VITTER) was added as a cosponsor of S. 785, a bill to amend the Internal Revenue Code of 1986 to modify the small refiner exception to the oil depletion deduction.

S. 828

At the request of Mr. HARKIN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 828, a bill to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities, and for other purposes.

S. 853

At the request of Mr. LUGAR, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 853, a bill to direct the Secretary of State to establish a program to bolster the mutual security and safety of the United States, Canada, and Mexico, and for other purposes.

S. 930

At the request of Mr. GRASSLEY, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 930, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to drug safety, and for other purposes.

S. 1002

At the request of Mr. GRASSLEY, the names of the Senator from Colorado (Mr. SALAZAR) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 1002, a bill to amend title XVIII of the Social Security Act to make improvements in payments to hospitals under the medicare program, and for other purposes.

S. 1076

At the request of Mrs. LINCOLN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 1076, a bill to amend the Internal Revenue Code of 1986 to extend the excise tax and income tax credits for the production of biodiesel.

S. 1103

At the request of Mr. BAUCUS, the names of the Senator from Missouri (Mr. BOND), the Senator from Oregon (Mr. SMITH) and the Senator from New Hampshire (Mr. SUNUNU) were added as cosponsors of S. 1103, a bill to amend the Internal Revenue Code of 1986 to repeal the individual alternative minimum tax.

S. CON. RES. 15

At the request of Mr. SANTORUM, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. Con. Res. 15, a concurrent resolution encouraging all Americans to increase their charitable giving, with the goal of increasing the annual amount of charitable giving in the United States by 1 percent.

S. RES. 104

At the request of Mr. FEINGOLD, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. Res. 104, a resolution expressing the sense of the Senate encouraging the active engagement of Americans in world affairs and urging the Secretary of State to take the lead and coordinate with other governmental agencies and non-governmental organizations in creating an online database of international exchange programs and related opportunities.

S. RES. 149

At the request of Ms. SNOWE, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. Res. 149, a resolution honoring the life and contributions of His Eminence, Archbishop Iakovos, former archbishop of the Greek Orthodox Archdiocese of North and South America.

S. RES. 153

At the request of Mr. LIEBERMAN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. Res. 153, a resolution expressing the support of Congress for the observation of the National Moment of Remembrance at 3:00 pm local time on this and every Memorial Day to acknowledge the sacrifices made on the behalf of all Americans for the cause of liberty.

AMENDMENT NO. 762

At the request of Mr. NELSON of Florida, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of amendment No. 762 intended to be proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. CLINTON (for herself and Ms. COLLINS):

S. 1116. A bill to amend the Older Americans Act of 1965 to provide for mental health screening and treatment services, to amend the Public Health Service Act to provide for integration of mental health services and mental health treatment outreach teams, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. CLINTON. Mr. President, today, Senator COLLINS and I, and in the House of Representatives, Congressman KENNEDY and Congressman ROS-LEHTINEN, are reintroducing the Positive Aging Act, in an effort to improve the accessibility and quality of mental health services for our rapidly growing population of older Americans.

We are pleased to be reintroducing this important legislation during Mental Health and Aging Week.

I want to acknowledge and thank our partners from the mental health and aging community who have collaborated with us and have been working diligently on these issues for many years, including the American Association for Geriatric Psychiatry, the American Psychological Association, the National Association of Social Workers, the American Nurses Association.

Today, advances in medical science are helping us to live longer than ever before. In New York State alone, there are 2½ million citizens aged 65 or older. And this population will only continue to grow as the firs wave of Baby Boomers turns 65 in less than 10 years.

As we look forward to this increased longevity, we must also acknowledge the challenges that we face related to the quality of life as we age. Chief among these are mental and behavioral health concerns.

Although most older adults enjoy good mental health it is estimated that nearly 20 percent of Americans age 55 or older experience a mental disorder. It is anticipated that the number of seniors with mental and behavioral health problems will almost quadruple, from 4 million in 1970 to 15 million in 2030.

In New York State alone, there are an estimated 500,000 older adults with mental health disorders. As the baby boomers age we expect to see the number of seniors in need of mental health services in the State of New York grow to over 750,000.

Among the most prevalent mental health concerns older adults encounter are anxiety, depression, cognitive impairment, and substance abuse. These disorders, if left untreated, can have severe physical and psychological implications. In fact, older adults have the highest rates of suicide in our country and depression is the foremost risk factor.

The physical consequences of mental health disorders can be both expensive and debilitating. Depression has a powerful negative impact on ability to function, resulting in high rates of disability. The World Health Organization projects that by the year 2020, depression will remain a leading cause of disability, second only to cardiovascular disease. Even mild depression lowers immunity and may compromise a person's ability to fight infections and cancers. Research indicates that 50–70 percent of all primary care medical visits are related to psychological factors such as anxiety, depression, and stress.

Mental disorders do not have to be a part of the aging process because we have effective treatments for these conditions. But in far too many instances our seniors go undiagnosed and untreated because of the current divide in our country between health care and mental health care.

Too often physicians and other health professionals fail to recognize the signs and symptoms of mental health problems. Even more troubling, knowledge about treatment is simply not accessible to many primary care practitioners. As a whole, we have

failed to fully integrate mental health screening and treatment into our health service systems.

These missed opportunities to diagnose and treat mental health disorders are taking a tremendous toll on seniors and increasing the burden on their families and our health care system.

That is why I am reintroducing the Positive Aging Act with my co-sponsors Senator COLLINS and Representatives KENNEDY and ROS-LEHTINEN.

This legislation would amend the Older Americans Act and the Public Health Service Act to strengthen the delivery of mental health services to older Americans.

Specifically, the Positive Aging Act would fund grants to states to provide screening and treatment for mental health disorders in seniors.

It would also fund demonstration projects to provide these screening and treatment services to older adults residing in rural areas and in naturally occurring retirement communities, NORC's.

This legislation would also authorize demonstration projects to reach out to seniors and make much needed collaborative mental health services available in community settings where older adults reside and already receive services such as primary care clinics, senior centers, adult day care programs, and assisted living facilities.

Today, we are fortunate to have a variety of effective treatments to address the mental health needs of American seniors. I believe that we owe it to older adults in this country to do all that we can to ensure that high quality mental health care is both available and accessible.

This legislation takes an important step in that direction and I look forward to working with you all to enact the Positive Aging Act during the upcoming Older Americans Act and SAMHSA reauthorizations.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 1116

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 ''Positive Aging Act of 2005''.

TITLE I—AMENDMENTS TO THE OLDER AMERICANS ACT OF 1965

SEC. 101. DEFINITIONS.

Section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended by adding at the end the following:

''(44) MENTAL HEALTH SCREENING AND TREATMENT SERVICES.—The term 'mental health screening and treatment services' means patient screening, diagnostic services, care planning and oversight, therapeutic interventions, and referrals that are—

''(A) provided pursuant to evidence-based intervention and treatment protocols (to the extent such protocols are available) for mental disorders prevalent in older individuals (including, but not limited to, mood and anxiety disorders, dementias of all kinds, psychotic disorders, and substances and alcohol abuse), relying to the greatest extent feasible on protocols that have been developed—

''(i) by or under the auspices of the Secretary; or

''(ii) by academicians with expertise in mental health and aging; and

''(B) coordinated and integrated with the services of social service, mental health, and health care providers in an area in order to—

''(i) improve patient outcomes; and

''(ii) assure, to the maximum extent feasible, the continuing independence of older individuals who are residing in the area.''.

SEC. 102. OFFICE OF OLDER ADULT MENTAL HEALTH SERVICES.

Section 301(b) of the Older Americans Act of 1965 (42 U.S.C. 3021(b)) is amended by adding at the end the following:

''(3) The Assistant Secretary shall establish within the Administration an Office of Older Adult Mental Health Services, which shall be responsible for the development and implementation of initiatives to address the mental health needs of older individuals.''.

SEC. 103. GRANTS TO STATES FOR THE DEVELOPMENT AND OPERATION OF SYSTEMS FOR PROVIDING MENTAL HEALTH SCREENING AND TREATMENT SERVICES TO OLDER INDIVIDUALS LACKING ACCESS TO SUCH SERVICES.

Title III of the Older Americans Act of 1965 (42 U.S.C. 3021 et seq.) is amended—

(1) in section 303, by adding at the end the following:

''(f) There are authorized to be appropriated to carry out part F (relating to grants for programs providing mental health screening and treatment services) such sums as may be necessary for fiscal year 2006 and each of the 5 succeeding fiscal years.'';

(2) in section 304(a)(1), by inserting ''and subsection (f)'' after ''through (d)''; and

(3) by adding at the end the following:

''PART F—MENTAL HEALTH SCREENING AND TREATMENT SERVICES FOR OLDER INDIVIDUALS

''SEC. 381. GRANTS TO STATES FOR PROGRAMS PROVIDING MENTAL HEALTH SCREENING AND TREATMENT SERVICES FOR OLDER INDIVIDUALS.

''(a) PROGRAM AUTHORIZED.—The Assistant Secretary shall carry out a program for making grants to States under State plans approved under section 307 for the development and operation of—

''(1) systems for the delivery of mental health screening and treatment services for older individuals who lack access to such services; and

''(2) programs to—

''(A) increase public awareness regarding the benefits of prevention and treatment of mental disorders in older individuals;

''(B) reduce the stigma associated with mental disorders in older individuals and other barriers to the diagnosis and treatment of the disorders; and

''(C) reduce age-related prejudice and discrimination regarding mental disorders in older individuals.

''(b) STATE ALLOCATION AND PRIORITIES.—A State agency that receives funds through a grant made under this section shall allocate the funds to area agencies on aging to carry out this part in planning and service areas in the State. In allocating the funds, the State agency shall give priority to planning and service areas in the State—

''(1) that are medically underserved; and

''(2) in which there are a large number of older individuals.

''(c) AREA COORDINATION OF SERVICES WITH OTHER PROVIDERS.—In carrying out this part, to more efficiently and effectively deliver services to older individuals, each area agency on aging shall—

''(1) coordinate services described in subsection (a) with other community agencies, and voluntary organizations, providing similar or related services; and

''(2) to the greatest extent practicable, integrate outreach and educational activities with existing (as of the date of the integration) health care and social service providers serving older individuals in the planning and service area involved.

''(d) RELATIONSHIP TO OTHER FUNDING SOURCES.—Funds made available under this part shall supplement, and not supplant, any Federal, State, and local funds expended by a State or unit of general purpose local government (including an area agency on aging) to provide the services described in subsection (a).''.

SEC. 104. DEMONSTRATION PROJECTS PROVIDING MENTAL HEALTH SCREENING AND TREATMENT SERVICES TO OLDER INDIVIDUALS LIVING IN RURAL AREAS.

The Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) is amended—

(1) by inserting before section 401 the following:

''TITLE IV—GRANTS FOR EDUCATION, TRAINING, AND RESEARCH'';

and

(2) in part A of title IV, by adding at the end the following:

''SEC. 422. DEMONSTRATION PROJECTS PROVIDING MENTAL HEALTH SCREENING AND TREATMENT SERVICES TO OLDER INDIVIDUALS LIVING IN RURAL AREAS.

''(a) DEFINITION.—In this section, the term 'rural area' means—

''(1) any area that is outside a metropolitan statistical area (as defined by the Director of the Office of Management and Budget); or

''(2) such similar area as the Secretary specifies in a regulation issued under section 1886(d)(2)(D) of the Social Security Act (42 U.S.C. 1395ww(d)(2)(D)).

''(b) AUTHORITY.—The Assistant Secretary shall make grants to eligible public agencies and nonprofit private organizations to pay part or all of the cost of developing or operating model health care service projects involving the provision of mental health screening and treatment services to older individuals residing in rural areas.

''(c) DURATION.—Grants made under this section shall be made for 3-year periods.

''(d) APPLICATION.—To be eligible to receive a grant under this section, a public agency or nonprofit private organization shall submit to the Assistant Secretary an application containing such information and assurances as the Assistant Secretary may require, including—

''(1) information describing—

''(A) the geographic area and target population (including the racial and ethnic composition of the target population) to be served by the project; and

''(B) the nature and extent of the applicant's experience in providing mental health screening and treatment services of the type to be provided in the project;

''(2) assurances that the applicant will carry out the project—

''(A) through a multidisciplinary team of licensed mental health professionals;

''(B) using evidence-based intervention and treatment protocols to the extent such protocols are available;

''(C) using telecommunications technologies as appropriate and available; and

''(D) in coordination with other providers of health care and social services (such as senior centers and adult day care providers) serving the area; and

''(3) assurances that the applicant will conduct and submit to the Assistant Secretary

such evaluations and reports as the Assistant Secretary may require.

''(e) REPORTS.—The Assistant Secretary shall prepare and submit to the appropriate committees of Congress a report that includes summaries of the evaluations and reports required under subsection (d)(3).

''(f) COORDINATION.—The Assistant Secretary shall provide for appropriate coordination of programs and activities receiving funds pursuant to a grant under this section with programs and activities receiving funds pursuant to grants under sections 381 and 423, and sections 520K and 520L of the Public Health Service Act.''.

SEC. 105. DEMONSTRATION PROJECTS PROVIDING MENTAL HEALTH SCREENING AND TREATMENT SERVICES TO OLDER INDIVIDUALS LIVING IN NATURALLY OCCURRING RETIREMENT COMMUNITIES IN URBAN AREAS.

Part A of title IV of the Older Americans Act of 1965 (42 U.S.C. 3032 et seq.), as amended by section 104, is further amended by adding at the end the following:

''SEC. 423. DEMONSTRATION PROJECTS PROVIDING MENTAL HEALTH SCREENING AND TREATMENT SERVICES TO OLDER INDIVIDUALS LIVING IN NATURALLY OCCURRING RETIREMENT COMMUNITIES IN URBAN AREAS.

''(a) DEFINITIONS.—In this section:

''(1) NATURALLY OCCURRING RETIREMENT COMMUNITY.—The term 'naturally occurring retirement community' means a residential area (such as an apartment building, housing complex or development, or neighborhood) not originally built for older individuals but in which a substantial number of individuals have aged in place (and become older individuals) while residing in such area.

''(2) URBAN AREA.—The term 'urban area' means—

''(A) a metropolitan statistical area (as defined by the Director of the Office of Management and Budget); or

''(B) such similar area as the Secretary specifies in a regulation issued under section 1886(d)(2)(D) of the Social Security Act (42 U.S.C. 1395ww(d)(2)(D)).

''(b) AUTHORITY.—The Assistant Secretary shall make grants to eligible public agencies and nonprofit private organizations to pay part or all of the cost of developing or operating model health care service projects involving the provision of mental health screening and treatment services to older individuals residing in naturally occurring retirement communities located in urban areas.

''(c) DURATION.—Grants made under this section shall be made for 3-year periods.

''(d) APPLICATION.—To be eligible to receive a grant under this section, a public agency or nonprofit private organization shall submit to the Assistant Secretary an application containing such information and assurances as the Assistant Secretary may require, including—

''(1) information describing—

''(A) the naturally occurring retirement community and target population (including the racial and ethnic composition of the target population) to be served by the project; and

''(B) the nature and extent of the applicant's experience in providing mental health screening and treatment services of the type to be provided in the project;

''(2) assurances that the applicant will carry out the project—

''(A) through a multidisciplinary team of licensed mental health professionals;

''(B) using evidence-based intervention and treatment protocols to the extent such protocols are available; and

''(C) in coordination with other providers of health care and social services serving the retirement community; and

''(3) assurances that the applicant will conduct and submit to the Assistant Secretary such evaluations and reports as the Assistant Secretary may require.

''(e) REPORTS.—The Assistant Secretary shall prepare and submit to the appropriate committees of Congress a report that includes summaries of the evaluations and reports required under subsection (d)(3).

''(f) COORDINATION.—The Assistant Secretary shall provide for appropriate coordination of programs and activities receiving funds pursuant to grants made under this section with programs and activities receiving funds pursuant to grants made under sections 381 and 422, and sections 520K and 520L of the Public Health Service Act.''.

TITLE II—PUBLIC HEALTH SERVICE ACT AMENDMENTS

SEC. 201. DEMONSTRATION PROJECTS TO SUPPORT INTEGRATION OF MENTAL HEALTH SERVICES IN PRIMARY CARE SETTINGS.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.) is amended—

(1) in section 520(b)—

(A) in paragraph (14), by striking ''and'' after the semicolon;

(B) in paragraph (15), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(16) conduct the demonstration projects specified in section 520K.''; and

(2) by adding at the end the following:

''SEC. 520K. PROJECTS TO DEMONSTRATE INTEGRATION OF MENTAL HEALTH SERVICES IN PRIMARY CARE SETTINGS.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Center for Mental Health Services, shall award grants to public and private nonprofit entities for projects to demonstrate ways of integrating mental health services for older patients into primary care settings, such as health centers receiving a grant under section 330 (or determined by the Secretary to meet the requirements for receiving such a grant), other Federally qualified health centers, primary care clinics, and private practice sites.

''(b) REQUIREMENTS.—In order to be eligible for a grant under this section, the project to be carried out by the entity shall provide for collaborative care within a primary care setting, involving psychiatrists, psychologists, and other licensed mental health professionals (such as social workers and advanced practice nurses) with appropriate training and experience in the treatment of older adults, in which screening, assessment, and intervention services are combined into an integrated service delivery model, including—

''(1) screening services by a mental health professional with at least a masters degree in an appropriate field of training;

''(2) referrals for necessary prevention, intervention, follow-up care, consultations, and care planning oversight for mental health and other service needs, as indicated; and

''(3) adoption and implementation of evidence-based protocols, to the extent available, for prevalent mental health disorders, including depression, anxiety, behavioral and psychological symptoms of dementia, psychosis, and misuse of, or dependence on, alcohol or medication.

''(c) CONSIDERATIONS IN AWARDING GRANTS.—In awarding grants under this section, the Secretary, to the extent feasible, shall ensure that—

''(1) projects are funded in a variety of geographic areas, including urban and rural areas; and

''(2) a variety of populations, including racial and ethnic minorities and low-income populations, are served by projects funded under this section.

''(d) DURATION.—A project may receive funding pursuant to a grant under this section for a period of up to 3 years, with an extension period of 2 additional years at the discretion of the Secretary.

''(e) APPLICATION.—To be eligible to receive a grant under this section, a public or private nonprofit entity shall—

''(1) submit an application to the Secretary (in such form, containing such information, and at such time as the Secretary may specify); and

''(2) agree to report to the Secretary standardized clinical and behavioral data necessary to evaluate patient outcomes and to facilitate evaluations across participating projects.

''(f) EVALUATION.—Not later than July 31 of each calendar year, the Secretary shall submit to Congress a report evaluating the projects receiving awards under this section for such year.

''(g) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall supplement, and not supplant, other Federal, State, or local funds available to an entity to carry out activities described in this section.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for fiscal year 2006 and each fiscal year thereafter.''.

SEC. 202. GRANTS FOR COMMUNITY-BASED MENTAL HEALTH TREATMENT OUTREACH TEAMS.

Subpart 3 of part B of title V of the Public Health Service Act (42 U.S.C. 290bb–31 et seq.), as amended by section 201, is further amended by adding at the end the following:

''SEC. 520L. GRANTS FOR COMMUNITY-BASED MENTAL HEALTH TREATMENT OUTREACH TEAMS.

''(a) IN GENERAL.—The Secretary, acting through the Director of the Center for Mental Health Services, shall award grants to public or private nonprofit entities that are community-based providers of geriatric mental health services, to support the establishment and maintenance by such entities of multi-disciplinary geriatric mental health outreach teams in community settings where older adults reside or receive social services. Entities eligible for such grants include—

''(1) mental health service providers of a State or local government;

''(2) outpatient programs of private, nonprofit hospitals;

''(3) community mental health centers meeting the criteria specified in section 1913(c); and

''(4) other community-based providers of mental health services.

''(b) REQUIREMENTS.—To be eligible to receive a grant under this section, an entity shall—

''(1) adopt and implement, for use by its mental health outreach team, evidence-based intervention and treatment protocols (to the extent such protocols are available) for mental disorders prevalent in older individuals (including, but not limited to, mood and anxiety disorders, dementias of all kinds, psychotic disorders, and substance and alcohol abuse), relying to the greatest extent feasible on protocols that have been developed—

''(A) by or under the auspices of the Secretary; or

''(B) by academicians with expertise in mental health and aging;

''(2) provide screening for mental disorders, diagnostic services, referrals for treatment, and case management and coordination through such teams; and

''(3) coordinate and integrate the services provided by such team with the services of social service, mental health, and medical providers at the site or sites where the team is based in order to—

''(A) improve patient outcomes; and

''(B) to assure, to the maximum extent feasible, the continuing independence of older adults who are residing in the community.

''(c) COOPERATIVE ARRANGEMENTS WITH SITES SERVING AS BASES FOR OUTREACH.—An entity receiving a grant under this section may enter into an agreement with a person operating a site at which a geriatric mental health outreach team of the entity is based, including—

''(1) senior centers;

''(2) adult day care programs;

''(3) assisted living facilities; and

''(4) recipients of grants to provide services to senior citizens under the Older Americans Act of 1965, under which such person provides (and is reimbursed by the entity, out of funds received under the grant, for) any supportive services, such as transportation and administrative support, that such person provides to an outreach team of such entity.

''(d) CONSIDERATIONS IN AWARDING GRANTS.—In awarding grants under this section, the Secretary, to the extent feasible, shall ensure that—

''(1) projects are funded in a variety of geographic areas, including urban and rural areas; and

''(2) a variety of populations, including racial and ethnic minorities and low-income populations, are served by projects funded under this section.

''(e) APPLICATION.—To be eligible to receive a grant under this section, an entity shall—

''(1) submit an application to the Secretary (in such form, containing such information, at such time as the Secretary may specify); and

''(2) agree to report to the Secretary standardized clinical and behavioral data necessary to evaluate patient outcomes and to facilitate evaluations across participating projects.

''(f) COORDINATION.—The Secretary shall provide for appropriate coordination of programs and activities receiving funds pursuant to a grant under this section with programs and activities receiving funds pursuant to grants under section 520K and sections 381, 422, and 423 of the Older Americans Act of 1965.

''(g) EVALUATION.—Not later than July 31 of each calendar year, the Secretary shall submit to Congress a report evaluating the projects receiving awards under this section for such year.

''(h) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall supplement, and not supplant, other Federal, State, or local funds available to an entity to carry out activities described in this section.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section for fiscal year 2006 and each fiscal year thereafter.''.

SEC. 203. DESIGNATION OF DEPUTY DIRECTOR FOR OLDER ADULT MENTAL HEALTH SERVICES IN CENTER FOR MENTAL HEALTH SERVICES.

Section 520 of the Public Health Service Act (42 U.S.C. 290bb–31) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

''(c) DEPUTY DIRECTOR FOR OLDER ADULT MENTAL HEALTH SERVICES IN CENTER FOR MENTAL HEALTH SERVICES.—The Director, after consultation with the Administrator, shall designate a Deputy Director for Older Adult Mental Health Services, who shall be responsible for the development and implementation of initiatives of the Center to address the mental health needs of older adults. Such initiatives shall include—

''(1) research on prevention and identification of mental disorders in the geriatric population;

''(2) innovative demonstration projects for the delivery of community-based mental health services for older Americans;

''(3) support for the development and dissemination of evidence-based practice models, including models to address dependence on, and misuse of, alcohol and medication in older adults; and

''(4) development of model training programs for mental health professionals and care givers serving older adults.''.

SEC. 204. MEMBERSHIP OF ADVISORY COUNCIL FOR THE CENTER FOR MENTAL HEALTH SERVICES.

Section 502(b)(3) of the Public Health Service Act (42 U.S.C. 290aa–1(b)(3)) is amended by adding at the end the following:

''(C) In the case of the advisory council for the Center for Mental Health Services, the members appointed pursuant to subparagraphs (A) and (B) shall include representatives of older Americans, their families, and geriatric mental health specialists.''.

SEC. 205. PROJECTS OF NATIONAL SIGNIFICANCE TARGETING SUBSTANCE ABUSE IN OLDER ADULTS.

Section 509(b)(2) of the Public Health Service Act (42 U.S.C. 290bb–2(b)(2)) is amended by inserting before the period the following: '', and to providing treatment for older adults with alcohol or substance abuse or addiction, including medication misuse or dependence''.

SEC. 206. CRITERIA FOR STATE PLANS UNDER COMMUNITY MENTAL HEALTH SERVICES BLOCK GRANTS.

(a) IN GENERAL.—Section 1912(b)(4)of the Public Health Service Act (42 U.S.C. 300x–2(b)(4)) is amended to read as follows:

''(4) TARGETED SERVICES TO OLDER INDIVIDUALS, INDIVIDUALS WHO ARE HOMELESS, AND INDIVIDUALS LIVING IN RURAL AREAS.—The plan describes the State's outreach to and services for older individuals, individuals who are homeless, and individuals living in rural areas, and how community-based services will be provided to these individuals.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to State plans submitted on or after the date that is 180 days after the date of enactment of this Act.

By Mr. LIEBERMAN (for himself and Mr. ALEXANDER):

S. 1117. A bill to deepen the peaceful business and cultural engagement of the United States and the People's Republic of China, and for other purposes; to the Committee on Foreign Relations.

Mr. LIEBERMAN. Mr. President, I rise to introduce a bill that aims to redefine and enhance the relationship between the People's Republic of China and the United States of America.

At this point in our history we stand at the threshold of a new era in American Foreign policy and indeed of world history. For the first time ever an economic and military superpower is about to emerge without war or catastrophe: Asia's middle kingdom: the People's Republic of China, stands at the precipice of becoming one of the two most influential nations on Earth.

I have always held that our foreign policy is best conducted when our values as a Nation form the basis of our policies. With that in mind, I stand before you today to introduce legislation that will deepen the scope and breadth of America's relationship with China through the reaching out of our Nation's hand in friendship.

We introduce this with a bit of humility because history constantly shows us that the more things change, the more they stay the same. Fortunately American history is filled with good ideas to guide us.

Back in 1871, President Ulysses S. Grant told Congress that trade imbalances with China were threatening the viability of key United States' industries and warned that federal intervention might be needed to restore the balance of trade.

That is true today and I am both sponsoring and supporting legislation to fairly revalue the Yuan so that U.S. industries and workers enjoy a fair playing field in the global market.

But Grant also thought many problems with China could be solved if we just better understood Chinese language and culture. He proposed sending at least four American students a year to China to study the language and culture and who would then act as effective translators for business and government officials.

Grant's idea was never acted on and years of unfortunate history separated China from the rest of the world anyway.

But China is back and so are the challenges.

Those versed in international affairs and trade are fully aware of China's emerging influence. However, our present education system is not equipped to supply the number of skilled professionals required to constructively interact with China. According to the 2000 Census there are about 2.2 million Americans that speak Chinese. Of that 2.2 million, approximately 85–95 percent are Americans of Chinese descent. According to several studies there is a dearth of knowledge among college-bound students regarding Chinese cultural pillars like Mao Zedong in the United States. China, on the other hand, mandates English instruction beginning in—what we would call—the third grade. For every student we send to China to study there, they send 25 to study here.

If you combine these findings with the fact that well over half of the 500 largest companies are currently invested in China, with many more drawing up plans to do so, it becomes clear to me that the talent pool for future American-produced leaders with expertise in Chinese affairs is woefully inadequate. If you take a look at China's top ten trading partners, seven of those have a trade surplus with China and most importantly, five of those seven have a significant population with deep-seated knowledge of Chinese language and culture. America needs more people with the expertise to transact with China in international affairs and

to increase the number of professionals that will assist both nations in growing and balancing our economic interdependency.

The future repercussions of our lack of knowledge about Chinese culture are immense. The Chinese have just begun to compete with U.S. firms for precious natural resources to feed the exponential growth of their economy. China is the world's biggest consumer of steel and in another decade will be the biggest consumer of petroleum. Currently, China's middle class is the fastest growing anywhere in the world. Over 400 of the world's Fortune 500 companies are invested in China's economy, which will soon be the largest consumer market in the world. Already, our trade with Asia is double that with Europe and is expected to exceed one trillion dollars annually before 2010. China, soon to be the biggest economic power in Asia, will play a large role in that growth. Consequently, the one in six U.S. jobs that are currently tied to international trade will grow substantially. If the U.S. is to grab a significant piece of China's burgeoning consumer market, we must begin by engaging China as experts of their culture.

The United States-China Cultural Engagement Act of 2005 authorizes $1.3 billion over the five years after its enactment. This is a symbolic gesture for the recent birth of China's one billion three hundred millionth citizen. One may argue that is too much given other important—under-funded—national priorities. However, the dividend from this investment in our future business and government leaders pays for itself a hundred or even a million times over in opportunities for economic growth and in potential foreign crises that will be averted.

In this legislation, I propose to significantly enhance our schools and academic institutions' ability to teach Chinese language and culture from elementary school through advanced degree studies. This act will expand student physical exchange programs with China as well as create a virtual exchange infrastructure for secondary school students that study Chinese. Initiatives were included, that offer the Department of State more flexibility in granting visas to Chinese scientists to come here and study at American academic institutions. For American businesses, I seek a substantial increase in Foreign Commercial Service officers stationed in China to uncover and facilitate more American export opportunities. For non-corporate entrepreneurs, provisions that provide for the expansion of state specific export centers and greater Small Business Administration outreach were also included.

Engaging China as an ally in international affairs and as a partner in building economic prosperity is of the utmost importance to the United States. Only if we succeed in fostering this relationship can we have a future that is as bright as our past. Education experts, corporate leaders, and even some government officials have talked for sometime about the convergence of economic, demographic, and national security trends that require our young people to attain a greater level of international knowledge and skills to be successful as workers and citizens in our increasingly dynamic American economy.

The rise of China comes with a whole set of challenges. But the ability to talk to and understand each other should not be among them.

The United States-China Cultural Engagement Act sets forth a strategy for achieving that level of understanding and cooperation with China, I urge my colleagues to look favorably upon this measure.

By Mr. FEINGOLD:

S. 1118. A bill to amend the Reclamation Reform Act of 1982 to reduce irrigation subsidies, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. FEINGOLD. Mr. President, today I am introducing a measure aimed at curbing wasteful spending. In the face of our ever growing Federal deficit, we must prioritize and eliminate programs that can no longer be sustained with limited Federal dollars, or where a more cost-effective means of fulfilling those functions can be substituted. The measure that I introduce today establishes a means test for large agribusinesses receiving subsidized water from the Bureau of Reclamation.

The irrigation means test provision is drawn from legislation that I have sponsored in previous Congresses to reduce the amount of Federal irrigation subsidies received by large agribusiness interests. I believe that reforming Federal water pricing policy by reducing subsidies is important as a means to achieve our broader objectives of achieving a truly balanced budget. This legislation is also needed to curb fundamental abuses of reclamation law that cost the taxpayer millions of dollars every year.

In 1901, President Theodore Roosevelt proposed legislation, which came to be known as the Reclamation Act of 1902, to encourage development of family farms throughout the western United States. The idea was to provide needed water for areas that were otherwise dry and give small farms, those no larger than 160 acres, a chance, with a helping hand from the Federal Government, to establish themselves. According to a 1996 General Accounting Office report, since the passage of the Reclamation Act, the Federal Government has spent $21.8 billion to construct 133 water projects in the west to provide water for irrigation. Agribusinesses, and other project beneficiaries, are required under the law to repay to the Federal Government their allocated share of the costs of constructing these projects.

As a result of the subsidized financing provided by the Federal Government, however, some of the beneficiaries of Federal water projects repay considerably less than their full share of these costs. According to the 1996 GAO report, agribusinesses generally receive the largest amount of federal financial assistance. Since the initiation of the irrigation program in 1902, construction costs associated with irrigation have been repaid without interest. The GAO further found, in reviewing the Bureau of Reclamation's financial reports, that $16.9 billion, or 78 percent, of the $21.8 billion of Federal investment in water projects is considered to be reimbursable. Of the reimbursable costs, the largest share, $7.1 billion, is allocated to irrigation interests. GAO also found that the Bureau of Reclamation will likely shift $3.4 billion of the debt owed by agribusinesses to other users of the water projects for repayment.

There are several reasons why large agribusinesses continue to receive such significant subsidies. Under the Reclamation Reform Act of 1982, Congress acted to expand the size of the farms that could receive subsidized water from 160 acres to 960 acres. The RRA of 1982 expressly prohibits farms that exceed 960 acres in size from receiving federally subsidized water. These restrictions were added to the Reclamation law to close loopholes through which Federal subsidies were flowing to large agribusinesses rather than the small family farmers that Reclamation projects were designed to serve. Agribusinesses were expected to pay full cost for all water received on land in excess of their 960 acre entitlement.

Despite the express mandate of Congress, regulations promulgated under the Reclamation Reform Act of 1982 have failed to keep big agricultural water users from receiving Federal subsidies. The General Accounting Office and the Inspector General of the Department of the Interior continue to find that the acreage limits established in law are circumvented through the creation of arrangements such as farming trusts. These trusts, which in total acreage well exceed the 960 acre limit, are comprised of smaller units that are not subject to the reclamation acreage cap. These smaller units are farmed under a single management agreement often through a combination of leasing and ownership.

The Department of the Interior has acknowledged that these trusts exist. Interior published a final rulemaking in 1998 to require farm operators who provide services to more than 960 nonexempt acres westwide, held by a single trust or legal entity or any combination of trusts and legal entities, to submit RRA forms to the district(s) where such land is located. Water districts are now required to provide specific information about farm operators to Interior annually. This information is an important step toward enforcing the legislation that I am reintroducing today.

A recent report by the Environmental Working Group examined water

subsidies in the Central Valley Project (CVP) of California and it provides further evidence that this legislation is long overdue. According to EWG, in 2002, the largest 10 percent of the farms in the area got 67 percent of the water, for an average subsidy worth up to $349,000 each at market rates for replacement water. Twenty-seven large farms received subsidies each worth $1 million or more at market rates. Yet, the median subsidy for a Central Valley farmer in 2002 was $7,076 a year, almost 50 times less than the largest 10 percent of farms. One farm in Fresno County received more water by itself than 70 CVP water user districts. Its subsidy alone was worth $4.2 million a year at market rates.

This analysis is significant because the Bureau of Reclamation program is supposed to help small farmers, not large agribusinesses. The CVP analysis is also important because CVP farmers get about one-fifth of all the water used in California, at rates that by any measure are far below market value. In 2002, for example, the average price for irrigation water from the CVP was less than 2 percent what Los Angeles residents pay for drinking water, one-tenth the estimated cost of replacement water supplies, and about one-eighth what the public pays to buy its own water back to restore the San Francisco Bay and Delta. Meanwhile, many citizens in living in the CVP do not have access to clean, safe drinking water. Unfortunately, this situation is pervasive in many other Western communities.

My legislation combines various elements of proposals introduced by other members of Congress to close loopholes in the 1982 legislation and to impose a $500,000 means test. This new approach limits the amount of subsidized irrigation water delivered to any operation in excess of the 960 acre limit that claimed $500,000 or more in gross income, as reported on its most recent IRS tax form. If the $500,000 threshold were exceeded, an income ratio would be used to determine how much of the water should be delivered to the user at the full-cost rate, and how much at the below-cost rate. For example, if a 961 acre operation earned $1 million, a ratio of $500,000, the means-test value, divided by its gross income would determine the full cost rate. Thus the water user would pay the full cost rate on half of their acreage and the below-cost rate on the remaining half.

This means-testing proposal was featured in the 2000 Green Scissors report. This report is compiled annually by Friends of the Earth and Taxpayers for Common Sense and supported by a number of environmental, consumer and taxpayer groups. The premise of the report is that there are a number of subsidies and projects that could be cut to both reduce the deficit and benefit the environment. The Green Scissors recommendation on means-testing water subsidies indicates that if a test is successful in reducing subsidy payments to the highest grossing 10 percent of farms, then the federal government would recover between $440 million and $1.1 billion per year, or at least $2.2 billion over 5 years.

When countless Federal programs are subjected to various types of means tests to limit benefits to those who truly need assistance, it makes little sense to continue to allow large business interests to dip into a program intended to help small entities struggling to survive. Taxpayers have legitimate concerns when they learn that their hard-earned tax dollars are being expended to assist large corporate interests in select regions of the country, particularly in tight budgetary times.

I urge Congress to act swiftly to save money for the taxpayers.

By Mr. CHAMBLISS:

S. 1119. A bill to permit an alien to remain eligible for a diversity visa beyond the fiscal year in which the alien applied for the visa, and for other purposes; to the Committee on the Judiciary.

Mr. CHAMBLISS. Mr. President, today, I am introducing legislation to fix a problem that some of my colleagues have experienced in serving their constituents. Immigration case work is one of the top issues that my State offices handle on a regular basis. Occasionally, people who are in our country legally and playing by the rules can slip through the cracks as they wait on the immigration process to run its course. With the massive caseload handled by immigration services, there are bound to be mistakes, and this legislation allows the agency to remedy those mistakes in the limited situation of the Diversity Visa program.

The case of an Atlanta couple, Charles Nyaga and his wife, Doin, came to my attention about a year ago. Charles Nyaga, a native of Kenya, came to the U.S. with his family as a student in 1996, and he is currently pursuing a master's degree in divinity. In 1997, he applied for the fiscal year 1998 Diversity Visa program and the Immigration and Naturalization Service (INS) selected him. In accordance with the Diversity Visa requirements, Nyaga and his wife submitted an application and a fee to adjust their status to legal permanent resident.

A cover letter on the Diversity Visa application instructed: ''While your application is pending before the interview, please DO NOT make inquiry as to the status of your case, since it will result in further delay.'' During the eight months that INS had to review his application, Nyaga accordingly never made inquiry, and he unfortunately never heard back. His valid application simply slipped through the cracks. At the end of the fiscal year, Nyaga's application expired, although a sufficient number of diversity visas remained available.

Nyaga and his wife took their case all the way to the 11th Circuit Court of Appeals. In a decision last year, the Court found that the INS lacks the authority to act on Nyaga's application after the end of the fiscal year, regardless of how meritorious his case is. The court even went so far as to note that a private relief bill is the remedy for Nyaga in order to overcome the statuary barrier that prohibits the INS from reviewing a case in a prior fiscal year. The U.S. Supreme Court declined to take up this case.

My legislation would overcome this statutory hurdle for Charles Nyaga, his wife, and others who are similarly situated. The legislation would give the Department of Homeland Security (DHS) the opportunity to reopen cases from previous fiscal years in order to complete their processing. It is important to understand that this process would only be available to those individuals who have been here since the time they filed their claim. The bill would still give DHS the discretion to conduct background checks and weigh any security concerns before adjusting an applicant's status.

I look forward to working with my colleagues and with Homeland Security officials to pass this legislation this year. We must provide relief in these cases. I believe this targeted legislation strikes the proper balance to provide thorough processing of Diversity Visa applications while not compromising the Department's national security mission.

By Mr. DURBIN (for himself, Mrs. LINCOLN, Mr. LUGAR, and Mr. SMITH):

S. 1120. A bill to reduce hunger in the United States by half by 2010, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. DURBIN. Mr. President, nearly a decade ago, at the 1996 World Food Summit, the United States joined 185 other countries in a commitment to cut the number of undernourished people in the world in half by 2015. In 2000, as part of the Healthy People 2010 initiative, the U.S. government set another, more ambitious goal—to cut U.S. food insecurity in half from the 1995 level by 2010.

These are laudable and achievable goals. But our actions as a Nation have not kept pace with our words. Hunger and food insecurity have increased in this country each year since 1999. According to Household Food Security in the United States, 2003, the most recent report on hunger and food insecurity in the U.S. from the U.S. Department of Agriculture, 36.3 million people—including nearly 13.3 million children—lived in households that experienced hunger or the risk of hunger in 2003. This represents more than one in ten households in the United States (11.2 percent) and is an increase of 1.4 million, from 34.9 million in 2002.

In his remarks to delegates at the first World Food Congress in 1963, President John F. Kennedy said, ''We have the means, we have the capacity

to eliminate hunger from the face of the earth in our lifetime. We only need the will.''

Forty-two years later, we still need the will, especially the political will.

In June 2004, the National Anti-Hunger Organization (NAHO), which is comprised of the 13 national organizations that are working to end widespread hunger in our country, released A Blueprint to End Hunger. It is a roadmap setting forth a strategy for government, schools and community organizations, nonprofit groups, businesses, and individuals to solve the problem of hunger. The report recommends that Federal food programs continue as the centerpiece of our strategy to end hunger. It also urges us, the Federal Government, to invest in and strengthen the national nutrition safety net and increase outreach and awareness of the importance of preventing hunger and improving nutrition.

We know that Federal nutrition programs work. WIC, food stamps, the school breakfast and lunch programs, and other federal nutrition programs are reaching record numbers of Americans today, and making their lives better. But we're not reaching enough people. There are still too many parents in this country who skip meals because there is not enough money in the family food budget for them and their children to eat every night. There are still too many babies and toddlers in America who are not getting the nutrition their minds and bodies need to develop to their fullest potential. There are too many seniors, and children, who go to bed hungry. In the richest Nation in the history of the world, that's unacceptable.

Today, in an effort to stir the political will and rekindle our commitment to achieve the goal of ending hunger, I am introducing the Hunger-Free Communities Act of 2005 with Senators SMITH, LUGAR, and LINCOLN. This bill builds on the recommendations made by NAHO and is designed to put our nation back on track toward the goal of cutting domestic food insecurity and hunger in half by 2010. It contains a sense of the Congress reaffirming our commitment to the 2010 goal and establishing a new goal: the elimination of hunger in the United States by 2015. This sense of Congress also urges the preservation of the entitlement nature of food programs and the protection of federal nutrition programs from funding cuts that reduce benefit levels or the number of eligible participants.

The Hunger-Free Communities Act also increases the resources available to local groups across the country working to eliminate hunger in their communities. Each day, thousands of community-based groups and millions of volunteers work on the front lines of the battle against hunger. This bill establishes an anti-hunger grant program, the first of its kind, with an emphasis on assessing hunger in individual communities and promoting cooperation and collaboration among local anti-hunger groups. The grant program recognizes the vital role that community-based organizations already play in the fight against hunger and represents Congress' commitment to the public/private partnership necessary to reduce, and ultimately eliminate, food insecurity and hunger in this country.

Hunger is not a partisan issue. During the 1960s and 1970s, under both Democratic and Republican Administrations, our country undertook initiatives and put in place programs that substantially reduced the number of people who struggle to feed their families in our nation. Unfortunately, this progress has not been sustained.

We now have the opportunity to forge a new bipartisan partnership, committed to addressing hunger in the United States. Senators SMITH, DOLE, LINCOLN, and I have created the bipartisan Senate Hunger Caucus with that goal in mind. Progress against hunger is possible, even with a war abroad and budget deficits at home. I thank my colleagues for their leadership on the Hunger Caucus and look forward to working with them, and other members of this body, as we consider the Hunger-Free Communities Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1120

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Hunger-Free Communities Act of 2005''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

SEC. 2. FINDINGS.

Congress finds that—

(1) food insecurity and hunger are growing problems in the United States;

(2) in 2003, more than 36,000,000 people, 13,000,000 of whom were children, lived in households that were food insecure, representing an increase of 5,200,000 people in just 4 years;

(3) over 9,600,000 people lived in households in which at least 1 person experienced hunger;

(4)(A) at the 1996 World Food Summit, the United States, along with 185 other countries, pledged to reduce the number of undernourished people by half by 2015;

(B) as a result of this pledge, the Department of Health and Human Services adopted the Healthy People 2010 goal to cut food insecurity in half by 2010, and in doing so reduce hunger;

(5)(A) the Healthy People 2010 goal measures progress that has been made since the 1996 World Food Summit and urges the Federal Government to reduce food insecurity from the 1995 level of 12 percent to 6 percent;

(B) in 1999, food insecurity decreased to 10.1 percent, and hunger decreased to 3 percent, but no progress has been made since 1999;

(C) in 2003, food insecurity increased to 11.2 percent and hunger increased to 3.5 percent, so that the United States needs to reduce food insecurity by approximately 5 percentage points in the next 5 years in order to reach the Healthy People 2010 goal;

(6) anti-hunger organizations in the United States have encouraged Congress to achieve the commitment of the United States to decrease food insecurity and hunger in half by 2010 and eliminating food insecurity and hunger by 2015;

(7) anti-hunger organizations in the United States have identified strategies to cut food insecurity and hunger in half by 2010 and to eliminate food insecurity and hunger by 2015;

(8)(A) national nutrition programs are among the fastest, most direct ways to efficiently and effectively prevent hunger, reduce food insecurity, and improve nutrition among the populations targeted by a program;

(B) the programs are responsible for the absence of widespread hunger and malnutrition among the poorest people, especially children, in the United States;

(9)(A) although national nutrition programs are essential in the fight against hunger, the programs fail to reach all of the people eligible and entitled to their services;

(B) according to the Department of Agriculture, only approximately 56 percent of food-insecure households receive assistance from at least 1 of the 3 largest national nutrition programs, the food stamp program, the special supplemental nutrition program for women, infants, and children (WIC), and the school lunch program;

(C) the food stamp program reaches only about 54 percent of the households that are eligible for benefits; and

(D) free and reduced price school breakfasts are served to about ½ of the low-income children who get free or reduced price lunches, and during the summer months, less than 20 percent of the children who receive free and reduced price school lunches are served meals;

(10) in 2001, food banks, food pantries, soup kitchens, and emergency shelters helped to feed more than 23,000,000 low-income people;

(11) community-based organizations and charities can help—

(A) play an important role in preventing and reducing hunger;

(B) measure community food security;

(C) develop and implement plans for improving food security;

(D) educate community leaders about the problems of and solutions to hunger;

(E) ensure that local nutrition programs are implemented effectively; and

(F) improve the connection of food insecure people to anti-hunger programs;

(12) according to the Department of Agriculture, in 2003, hunger was 8 times as prevalent, and food insecurity was nearly 6 times as prevalent, in households with incomes below 185 percent of the poverty line as in households with incomes at or above 185 percent of the poverty line; and

(13) in order to achieve the goal of reducing food insecurity and hunger by ½ by 2010, the United States needs to—

(A) ensure improved employment and income opportunities, especially for less-skilled workers and single mothers with children; and

(B) reduce the strain that rising housing and health care costs place on families with limited or stagnant incomes.

SEC. 3. DEFINITIONS.

In this Act:

(1) DOMESTIC HUNGER GOAL.—The term ''domestic hunger goal'' means—

(A) the goal of reducing hunger in the United States to at or below 2 percent by 2010; or

(B) the goal of reducing food insecurity in the United States to at or below 6 percent by 2010.

(2) EMERGENCY FEEDING ORGANIZATION.—The term ''emergency feeding organization'' has the meaning given the term in section 201A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501).

(3) FOOD SECURITY.—The term ''food security'' means the state in which an individual has access to enough food for an active, healthy life.

(4) HUNGER-FREE COMMUNITIES GOAL.—The term ''hunger-free communities goal'' means any of the 14 goals described in the H. Con. Res. 302 (102nd Congress).

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

TITLE I—NATIONAL COMMITMENT TO END HUNGER

SEC. 101. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) Congress is committed to—

(A) achieving domestic hunger goals;

(B) achieving hunger-free communities goals; and

(C) ending hunger by 2015;

(2) Federal food and nutrition programs should receive adequate funding to meet the requirements of the programs; and

(3) the entitlement nature of the child and adult care food program, the food stamp program established by section 4 of the Food Stamp Act of 1977 (7 U.S.C. 2013), the school breakfast and lunch programs, and the summer food service program should be preserved.

SEC. 102. DATA COLLECTION.

(a) IN GENERAL.—The American Communities Survey, acting under the authority of the Census Bureau pursuant to section 141 of title 13, United States Code, shall collect and submit to the Secretary information relating to food security.

(b) COMPILATION.—Not later than October 31 of each year, the Secretary shall compile the information submitted under subsection (a) to produce data on food security at the Federal, State, and local levels.

SEC. 103. ANNUAL HUNGER REPORT.

(a) STUDY.—

(1) IN GENERAL.—The Secretary shall conduct a study, and annual updates of the study, of major matters relating to the problem of hunger in the United States, as determined by the Secretary.

(2) MATTERS TO BE ASSESSED.—The matters to be assessed by the Secretary shall include—

(A) the information compiled under section 102(b);

(B) measures carried out during the previous year by Federal, State, and local governments to achieve domestic hunger goals and hunger-free communities goals; and

(C) measures that could be carried out by Federal, State, and local governments to achieve domestic hunger goals and hunger-free communities goals.

(b) RECOMMENDATIONS.—The Secretary shall develop recommendations on—

(1) removing obstacles to achieving domestic hunger goals and hunger-free communities goals; and

(2) otherwise reducing domestic hunger.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the President and Congress a report that contains—

(1) a detailed statement of the results of the study, or the most recent update to the study, conducted under subsection (a); and

(2) the most recent recommendations of the Secretary under subsection (b).

TITLE II—STRENGTHENING COMMUNITY EFFORTS

SEC. 201. HUNGER-FREE COMMUNITIES COLLABORATIVE GRANTS.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' means a public food program service provider or a nonprofit organization, including but not limited to an emergency feeding organization, that demonstrates the organization has collaborated, or will collaborate, with 1 or more local partner organizations to achieve at least 1 hunger-free communities goal.

(b) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Secretary shall use not more than 50 percent of any funds made available under title III to make grants to eligible entities to pay the Federal share of the costs of an activity described in subsection (d).

(2) FEDERAL SHARE.—The Federal share of the cost of carrying out an activity under this section shall not exceed 80 percent.

(3) NON-FEDERAL SHARE.—

(A) CALCULATION.—The non-Federal share of the cost of an activity under this section may be provided in cash or in kind, fairly evaluated, including facilities, equipment, or services.

(B) SOURCES.—Any entity may provide the non-Federal share of the cost of an activity under this section through a State government, a local government, or a private source.

(c) APPLICATION.—

(1) IN GENERAL.—To receive a grant under this section, an eligible entity shall submit an application to the Secretary at the time and in the manner and accompanied by any information the Secretary may require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall—

(A) identify any activity described in subsection (d) that the grant will be used to fund;

(B) describe the means by which an activity identified under subparagraph (A) will reduce hunger in the community of the eligible entity;

(C) list any partner organizations of the eligible entity that will participate in an activity funded by the grant;

(D) describe any agreement between a partner organization and the eligible entity necessary to carry out an activity funded by the grant; and

(E) if an assessment described in subsection (d)(1) has been performed, include—

(i) a summary of that assessment; and

(ii) information regarding the means by which the grant will help reduce hunger in the community of the eligible entity.

(3) PRIORITY.—In making grants under this section, the Secretary shall give priority to eligible entities that—

(A) demonstrate in the application of the eligible entity that the eligible entity makes collaborative efforts to reduce hunger in the community of the eligible entity; and

(B)(i) serve a predominantly rural and geographically underserved area;

(ii) serve communities in which the rates of food insecurity, hunger, poverty, or unemployment are demonstrably higher than national average rates;

(iii) provide evidence of long-term efforts to reduce hunger in the community;

(iv) provide evidence of public support for the efforts of the eligible entity; or

(v) demonstrate in the application of the eligible entity a commitment to achieving more than 1 hunger-free communities goal.

(d) USE OF FUNDS.—

(1) ASSESSMENT OF HUNGER IN THE COMMUNITY.—

(A) IN GENERAL.—An eligible entity in a community that has not performed an assessment described in subparagraph (B) may use a grant received under this section to perform the assessment for the community.

(B) ASSESSMENT.—The assessment referred to in subparagraph (A) shall include—

(i) an analysis of the problem of hunger in the community served by the eligible entity;

(ii) an evaluation of any facility and any equipment used to achieve a hunger-free communities goal in the community;

(iii) an analysis of the effectiveness and extent of service of existing nutrition programs and emergency feeding organizations; and

(iv) a plan to achieve any other hunger-free communities goal in the community.

(2) ACTIVITIES.—An eligible entity in a community that has submitted an assessment to the Secretary shall use a grant received under this section for any fiscal year for activities of the eligible entity, including—

(A) meeting the immediate needs of people in the community served by the eligible entity who experience hunger by—

(i) distributing food;

(ii) providing community outreach; or

(iii) improving access to food as part of a comprehensive service;

(B) developing new resources and strategies to help reduce hunger in the community;

(C) establishing a program to achieve a hunger-free communities goal in the community, including—

(i) a program to prevent, monitor, and treat children in the community experiencing hunger or poor nutrition; or

(ii) a program to provide information to people in the community on hunger, domestic hunger goals, and hunger-free communities goals; and

(D) establishing a program to provide food and nutrition services as part of a coordinated community-based comprehensive service.

SEC. 202. HUNGER-FREE COMMUNITIES INFRASTRUCTURE GRANTS.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' means an emergency feeding organization (as defined in section 201A(4) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501(4))).

(b) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Secretary shall use not more than 40 percent of any funds made available under title III to make grants to eligible entities to pay the Federal share of the costs of an activity described in subsection (d).

(2) FEDERAL SHARE.—The Federal share of the cost of carrying out an activity under this section shall not exceed 80 percent.

(c) APPLICATION.—

(1) IN GENERAL.—To receive a grant under this section, an eligible entity shall submit an application to the Secretary at the time and in the manner and accompanied by any information the Secretary may require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall—

(A) identify any activity described in subsection (d) that the grant will be used to fund; and

(B) describe the means by which an activity identified under subparagraph (A) will reduce hunger in the community of the eligible entity.

(3) PRIORITY.—In making grants under this section, the Secretary shall give priority to eligible entities the applications of which demonstrate 2 or more of the following:

(A) The eligible entity serves a predominantly rural and geographically underserved area.

(B) The eligible entity serves a community in which the rates of food insecurity, hunger, poverty, or unemployment are demonstrably higher than national average rates.

(C) The eligible entity serves a community that has carried out long-term efforts to reduce hunger in the community.

(D) The eligible entity serves a community that provides public support for the efforts of the eligible entity.

(E) The eligible entity is committed to achieving more than 1 hunger-free communities goal.

(d) USE OF FUNDS.—An eligible entity shall use a grant received under this section for any fiscal year to carry out activities of the eligible entity, including—

(1) constructing, expanding, or repairing a facility or equipment to support hunger relief agencies in the community;

(2) assisting an emergency feeding organization in the community in obtaining locally-produced produce and protein products; and

(3) assisting an emergency feeding organization in the community to process and serve wild game.

SEC. 203. HUNGER-FREE COMMUNITIES TRAINING AND TECHNICAL ASSISTANCE GRANTS.

(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term ''eligible entity'' means a national or regional nonprofit organization that carries out an activity described in subsection (d).

(b) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Secretary shall use not more than 10 percent of any funds made available under title III to make grants to eligible entities to pay the Federal share of the costs of an activity described in subsection (d).

(2) FEDERAL SHARE.—The Federal share of the cost of carrying out an activity under this section shall not exceed 80 percent.

(c) APPLICATION.—

(1) IN GENERAL.—To receive a grant under this section, an eligible entity shall submit an application to the Secretary at the time and in the manner and accompanied by any information the Secretary may require.

(2) CONTENTS.—Each application submitted under paragraph (1) shall—

(A) demonstrate that the eligible entity does not operate for profit;

(B) describe any national or regional training program carried out by the eligible entity, including a description of each region served by the eligible entity;

(C) describe any national or regional technical assistance provided by the eligible entity, including a description of each region served by the eligible entity; and

(D) describe the means by which each organization served by the eligible entity—

(i) works to achieve a domestic hunger goal;

(ii) works to achieve a hunger-free communities goal; or

(iii) used a grant received by the organization under section 201 or 202.

(3) PRIORITY.—In making grants under this section, the Secretary shall give priority to eligible entities the applications of which demonstrate 2 or more of the following:

(A) The eligible entity serves a predominantly rural and geographically underserved area.

(B) The eligible entity serves a region in which the rates of food insecurity, hunger, poverty, or unemployment are demonstrably higher than national average rates.

(C) The eligible entity serves a region that has carried out long-term efforts to reduce hunger in the region.

(D) The eligible entity serves a region that provides public support for the efforts of the eligible entity.

(E) The eligible entity is committed to achieving more than 1 hunger-free communities goal.

(d) USE OF FUNDS.—An eligible entity shall use a grant received under this section for any fiscal year to carry out national or regional training and technical assistance for organizations that—

(1) work to achieve a domestic hunger goal;

(2) work to achieve a hunger-free communities goal; or

(3) receive a grant under section 201 or 202.

SEC. 204. REPORT.

Not later than September 30, 2011, the Secretary shall submit to Congress a report describing—

(1) each grant made under this title, including—

(A) a description of any activity funded by such a grant; and

(B) the degree of success of each activity funded by such a grant in achieving hunger-free communities goals; and

(2) the degree of success of all activities funded by grants under this title in achieving domestic hunger goals.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out title II $50,000,000 for each of fiscal years 2006 through 2011.

Mrs. LINCOLN. Mr. President, while serving as a Congressmen from Texas in the 1980s, Mickey Leland said, ''I cannot get used to hunger and desperate poverty in our plentiful land. There is no reason for it, there is no excuse for it, and it is time that we as a nation put an end to it.''

Over 15 years have passed since Mr. Leland delivered those powerful remarks, and we have yet to achieve his goal of ending hunger in America. In many respects, we have only slipped backwards. According to the U.S. Department of Agriculture, 36.3 million Americans, including 13.3 million children, experienced hunger or food insecurity in 2003. These figures, startling on their own, have been increasing steadily since 1999. We need to reverse this trend.

Mr. President, I rise today to pledge my commitment to this cause. Today, I am pleased to join Senators DURBIN, SMITH, and LUGAR in introducing the Hunger-Free Communities Act of 2005. This bill establishes a goal of ending hunger in America by 2015. The bill also supports preserving the entitlement framework of the federal food programs. Our federal food programs are vitally important to the millions of working Americans that are trying to make ends meet and the millions of children who need access to nutritious food.

In addition, this bill commits our fullest efforts to protecting the discretionary food program from budget cuts that would prevent these programs from addressing identified need. Lastly, the bill provides needed resources to non-profit organizations that fight to reduce hunger every day. The grant programs this bill establishes will promote new partnerships and help build the infrastructure we believe is necessary to root out hunger in every corner of our nation.

Almost a year ago, I joined Senators SMITH, DURBIN and DOLE in founding the bipartisan Senate Hunger Caucus to address the growing problem of hunger in America and around the world. The Senate Hunger Caucus currently has 34 members and we are working together to raise awareness about these issues and help create solutions to the hunger problem.

While there are many difficult problems we work to solve in Congress, hunger is a problem that has a solution. This bill is an example of our bipartisan effort to develop solutions to the hunger problem in America. I am proud to work with my colleagues to support ending hunger for the millions of Americans who find themselves without access to one of the most basic needs—nutritious food.

By Mr. KYL (for himself and Mr. MCCAIN):

S. 1122. A bill to authorize and direct the exchange and conveyance of certain National Forest land and other land in southeast Arizona; to the Committee on Energy and Natural Resources.

Mr. KYL. Mr. President, today I am pleased to join with Senator MCCAIN to introduce the Southeast Arizona Land Exchange and Conservation Act of 2005. This bill, which facilitates an important land exchange in Arizona, is the product of months of discussion between the United States Forest Service, Bureau of Land Management, State and local officials, community groups, recreational and conservation groups, and other stakeholders. It will allow for the protection of some of the most environmentally sensitive lands in Arizona while providing a much needed economic engine for the people of Superior, AZ and the surrounding communities. An identical companion bill is being introduced today in the House of Representatives by Representative RENZI.

The exchange conveys approximately 3,025 acres of land controlled by the Forest Service to Resolution Copper Company. The acreage to be traded to Resolution Copper will facilitate future exploration, and possible development, of what may be one of the largest deposits of copper ore ever discovered in North America. The 3,025 acres are intermingled with, or lie next to, private lands already owned by Resolution Copper, and are located south and

east of Resolution's existing underground Magma copper mine. Approximately 75 percent of the 3,025 acre Federal parcel is already blanketed by federally authorized mining claims owned by Resolution Copper that give Resolution the right to explore and develop mineral deposits on it. Given the intermingled ownership, the public safety issues that may be associated with mining activities, and the significant financial investment Resolution Copper must make to even determine whether development of a mine is feasible, it makes sense, for Resolution Copper to own the entire mining area.

However, we also recognize that there is public resource value associated with the Federal land that would come into private ownership and, to the extent we can, we should protect and or replace these resources. The Apache Leap Escarpment, a spectacular cliff area comprising approximately 562 acres on the western side of the federal parcel, is an area deserving of protection. To protect the surface of this area from mining and development, the bill requires that a permanent conservation easement be placed on this area. In addition, the bill sets up a process to determine whether additional or enhanced public access should be provided to Apache Leap and, if so, provides that Resolution Copper will pay up to $250,000 to provide such access.

The bill also requires replacement sites for the Oak Flat Campground and the climbing area that are located on the Federal parcel that will be traded to Resolution Copper. The process to locate replacement sites is already under way, and I am told it is going well. Access to these public areas will not immediately terminate on enactment of this legislation: The bill allows continued public use of the Oak Flat Campground for two years after the enactment and it allows for continued rock climbing use for two years after, and use of the land for the annual ''Boulder Blast'' rock climbing competition for five years after enactment. Replacement sites will be designed and developed largely with funding provided by Resolution Copper.

I am also working with Resolution Copper and community groups to determine whether there may be additional climbing areas within the Federal parcel that could continue to be accessible to the public without compromising public safety or the mining operation. I have included a placeholder in the bill for such additional climbing provisions if agreed to.

In return for conveying the Federal land parcel to Resolution Copper, the Forest Service and Bureau of Land Management will receive six parcels of private land, totaling 4,814 acres. These parcels have been identified, and are strongly endorsed for public acquisition, by the Forest Service, BLM, Arizona Audubon Society, Nature Conservancy, Sonoran Institute, Arizona Game and Fish Department, and numerous others.

The largest of the six parcels is the Seven B Ranch located near Mammoth. It runs for 6.8 miles along both sides of the lower San Pedro River—one of the few remaining undammed rivers in the southwestern United States. The parcel also has: one of the largest, and possibly oldest, mesquite bosques in Arizona; a high volume spring that flows year round; and potential recovery habitat for several endangered species, including the southwestern willow flycatcher. It lies on an internationally recognized migratory bird flyway, with roughly half the number of known breeding bird species in North America passing through the corridor. Public acquisition of this parcel will greatly enhance efforts by Federal and State agencies to preserve for future generations the San Pedro River and its wildlife and bird habitat.

A second major parcel is the Appleton Ranch, consisting of 10 private inholdings intermingled with the Appleton-Whittell Research Ranch, adjacent to the Las Cienegas National Conservation Area southeast of Tucson. This acquisition will facilitate and protect the study of southwestern grassland ecology and unique aquatic wildlife and habitat.

Finally, the Forest Service will acquire four inholdings in the Tonto National Forest that possess valuable riparian and wetland habitat, water resources, historic and cultural resources, and habitat for numerous plant, wildlife and bird species, including the endangered Arizona hedgehog cactus.

Although the focus of this bill is the land exchange between Resolution Copper and the United States, it also includes provisions allowing for the conveyance of Federal lands to the Town of Superior, if it so requests. These lands include the town cemetery, lands around the town airport, and a Federal reversionary interest that exists at its airport site. These lands are included in the proposed exchange to assist the town in providing for its municipal needs and expanding its economic development.

Though I have described the many benefits of this exchange, you may be asking why we are legislating this land exchange. Why not use the existing administrative land exchange process? The answer is that this exchange can only be accomplished legislatively because the Forest Service does not have the authority to convey away federal lands in order to acquire other lands outside the boundaries of the National Forest System, no matter how ecologically valuable.

Of primary importance to me is that the exchange have procedural safeguards and conditions that ensure it is an equal value exchange that is in the public interest.

I will highlight some of the safeguards in this legislation: First, it requires that all appraisals of the lands must follow standard Federal practice and be performed in accordance with appraisal standards promulgated by the U.S. Department of Justice. All appraisals must also be formally reviewed, and approved, by the Secretary of Agriculture. Second, to ensure the Federal Government gets full value for the Federal parcel it is giving up, the Federal parcel will be appraised to include the minerals and appraised as if unencumbered by the private mining claims that detract from the fair market value of the land. These are important provisions not required by Federal law. They are especially significant given that over 75 percent of the Federal parcel is covered by mining claims owned by Resolution Copper and the bulk of the value of the Federal parcel is expected to be the minerals. Third, it requires that the Apache Leap conservation easement not be considered in determining the fair market value of the Federal land parcel. I believe by following standard appraisal practices and including these additional safeguards in the valuation process, the United States, and ultimately the taxpayer, will receive full fair market value for both the land and the minerals it contains.

In summary, with this land exchange we can preserve lands that advance the important public objectives of protecting wildlife habitat, cultural resources, the watershed, and aesthetic values, while generating economic and employment opportunities for State and local residents. I hope we approve the legislation at the earliest possible date. It is a winning scenario for our environment, our economy, and our posterity.

By Mr. SANTORUM:

S. 1125. A bill to reform liability for certain charitable contributions and services; to the Committee on the Judiciary.

Mr. SANTORUM. Mr. President, I am introducing the Expanding Charitable and Volunteer Opportunities Act of 2005. I am proud of the charitable work that is continuously done throughout this country. However, individual charitable giving rates among Americans have stagnated over the past fifty years. As legislators, we must provide incentives for charitable giving and opportunities for low-income families to build individual assets, and support faith-based and secular organizations as they provide charitable social services. We must also eliminate unnecessary road blocks that might keep businesses and individuals from donating to the needy. I remain committed to promoting increased opportunities for the less fortunate to obtain help through faith-based and community organizations. There are people all around the country waiting to give more to charity—they just need a little push.

The Expanding Charitable and Volunteer Opportunities Act provides such a push. This legislation builds on the Volunteer Protection Act of 1997 that immunizes individuals who do volunteer work for non-profit organizations

or governmental entities from liability for ordinary negligence in the course of their volunteer work. My bill prevents a business from being subject to civil liability when a piece of equipment has been loaned by a business entity to a nonprofit organization unless the business has engaged in gross negligence or intentional conduct. This provision passed the House of Representatives in the 107th Congress as part of H.R. 7, and I am hopeful we can do the same here in the Senate in the 109th.

This bill also builds on the success of the Good Samaritan Food Donation Act by providing similar liability protections for volunteer firefighter companies. The basic purpose of this provision is to induce donations of surplus firefighting equipment by reducing the threat of civil liability for organizations (most commonly heavy industry) and individuals who wish to make these donations. The bill eliminates civil liability barriers to donations of surplus fire fighting equipment by raising the liability standard for donors from ''negligence'' to ''gross negligence.'' By doing this, the legislation saves taxpayer dollars by encouraging donations, thereby reducing the taxpayers' burden of purchasing expensive equipment for volunteer fire departments.

The Good Samaritan Volunteer Firefighter Assistance Act of 2005 is modeled after a bill passed by the Texas state legislature in 1997 and signed into law by then-Governor George W. Bush which has resulted in more than $10 million in additional equipment donations from companies and other fire departments for volunteer departments which may not be as well equipped. Now companies in Texas can donate surplus equipment to the Texas Forest Service, which then certifies the equipment and passes it on to volunteer fire departments that are in need. The donated equipment must meet all original specifications before it can be sent to volunteer departments. Alabama, Arizona, Arkansas, California, Florida, Illinois, Indiana, Missouri, Nevada, South Carolina, and Pennsylvania have passed similar legislation at the state level.

Finally, my legislation provides commonsense medical liability protections to physicians who volunteer their time to assist patients at community health centers. The Expanding Charitable and Volunteer Opportunities Act would extend the medical liability protections of the Federal Torts Claim Act (FTCA) to volunteer physicians at community health centers. These protections are necessary to ensure that the centers can continue to lay an important role in lowering our Nation's health care costs and meeting the needs for affordable and accessible quality healthcare.

Community health centers offer an affordable source of quality health care, but we need more of them. The President has proposed a $304 million increase for community health center programs to create 1,200 new or expanded sites to serve an additional 6.1 million people by next year. In order to meet that goal, the centers must double their workforce by adding double the clinicians by 2006. Hiring this many doctors would be costly, but encouraging more to volunteer would help to meet this need. While many physicians are willing to volunteer their services at these centers, they often hesitate due to the high cost of medical liability insurance. As a result, there are too few volunteer physicians to meet our health care needs. Expanding FTCA protection to these physicians cannot come at a more opportune time.

The spirit of giving is part of what makes America great. But more can be done to assist the needy. The Expanding Charitable and Volunteer Opportunities Act provides added incentives to those who wish to donate equipment or time. I encourage my colleagues to support this legislation.

By Mr. SCHUMER (for himself and Mrs. CLINTON):

S. 1126. A bill to provide that no federal funds may be expended for the payment or reimbursement of a drug that is prescribed to a sex offender for the treatment of sexual or erectile dysfunction; to the Committee on Finance.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1126

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

SECTION 1. NO FEDERAL FUNDS FOR DRUGS PRESCRIBED TO SEX OFFENDERS FOR THE TREATMENT OF SEXUAL OR ERECTILE DYSFUNCTION.

(a) RESTRICTION.—

(1) IN GENERAL.—Notwithstanding any other provision of law, no Federal funds may be expended for the payment or reimbursement, including payment or reimbursement under the programs described in paragraph (2), of a drug that is prescribed to an individual described in paragraph (3) for the treatment of sexual or erectile dysfunction.

(2) PROGRAMS DESCRIBED.—The programs described in this paragraph are the medicaid program, the medicare program, the Federal employees health benefits program, the Defense Health Program, the program of medical care furnished by the Secretary of Veterans Affairs, health related programs administered by the Indian Health Service, health related programs funded under the Public Health Service Act, and any other Federal health program.

(3) INDIVIDUAL DESCRIBED.—An individual described in this paragraph is an individual who has a conviction for sexual abuse, sexual assault, or any other sexual offense.

(b) EFFECTIVE DATE.—Subsection (a) shall apply to drugs dispensed on or after the date of enactment of this Act.

By Ms. SNOWE (for herself, Mr. THUNE, Ms. COLLINS, Mr. SUNUNU, Ms. MURKOWSKI, Mr. DOMENICI, Mr. LIEBERMAN, Mr. DODD, Mr. GREGG, Mr. LOTT, Mr. JOHNSON, Mr. CORZINE, Mr. BINGAMAN, and Mr. LAUTENBERG):

S. 1127. A bill to require the Secretary of Defense to submit to Congress all documentation related to the Secretary's recommendations for the 2005 round of defense base closure and realignment; read the first time.

Ms. SNOWE. Mr. President, I rise today to introduce a bill designed to ensure the Department of Defense releases both to the Congress and to the Base Realignment and Closure Commission all of the information used in generating its recommendations in the current BRAC round.

First, I want to thank the bill's sponsors for their support in this effort—Senators THUNE, COLLINS, SUNUNU, MURKOWSKI, DOMENICI, LIEBERMAN, DODD, GREGG, LOTT, JOHNSON, CORZINE, and BINGAMAN. I appreciate their recognition of the critical importance of ensuring we are given the information it is only right we have with regard to this base closure process.

Under the current Base Closing and Realignment statute, the Secretary of Defense shall make:

all information used by the Secretary to prepare the recommendations under this subsection available to Congress, including any committee or member of Congress.

The Secretary owes this same obligation to the BRAC Commission and to the Comptroller General of the United States.

Moreover, the Secretary of Defense is required to produce the data justifying their base closing decisions within 7 days—7 days. The 2005 BRAC list was released on Friday, May 13. Here we are, nearly two weeks later, and the Department of Defense continues to flout a key requirement of the very BRAC statute that gives it base closure authority in the first place. This amounts to a blatant refusal by the Pentagon to back up its highly questionable decisions to close a number of military facilities that are absolutely irreplaceable and indispensable to our national security.

Closing bases—or effectively shuttering them through massive realignment—of the magnitude that we are dealing with could only have been made by ignoring or misapplying BRAC criteria. The Defense Department's subsequent refusal to release the very data on which such decisions were made effectively shrouds the entire process in secrecy, depriving the bases and communities impacted, as well as the BRAC Commission, from gaining access to the very data needed to review the Pentagon's decisions.

What type of data am I talking about? To us a few examples from my own office's experience, the Department of the Navy has yet to release a detailed breakdown of cost of closure assessments, including factors applied by the COBRA model if they did not do actual cost estimates. We have yet to see all of the options considered by the Chief of Naval Operations or the Vice Chief of Naval Operations to reduce excess capacity in shipyards, including

closure, realignment, workload shifts and private sector capacity. We have still not received a detailed breakdown of cost of operations assessment, including shipyard and base costs.

These are just a few specific examples of what has not been provided. Other general categories would include data on the economic impact on existing communities, the degree to which the Defense Department looked into the ability of Maine's bases to accommodate future mission capabilities, and the impact of costs related to potential environmental restoration, waste management, environmental compliance restoration, readiness, future mission requirements. There are a number of such issues that are included in the base closing statute that requires the Defense Department to consider in making its evaluation and making, as well, its original determination, in terms of which bases they would recommend for closure or realignment.

The Defense Department's stall tactics are most acutely felt by those currently preparing to make presentations before realignment or closure of their specific bases. Here we are, on May 25, almost 2 weeks after the release of the base-closing list, and yet this critical data is still being sequestered behind Pentagon walls, and the communities affected by these closures are now forced to fly blind as they make their cases before the base-closing commission.

How hamstrung are these advocates, including many of my colleagues in the Senate and in the House of Representatives? Allow me to elaborate.

The first base-closing hearings are expected to take place in Salt Lake City on June 7, less than 2 weeks from now. How are the advocates for Mountain Home Air Force Base in Idaho or Defense Finance and Accounting Service stations in Kansas City and St. Louis supposed to prepare for a case, for a hearing in less than 2 weeks with this critical data being withheld?

The scheduled base-closing hearings to follow are no less forgiving. In fact, between June 15 and June 30, base-closing commission hearings will be held in the following cities: Fairbanks, AK; Portland, OR; Rapid City, SD; Dallas, TX; Grand Forks, ND; Clovis, NM; Buffalo, NY; Charlotte, NC; and Atlanta, GA.

In my case, in the State of Maine, in Portsmouth, NH, for Portsmouth Naval Shipyard, for Brunswick Air Force station, for the Defense Accounting Service in Limestone, ME, those will be scheduled on July 6 in Boston.

We are all working feverishly, as many of my colleagues are, along with State governments and all officials, to get our presentations for these most vital and critical hearings in order. Yet given the current blackout of backup data, that task is akin to defending one's self in a criminal case without the prosecutor putting forth the supposedly incriminating evidence.

This Department of Defense has taken foot dragging and obfuscation to new state-of-the-art levels. The bill I am introducing today will make clear that this delinquency will result in serious consequences.

So the legislation I am introducing is very straightforward and to the point. First, it states that the Department of Defense has 7 days from the date of the enactment of this law in which to release all of its supporting data for its realignment and closure decisions. Second, if this 7-day deadline is not met, the entire base-closing process of 2005 is canceled. Third, even if this deadline is met, all the base-closing statutory deadlines are pushed back by the number of days that the Defense Department delayed in producing this data.

This legislation is the full embodiment of fairness and due process. It ensures that those bases in communities attempting to prevent closures or realignment have access to the same facts the Pentagon did, and that failure to provide that information will carry appropriate consequences. And it is our last chance to reverse the egregious decisions made in the closing and realignment process.

The integrity of the base-closing process and of the decisions that are made on individual facilities depends on the accuracy of the data used and on the validity of the calculations and comparisons made using this data. Congress and the base-closing commission simply cannot discharge their responsibilities under the base-closing statute without this most vital information.

It would be bad enough if it were only the Congress and the Commission that were being hindered in carrying out our collective duties with regard to the base-closing process. But it is the communities where these bases are located that are suffering the greatest harm through their inability to find out what the basis of the Department's decision to close these installations was.

These towns and cities that have supported these bases for decades—or in some cases, like Kittery, ME, and Portsmouth, NH; Brunswick Air Station in Limestone, ME, for centuries—are being harmed through DOD's continued delay in making this data available. The community groups are handicapped in their efforts to understand the Department's base-closing analysis, assumptions, and conclusions therefore in their efforts to provide accurate rebuttal arguments or information to the Commission that the Department of Defense may not have considered.

So the communities not only have suffered the shock of potentially losing what is in most cases the single most important economic engine in their communities, but to add insult to injury, have not been given the full picture of why these installations they rely upon and that relied upon them was among those chosen to close. That cannot be allowed to stand.

Indeed, I am certain DOD will realize it cannot continue to withhold this information and will ultimately get to the bottom of this. We will then be able to see the weaknesses in the Navy's arguments with respect to the facilities in Maine. We will see that the facts indisputably prove there is no way to reasonably conclude this Nation should forfeit the long and distinguished history embodied in these facilities in a critical report like Kittery-Portsmouth Naval Shipyard or Brunswick Naval Air Station that are unequal in their performance.

We will also make sure the base-closing commission has the information with respect to the role that the Defense Accounting Services has played in Limestone, ME, the very anchor for the conversion of the former Loring Air Force Base closed in one of the last rounds of 1991 that certainly devastated that area and the State of Maine when we lost more than 10,000 that led to the outmigration of more than 20,000 in our northern county. It really was devastating to also learn that the Department of Defense decided to select Defense Accounting Services not only in Limestone but across this country. It was the very anchor for conversion to help mitigate the loss of this most crucial base up in northern Maine.

We will see that the facts undisputedly prove that the Navy ignored aspects of the base-closing criteria that I happen to believe can only lead to a finding that Brunswick Naval Air Station, as the only remaining fully operational airfield in the Northeastern United States, plays a singular, critical role in this Nation's homeland security and homeland defense posture and must continue to do so in the future. It really was inconceivable to me that the Department of Defense would also recommend closing Kittery-Portsmouth Naval Shipyard, the finest shipyard of its kind in the U.S. Navy.

In fact, the day before the base-closing list was announced on May 13, the Secretary of the Navy issued a Meritorious Unit Commendation to Kittery-Portsmouth Naval Shipyard for, in its words, ''superbly and consistently performing its missions,'' establishing benchmarks above and beyond both the public and private sector, having established, in their words, again, ''a phenomenal track record'' when it came to cost and quality and schedule and safety.

In fact, it had just been awarded the top safety award—the only facility in the Department of Defense and the only facility in the Navy, and only the second in the Department of Defense. That is a remarkable track record.

It also saves money for the taxpayers, and it saves time and money for the Navy. In fact, when it comes to refuelings at Kittery-Portsmouth Naval Shipyard, it saves $75 million on average compared to the other yards that do the same work. It saves $20 million when it comes to overhauls

compared to the other yards that do the same work. It saves 6 months in time in sending the ships back to sea sooner on refuelings compared to the other yards that do the same work. And it saves 3 months in time on overhauls compared to other yards that do the same work.

So one would argue, and certainly would ask the question, as I did of the Secretary of the Navy, what message does that send to the men and women of that shipyard when they are the overachievers, doing the best work and told they are No. 1 of its kind in its category, and we are saying, well, we are going to transfer that work elsewhere, to those who have not performed the equivalent result when it comes to time and money.

They are No. 1. But we are sending a message to those who are the best, we tell them the next day, well, you know what. You are doing such a great job that we have decided to close.

When it comes to Brunswick Naval Air Station, it is the only remaining active military airfield in the Northeast. The Northeast is home to 18 percent of America's population. It was, obviously, the region that received the most devastating attack on American soil on September 11.

And now we hear from the Defense Department that we want to realign this base—essentially, it is tantamount to closure—when it is a state-of-the-art facility, well positioned strategically, with unincumbered airspace of 63,000 miles—space of which to expand many times over—well positioned on our coastline for conducting surveillance in the North Atlantic sealane so important to extending the maritime domain awareness of the Coast Guard when it comes to one of the greatest threats facing America; that is, the shipments of weapons of mass destruction. So it raises a number of questions as to why these facilities were designated by the Department of Defense for closure.

What is even more disturbing is that in order to make the case before the base-closing commission, in an extremely limited period of time compared to the four previous base-closing rounds—which I am intimately familiar with, having been part of them in the past; we had 6 months—in this base-closing round, we have 4 months. It is on an expedited timeframe; therefore, it makes it even more difficult, more problematic, to make your case, when every day is going to count, and the Department of Defense is withholding all of the information upon which we have to make our case.

We are required by law to have that information because in order to make your case, you have to prove that the Department of Defense deviated substantially—deviated substantially—from the criteria in the base-closing statute when it comes to military value, operational readiness, the closing costs, the costs of operations of that particular facility, the economic impacts, so on and so on.

Now, it certainly is a mystery to me as to how the Defense Department could have made all these decisions—33 major base closings and another 29 realignments and many more for adjustments—and yet they cannot ensure that the information and the data they utilized is forthcoming. Well, then, it just raises the question, How did they make these decisions in the first place? Why have they not readily turned over the information that we require in order to make our case?

For the Commission to overturn a decision recommendation by the Department of Defense, it requires us to make a case that they deviated substantially from the criteria set forth in the base-closing statute. So it is obvious we need the information because not to have the information they used inhibits us and prohibits us from making the documentations that are required under the law.

I think it is a fundamental flouting of the law. We have insisted, day in and day out, we need this information. We deserve to have this information. The men and women who work at these military facilities who serve our country deserve to have this information. It is important to our national security interests because we need to know the information upon which this Defense Department predicated its assumptions. And it is not enough just to get their conclusions, it is not enough just to get their assumptions, we need all of the empirical data that was used to make those assumptions and conclusions. How did they arrive at those decisions?

For example, when you look at the force structure of submarines, the new attack submarines, on which the Portsmouth Naval Yard works, those decisions have to be predicated on 55 attack submarines, 55. That was included in the base-closing criteria, 2004. The force structure at that time was 55 attack submarines—still is—but the Department of Defense is changing their force structure after they already made the recommendations. How can they make a recommendation based on 55 attack submarines but then decide, well, maybe a year later we can reduce that number? We have already made the decision.

It raises a considerable number of questions about the flawed information and the flawed process. Yet we have not had an opportunity to evaluate it. We have lost a critical 2 weeks in this process and, again, as I said, on a very expedited timeframe in which to make these decisions, to evaluate the information, and to submit our case before the base-closing commission in the scheduled hearings over this next month.

If the Department of Defense does not provide this information in a timely manner, then this round of base closings is fundamentally flawed and is designed to close critical military infrastructure at a time when our Nation faces a changing, unpredictable threat environment, and, therefore, it should be brought to an end. If they cannot provide this information in a timely fashion, that is exactly what should occur.

I believe it does really underscore the integrity and the lack of the integrity in this process because it certainly stands to reason, and certainly it is a fair assumption to make, that the Department of Defense should be able to turn over instantaneously all of the information they used to make these critical decisions. After all, they have had a considerable period of time in which to make these decisions. So, therefore, it should not be very difficult to provide that information. But we continue to get the consistent stonewalling and obfuscation that is preventing us from evaluating these decisions in order to do what is required under the law to demonstrate how these decisions are faulty and to evaluate the information. We deserve no less than that.

So I thank my colleagues for joining me in this effort to compel the Department of Defense to stand up and be accountable for this decisionmaking process and to release the data that we deserve that led to these decisions with respect to base closings so we understand exactly how they arrived at their decisions that are so critical and central to our national security.

I regret we are in this position in the first place. I opposed this base-closing process. It certainly should have been deferred. We should have considered the overseas base closings before we looked at domestic installations. In fact, that certainly was an issue in the overseas base-closing report that was issued recently. So we do not have an overall structure in which to consider the macroplans. That is what should have been done. We should be looking at all these issues in a totality because we are in a very different environment than we were even pre-September 11, 2001, and our threat environment has to be looked through an entirely different prism.

In fact, as I mentioned on the floor just about a year ago, in attempting to defer this process until we had a chance to evaluate overseas bases, one of the issues I looked at was the track record of the Department of Defense in terms of ascertaining the future threat environments. What could they anticipate were future threats? I have to say that I was somewhat shocked by the findings because I evaluated the force structure reports and military threat assessments that were required to be accompanied with the base-closing rounds in previous years.

It was interesting. I decided to discern, exactly when did they anticipate a threat of terrorism, asymmetric threats, or threats to our homeland security? And it was a startling and abysmal picture because they had a significantly flawed track record. The first time that a threat to our homeland security was even mentioned was

in the Quadrennial Defense Review of 1997. Mr. President, 1997—that was 4 years before September 11. At that time, with the previous base-closing rounds, these base-closing commissions were required to make a 6-year outlook for the potential threats and anticipated threats—6 years. Now, with this base-closing round, it requires 20 years. But even with 6 years out, they could not even discern a threat to our homeland security. They mentioned it in the Quadrennial Defense Review of 1997, but it was a fourth-tier concern. And that was 4 years out from September 11—4 years out from September 11.

Nineteen days after September 11, we had another quadrennial defense review issued by the Department of Defense. Al-Qaida wasn't even mentioned in that quadrennial defense review. It wasn't even mentioned 19 days after September 11.

So I think that gives you a measure of the understanding that the Department of Defense has not had an accurate or reliable determination of potential threats this country could face—not even 4 years out, not even 19 days after September 11—to the degree that al-Qaida was a threat to this country. That is the problem, Mr. President. We do not have an accurate picture.

This base-closing round is required to ascertain the threat environment and projecting 20 years out. Mind you, over the last more than 10 years, all throughout the nineties, when we had the World Trade Center bombing, Khobar Towers, Kenya, and Tanzania, all throughout that decade—and we had the USS *Cole* in 2000—there was only one time in that decade there was a mention of homeland security in any fashion. I think that is pretty telling.

So the fact that the Department of Defense cannot bring forward the information that validates or invalidates their assumptions and conclusions is particularly troubling in this threat environment. I regret we are in the situation today of having to beg, plead, and persuade to try to get some glimmer into the insights, into the documentation evaluation they made in reaching these final conclusions. More than anything else, the statute requires those to be making the case before the Base Closing Commission to determine how the Department of Defense deviated substantially from the criteria. How are we to know, if they don't depend upon the very department who makes the decision, has the information, and has yet to transmit them forthwith to all of the respective delegations and officials who are given the opportunity to make the case before the Base Closing Commission?

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 154—DESIGNATING OCTOBER 21, 2005 AS ''NATIONAL MAMMOGRAPHY DAY''

Mr. BIDEN (for himself, Mr. ALLARD, Mr. ALLEN, Mr. BUNNING, Ms. CANTWELL, Mr. COCHRAN, Mr. DORGAN, Mrs. HUTCHISON, Mr. ISAKSON, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. SANTORUM, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 154

Whereas according to the American Cancer Society, in 2005, 212,930 women will be diagnosed with breast cancer and 40,410 women will die from this disease;

Whereas it is estimated that about 2,000,000 women were diagnosed with breast cancer in the 1990s, and that in nearly 500,000 of those cases, the cancer resulted in death;

Whereas African-American women suffer a 30 percent greater mortality rate from breast cancer than White women and more than a 100 percent greater mortality rate from breast cancer than women from Hispanic, Asian, and American Indian populations;

Whereas the risk of breast cancer increases with age, with a woman at age 70 having twice as much of a chance of developing the disease as a woman at age 50;

Whereas at least 80 percent of the women who get breast cancer have no family history of the disease;

Whereas mammograms, when operated professionally at a certified facility, can provide safe screening and early detection of breast cancer in many women;

Whereas mammography is an excellent method for early detection of localized breast cancer, which has a 5-year survival rate of more than 97 percent;

Whereas the National Cancer Institute and the American Cancer Society continue to recommend periodic mammograms; and

Whereas the National Breast Cancer Coalition recommends that each woman and her health care provider make an individual decision about mammography: Now, therefore, be it

Resolved, That the Senate—

(1) designates October 21, 2005, as ''National Mammography Day''; and

(2) encourages the people of the United States to observe the day with appropriate programs and activities.

Mr. BIDEN. Mr. President, today I am submitting a resolution designating October 21, 2005, as ''National Mammography Day.'' I might note that I have submitted a similar resolution each year since 1993, and on each occasion the Senate has shown its support for the fight against breast cancer by approving the resolution.

Each year, as I prepare to submit this resolution, I review the latest information from the American Cancer Society about breast cancer. For the year 2005, it is estimated that slightly more than 211,000 women will be diagnosed with breast cancer and slightly more than 40,000 women will die of this disease.

In past years, I have often commented on how gloomy these statistics were. But as I review how these numbers are changing over time, I have come to the realization that it is really more appropriate to be optimistic. The number of deaths from breast cancer is actually stable or falling from year to year. Early detection of breast cancer continues to result in extremely favorable outcomes: 97 percent of women with localized breast cancer will survive 5 years or longer. New digital techniques make the process of mammography much more rapid and precise than before. Government programs will provide free mammograms to those who can't afford them, as well as Medicaid eligibility for treatment if breast cancer is diagnosed. Just a few weeks ago, the headline on the front page of the Washington Post trumpeted a major improvement in survival of patients with early breast cancer following use of modern treatment regimens involving chemotherapy and hormone therapy. Information about treatment of breast cancer with surgery, chemotherapy, and radiation therapy has exploded, reflecting enormous research advances in this disease. So I am feeling quite positive about our battle against breast cancer. A diagnosis of breast cancer is not a death sentence, and I encounter long-term survivors of breast cancer nearly daily.

In recent times, the newspapers have been filled with discussion over whether the scientific evidence actually supports the conclusion that periodic screening mammography saves lives. It seems that much of this controversy relates to new interpretations of old studies, and the relatively few recent studies of this matter have not clarified this issue. Most sources seem to agree that all of the existing scientific studies have some weaknesses, but it is far from clear whether the very large and truly unambiguous study needed to settle this matter definitively can ever be done.

So what is a woman to do? I do not claim any expertise in this highly technical area, so I rely on the experts. The American Cancer Society, the National Cancer Institute, and the U.S. Preventive Services Task Force all continue to recommend periodic screening mammography, and I endorse the statements of these distinguished bodies.

On the other hand, I recognize that some women who examine these research studies are unconvinced of the need for periodic screening mammography. However, even those scientists who do not support periodic mammography for all women believe that it is appropriate for some groups of women with particular risk factors. In agreement with these experts, I encourage all women who have doubts about the usefulness of screening mammography in general to discuss with their individual physicians whether this test is appropriate in their specific situations.

So my message to women is: have a periodic mammogram, or at the very least discuss this option with your own physician.

I know that some women don't have annual mammograms because of either fear or forgetfulness. It is only human