-star panel, led by former Senators Connie Mack and John Breaux, and that panel spent most of the year engaging the American public to develop proposals to make our Tax Code simpler, fairer, and more conducive to economic growth. In November 2005, the panel issued its final report. While not perfect in anyone's mind, the panel's two plans provided a starting point for developing tax reform legislation that would represent a huge improvement over the current system. The panel's proposals belong as a key part of the national discussion on fundamental tax reform.

Some of my colleagues will suggest that we can just increase marginal rates to raise the revenue we need. But in a competitive global economy, I can't understand why we would choose such a self-defeating approach. Higher marginal rates on an already-broken tax system would only discourage economic ingenuity and reduce U.S. competitiveness.

Tinkering with the current Tax Code won't get it done. Tinkering is what got us into this mess in the first place. It is time to rip the Tax Code out by its roots and replace it with something that works. We must create a new tax system that is conducive to job creation and economic growth. We should start by addressing one of the biggest problems with the current code: it rewards moving production activity—and the good-paying jobs that accompany such activity—overseas. It taxes domestic production heavily but taxes foreign production lightly. It imposes the second highest corporate tax rate in the developed world but collects one of the smallest amounts of corporate tax as a share of the economy. Such a system sounds absolutely perverse, but that is what we have in the United States. The MADE in the USA Tax Act is intended to fix that.

I know there is bipartisan support in this Chamber to move forward on fundamental tax reform. It probably won't happen this year, but that doesn't mean that we shouldn't get started right away. We need to start setting the table so that a new President and a new Congress can hit the ground running in 2009 and enact comprehensive tax reform that makes the code simple, fair, and progrowth. I hope my colleagues will take a close look at the MADE in the USA Tax Act and join me in trying to make it a key part of our future efforts.

By Mr. MARTINEZ (for himself and Mr. CORNYN):

S. 3164. A bill to amend tile XVIII of the Social Security Act to reduce fraud under the Medicare program; to the Committee on Finance.

Mr. CORNYN. Mr. President, ''the first important rule of fraud control is: What you see is not the problem. It is what we don't see that really does the damage, and the efficacy of control systems depends upon how well they uncover, and then suppress, the invisible bulk of the problem.'' Such are the words of the preeminent expert on health care fraud, Harvard, Kennedy School of Government Professor, Malcolm Sparrow.

Just last week, the Washington Post ran a front-page article, which I would ask to be entered into the record, ''Medical Fraud a Growing Problem: Medicare Pays Most Claims Without Review.'' The story detailed how one

woman, defrauded the Government out of $105 million using just a laptop while sitting in her Mediterranean-style townhouse.

While the lottery's slogan is ''All you need is a dollar and dream.'' This woman discovered something better. Maybe Medicare should adopt the slogan ''All you need is a Provider Number and a dream.''

Quite simply, Medicare is not sophisticated enough to address the fraud that runs rampant through it. Every year, Medicare's anemic fraud controls let slip by an array of schemes that cost the Medicare program and taxpayers $60 billion, if not more. That is 20 percent of all Medicare spending.

Often, as pointed out by the *Washington Post* article, Medicare pays claims with little or no review as to why or where the checks are going or to whom. One phantom company, comprising nothing more than two rented mailboxes and a phone number was paid $2.1 million over a 6 month period. In another case, the owner of the fraudulent company was an unemployed tow truck operator who used the identities of dozens of dead patients. Again, ''All you need is a Provider Number and a dream.''

Medicare fraud is not limited to one segment of the health care sector. There are numerous examples of fraud conducted by physicians, dentists, health systems, laboratories, teaching hospitals, patients, and billing specialists to name a few. While I would agree that most of these groups are operating on the straight and narrow, the truth remains that the losses associated with Medicare fraud are helping drive the program to bankruptcy.

Unfortunately, conducting Medicare fraud has such a low risk of getting caught and less severe punishment yet high reward that it has even attracted organized crime. Again, ''All you need is a Provider Number and a dream.''

Usually, the only way Medicare is able to recoup a small portion of the annual $60 billion in losses is by expending more resources on investigations and law enforcement activities through the Office of Inspector General and Department of Justice. While these agencies have done a commendable job in combating fraud, to a large extent it is good money chasing bad.

Sometimes systems are set-up to fail. In this case, the Medicare fraud prevention program is not only set-up to fail, it is nearly non-existent.

We need to go from ''pay and chase'' to ''detect and prevent.'' Medicare needs to be mobile and it needs to be focused on preventing criminals from ever getting paid in the first place. Medicare needs a system that will continually, as Malcolm Sparrow said: ''uncover, and then suppress.''

Today, I am proud to join Senator MARTINEZ in what I hope is the first in a line of necessary common sense solutions to this problem. The Seniors and Taxpayers Obligation Protection Act or STOP Act, will protect honest taxpayers, seniors, and providers, by strengthening the Medicare program itself.

To prevent fraud, the STOP Act employs lessons from the private sector and moves Medicare into the 21st century. For example, Medicare may be the only program, company, or industry left in the country that still thinks it is a good idea to use social security numbers for identification. In a time where a stolen social security number is a stolen identity, Medicare has not stopped printing it on identification cards that are sent through the mail.

Even worse, when seniors report that their social security number is being used fraudulently to bill for services in Medicare that they didn't receive, Medicare has no ability to stop paying claims on that social security number or provide the senior with a new number. Medicare has ignored the warnings of the Government Accountability Office and the pleas of groups like AARP and Consumers Union to change this practice. Passage of the STOP Act will mean Medicare can ignore it no longer.

The STOP Act requires physicians in high risk areas to review the claims they submitted, similar to how you or I would review our credit card statement at the end of the month to ensure there are no mistaken or fraudulent charges.

It implements prepayment fraud detection methods, such as site visits, data analysis, and integrity reviews, so that a guy with a mailbox can no longer rely on ''All you need is a Supplier Number and a Dream.''

It ensures providers are billing for only those services for which they are qualified.

It tracks the usage of durable medical equipment and it conducts a study on the implementation prospects of real-time claims analysis technology.

Yes, many acts of fraud may be invisible, but it doesn't make them undetectable, and it certainly doesn't mean that we should just turn a blind eye. I hope my colleagues and members of the health sector will join Senator MARTINEZ and me in stepping up to the task of being part of the solution. Our seniors, our providers, and our taxpayers deserve better accountability from Medicare.

By Mr. BURR (for himself, Mr. WICKER, Mr. CRAIG, and Mr. VITTER):

S. 3167. A bill to amend title 38, United States Code, to clarify the conditions under which veterans, their surviving spouses, and their children may be treated as adjudicated mentally incompetent for certain purposes; to the Committee on Veterans' Affairs.

Mr. BURR. Mr. President, I rise today to introduce legislation that would end an arbitrary process through which our own Government takes away the Second Amendment rights of American veterans.

As most of my colleagues know, the Brady Handgun Violence Prevention Act prohibits the sale of firearms to those who have been ''adjudicated as a mental defective.''

The Government maintains a database on these individuals called the National Instant Criminal Background Check System, or ''NICS.'' The Brady Law and the NICS database aims to prevent those who may pose a danger to society or themselves from purchasing a firearm.

Gun shop owners use NICS to screen customers before selling a firearm. Needless to say, it is a serious matter to have one's name on the NICS. Every American should expect a rigorous and fair process before their right to bear arms is taken away.

Unfortunately, when it comes to certain veterans, surviving spouses, and children, the process is neither rigorous nor fair.

Since 1999, VA has sent the names of 116,000 of its beneficiaries to the FBI for inclusion on the NICS.

None of these names were sent to the FBI because they were determined to be a danger to themselves or others. They were listed in NICS because they could not manage their financial affairs. We should not take away a Constitutional right because someone can't balance a checkbook or pay their bills on time.

This practice is arbitrary, unfair, and applies a double standard.

VA's review process for assigning a fiduciary is meant to determine one's financial responsibility in managing VA-provided disability compensation, pension, and other benefits. For example, a veteran may be assigned a fiduciary if they have credit problems.

The VA focuses on whether or not benefits paid by VA will be spent in the manner in which they were intended. Nothing involved with VA's appointment of a fiduciary even gets at the question of whether an individual is a danger to themselves or others, or whether the person should own a firearm.

Yet that is exactly what happens if VA appoints a fiduciary. Over 116,000 individuals have been listed in NICS since 1999 because they were appointed a fiduciary. This includes veterans, surviving spouses, and even children.

This process is not only arbitrary, it is unfair. Taking away a Constitutional right is a serious action and veterans should be afforded due process under the law. At the very least, we should expect such decisions to be made by a competent judicial authority and not by civilian government employees.

The current practice is also a double standard. Only VA beneficiaries fall under these guidelines. The Social Security Administration assigns fiduciaries to help beneficiaries, yet the Social Security Administration does not send their names to the NICS.

Why are we singling out those who fought for this country and those who sacrificed while their spouse or parent served?

My legislation would end this arbitrary and unfair practice that strips the finest men and women of this country of their right to bear arms. This legislation would require a judicial authority to determine that an individual is a danger to themselves or others before their Second Amendment rights are taken away.

I am not here to ask that we put guns in the hands of dangerous people. I am here to ask that we treat our veterans fairly and we take the rights of our veterans seriously.

No matter where my colleagues fall on the gun issue, I hope we can all agree that we need a process that is consistent and fair. Our veterans took an oath to uphold the Constitution. They deserve to enjoy the rights they fought so hard to protect.

By Ms. SNOWE (for herself, Mr. DODD, and Mr. KERRY):

S. 3170. A bill to amend the Energy Policy and Conservation Act to modify the conditions for the release of products from the Northeast Home Heating Oil Reserve Account, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. DODD. Mr. President, I rise today to speak on a bill I am introducing with my colleague, Senator SNOWE, to amend the Northeast Home Heating Oil Reserve program. I want to thank Senator SNOWE for her tremendous leadership on the problem this bill is designed to address, which is a critically important issue for our region that we have worked together on for many years. That issue is the skyrocketing price of heating oil, which millions of families in the Northeast are dependent on to heat their homes through our long, cold winters.

According to the Department of Energy's Energy Information Agency, EIA, 6.2 million of the 8 million households in the U.S. that use heating oil to heat their homes are in the Northeast, or approximately 78 percent. As crude oil and gasoline prices have risen higher and higher, the cost of heating oil has risen as well. Currently, heating oil is far and away the costliest method of heating homes, costing families an average of nearly $2000 per year, and much more in the coldest areas. Overall, heating a home with heating oil costs twice the national average of all fuels combined, yet most families in the Northeast have little choice. Even in some of our region's cities, there are no natural gas lines or other sources of home heating available to residents.

This dependence on heating oil is stretching many families' budgets to the breaking point. Where once low and moderate income families could struggle through the winter, soaring heating oil prices are forcing people to choose between heating their homes, driving their cars to and from work, and putting food on the table for their families. The EIA estimated that this year, it will cost $1,962 to heat a home with oil, a 33 percent increase from last year and a 117 percent increase since 2004. In just 4 short years, the cost of heating a home with oil has gone up more than $1000 dollars! Many families and seniors living on fixed incomes simply cannot bear this burden.

That is why Senator SNOWE and I are proposing a price trigger to provide for oil to be released from the Northeast Home Heating Oil Reserve. This is a 2-million barrel reserve I originally worked to create in 2000, along with my colleague from Maine and other Senators from the Northeast, to protect the residents of the region from severe price shocks to the heating oil market. Given the record heating oil prices we are experiencing today, we believe it would be reasonable to use this reserve to try to cushion those dependent on heating oil to get through the winter. From November through March, the Secretary of Energy would conduct a survey to determine the price of a gallon of heating oil on the first of each month. If the price meets or exceeds $4 per gallon, this would trigger an immediate release of 20 percent of the Northeast Home Heating Oil Reserve. This oil would then be sold on the open market to lower the price of heating oil in the region.

The revenue raised by the sale would then be devoted to the Weatherization Assistance Program to help low income heating oil customers increase the energy efficiency of their homes. Experience has shown that properly weatherizing homes can increase their energy efficiency by 20–30 percent, reducing energy consumption and lowering monthly utility bills. However, most low and middle income families cannot afford the upfront investment necessary to reap these benefits. The Weatherization Assistance Program is an enormously successful program designed to help families make that initial investment.

This bill will not solve our Nation's energy crisis, nor will this alone solve the problem of high heating oil prices in the Northeast. As the Senator from Maine well knows, we need to devote far more money to programs like the Low Income Home Energy Assistance Program, and we need to take a serious look at restructuring our Nation's comprehensive energy policy. But this legislation is a very good first step toward easing the pain so many residents of the Northeast and my State of Connecticut are feeling. I urge my colleagues to support us in this effort.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 596—CONGRATULATING THE BOSTON CELTICS ON WINNING THE 2008 NATIONAL BASKETBALL ASSOCIATION CHAMPIONSHIPS

Mr. KERRY (for himself, Mr. KENNEDY, Mr. REED, Mr. LIEBERMAN, Mr. DODD, Mr. SUNUNU, Mr. LEAHY, Mr. WHITEHOUSE, and Mr. GREGG) submitted the following resolution; which was referred to the Committee on the Judiciary:

Whereas on June 17, 2008, the Boston Celtics won the 2008 National Basketball Association Championship (referred to in this preamble as the ''2008 Championship'') in 6 games over the Los Angeles Lakers;

Whereas the 2008 Championship was the 17th world championship won by the Celtics, the most in the history of the National Basketball Association (referred to in this preamble as the ''NBA'');

Whereas the 2008 Championship marked the culmination of the greatest single season turnaround in the history of the NBA, as the Celtics improved from a record of 24–58 during the 2007–2008 season to a league-best 66–16 mark during the 2007–2008 campaign;

Whereas the 2008 Celtics NBA Championship team, like all great Celtics champions of the past, epitomized team work, selflessness, character, effort, camaraderie, toughness, and determination;

Whereas the 2008 Celtics honored the rich legacy of their franchise, which was—

(1) established by a legion of all-time greats, including Bill Russell, Larry Bird, John Havlicek, Bob Cousy, Tom Heinsohn, K.C. Jones, Sam Jones, Jo Jo White, Dave Cowens, Kevin McHale, Robert Parish, Dennis Johnson, and Tom ''Satch'' Sanders; and

(2) masterminded by one of the legendary coaches of all sports, Arnold ''red'' Auerbach;

Whereas Celtics managing partner Wyc Grousbeck and the entire Celtics ownership group never wavered from paying the price to raise ''Banner #17'' to the Garden rafters;

Whereas the 2008 Celtics were brought together by a former Celtics player, Danny Ainge, whose off-season acquisitions of NBA All-Stars Kevin Garnett and Ray Allen earned him the 2008 NBA Executive of the Year Award;

Whereas the Celtics were led by Doc Rivers, who—

(1) oversaw the smooth integration of new superstars and untested young players into the Celtics lineup; and

(2) assembled, and ensured the execution of, a masterful NBA Finals game plan;

Whereas the Celtics featured a 21st Century ''Big Three'' comprised of Paul Pierce, Kevin Garnett, and Ray Allen, 3 veteran players who worked together and never allowed their personal ambition or pursuit of individual statistics to interfere with the goal of the team to win a championship;

Whereas a group of talented young players contributed pivotal roles in the march of the Celtics to the 2008 Championship, including point guard Rajon Rondo, center Kendrick Perkins, forward Leon Powe, guard Tony Allen, and forward Glen ''Big Baby'' Davis;

Whereas the valuable bench of the Celtics was stocked with veteran role players who made significant contributions during the season, including forward James Posey, guard Eddie House, guard Sam Cassell, forward P.J. Brown, forward Brian Scalabrine, and center Scott Pollard;

Whereas the 2008 Celtics team demonstrated remarkable poise and gained invaluable playoff experience in defeating the Atlanta Hawks, the Cleveland Cavaliers, and the Detroit Pistons in hard-fought series during which every possession counted at both the offensive and defensive ends of the floor;

Whereas, after 26 playoff games, the Celtics ultimately secured the 17th NBA Championship of the franchise in one of the most dominating performances in NBA history, a 39-point rout of the Lakers in front of a raucous Garden crowd; and