A comprehensive approach is the way we ought to be going. That is effectively the way everyone who has talked about the overall challenges of the undocumented and illegal immigration believe is the way to go. Sure, we need to do what needs to be done at the border, but it ought to be done in a comprehensive way with these other elements.

This legislation does not do so, will not be effective, and should not be accepted.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

SECURE FENCE ACT OF 2006

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 6061, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 6061) to establish operational control over the international land and maritime borders of the United States.

Pending:

Frist amendment No. 5036, to establish military commissions.

Frist amendment No. 5037 (to Amendment No. 5036), to establish the effective date.

Motion to commit the bill to the Committee on the Judiciary, with instructions to report back forthwith, with an amendment.

Frist amendment No. 5038 (to the instructions of the motion to commit H.R. 6061 to the Committee on the Judiciary), to establish military commissions.

Frist amendment No. 5039 (to the instructions of the motion to commit H.R. 6061 to the Committee on the Judiciary), to establish the effective date.

Frist amendment No. 5040 (to Amendment No. 5039), to amend the effective date.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. DOMENICI. Mr. President, I ask unanimous consent I have 2 minutes as in morning business.

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

COMMENDING SENATOR ALEXANDER

Mr. DOMENICI. Mr. President, I note that the distinguished Senator from Tennessee, Senator LAMAR ALEXANDER, is in the Chamber. I am sure he has already spoken this afternoon, but I was not present because I was attending another meeting.

Senator, if you do not feel good this afternoon, I don't know what we are going to do in the Senate in terms of qualifying you to be happy. I don't know what else we will do to make you happier than what we are going to do tonight or during the next week or so on this competiveness measure.

Senator ALEXANDER came to the Senate, and before his first term has expired he has taken the lead, without anyone wanting to run around and try to figure out who should get the lead, on this mammoth piece of legislation. It falls automatically that LAMAR ALEXANDER deserves the credit for getting it started. It was his idea. He recruited the junior Senator from New Mexico.

They asked me, as members of my committee, if they could take the proposition of what we could do to better America's position in a competitive world, if they could take that to the Academy of Sciences to get a report so we could adopt a report during this calendar year.

Believe it or not, they did that. As a result, 71 Senators cosponsored the legislation. As a result, we will have introduced a bill today that almost takes care of every recommendation that committee made to the Congress. We are having it introduced officially by the leadership this evening. It will be held and passed by this Senate before we adjourn this year.

Imagine that, for a Senator who has just come to the Senate. If he cannot say and put up whatever he puts up, matters of high esteem, completed by him, something that he can be proud of, that is this legislation.

There will be a day when it passes that he can be happier, but he will be overjoyed today when he sits down and thinks for a moment of what is accomplished for America to get moving to develop our brain power where we could, where we can, as we can, and as we should, without any doubt.

I compliment the Senator.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I ask unanimous consent to speak as in morning business.

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

Mr. ALEXANDER. Mr. President, I thank the Senator from New Mexico. He is overly generous. I learned as a staff aide in the Senate that if an idea has many fathers and many mothers, it has a much better chance of moving along than if it just has one.

Senator DOMENICI is being overly modest about his own role. This would not have gotten to first base—by ''this,'' I mean the competitiveness legislation—had not Senator DOMENICI created the environment in which it could succeed, and if he and Senator BINGAMAN had not had such a good partnership and been able to work together, set a good example and have been willing to step back and allow other good ideas that were progressing through the Commerce Committee and the HELP Committee.

It has been a remarkable exercise in restraint for many distinguished Senators, some among the most senior Members of the Senate, and at a time when politics is at a pretty high level.

I thank the Senator for what he said. It means a lot to me.

Mr. President, I ask unanimous consent to have printed in the RECORD a summary of the National Competitiveness Investment Act.

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

SUMMARY OF THE NATIONAL COMPETITIVENESS INVESTMENT ACT

The National Competitiveness Investment Act is a bipartisan legislative response to recommendations contained in the National Academies' ''Rising Above the Gathering Storm'' report and the Council on Competitiveness' ''Innovate America'' report. Several sections of the bill are derived from proposals contained in the ''American Innovation and Competitiveness Act of 2006'' (S. 2802), approved by the Senate Commerce Committee 21–0, and the ''Protecting America's Competitive Edge Through Energy Act of 2006'' (S. 2197) approved unanimously by the Senate Energy Committee. Accordingly, the National Competitiveness Investment Act focuses on three primary areas of importance to maintaining and improving United States' innovation in the 21st Century: (1) increasing research investment, (2) strengthening educational opportunities in science, technology, engineering, and mathematics from elementary through graduate school, and (3) developing an innovation infrastructure. More specifically, the National Competitiveness Investment Act would:

Increase research investment by:

Doubling funding for the National Science Foundation (NSF) from approximately $5.6 billion in fiscal year 2006 to $11.2 billion in fiscal year 2011.

Setting the Department of Energy's Office of Science on track to double in funding over 10 years, increasing from $3.6 billion in fiscal year 2006 to over $5.2 billion in fiscal year 2011.

Establishing the Innovation Acceleration Research Program to direct Federal agencies funding research in science and technology to set as a goal dedicating approximately 8 percent of their Research and Development (R&D) budgets toward high-risk frontier research.

Authorizing the National Institute of Standards and Technology (NIST) from approximately $640 million in fiscal year 2007 to approximately $937 million in fiscal year 2011 and requiring NIST to set aside no less than 8 percent of its annual funding for high-risk, high-reward innovation acceleration research.

Directing NASA to increase funding for basic research and fully participate in interagency activities to foster competitiveness and innovation, using the full extent of existing budget authority.

Coordinating ocean and atmospheric research and education at the National Oceanic and Atmospheric Administration and other agencies to promote U.S. leadership in these important fields.

Strengthen educational opportunities in science, technology, engineering, mathematics, and critical foreign languages by:

Authorizing competitive grants to States to promote better alignment of elementary and secondary education with the knowledge and skills needed for success in postsecondary education, the 21st century workforce, and the Armed Forces, and grants to support the establishment or improvement of statewide P–16 education longitudinal data systems.

Strengthening the skills of thousands of math and science teachers by establishing training and education programs at summer institutes hosted at the National Laboratories and by increasing support for the Teacher Institutes for the 21st Century program at NSF.

Expanding the Robert Noyce Teacher Scholarship Program at NSF to recruit and train individuals to become math and science teachers in high-need local educational agencies.

Assisting States in establishing or expanding statewide specialty schools in math and science that students from across the State would be eligible to attend and providing expert assistance in teaching from National Laboratories' staff at those schools.

Facilitating the expansion of Advanced Placement (AP) and International Baccalaureate (IB) programs by increasing the number of teachers prepared to teach AP/IB and pre-AP/IB math, science, and foreign language courses in high need schools, thereby increasing the number of courses available and students who take and pass AP and IB exams.

Developing and implementing programs for bachelor's degrees in math, science, engineering, and critical foreign languages with concurrent teaching credentials and part-time master's in education programs for math, science, and critical foreign language teachers to enhance both content knowledge and teaching skills.

Creating partnerships between National Laboratories and local high-need high schools to establish centers of excellence in math and science education.

Expanding existing NSF graduate research fellowship and traineeship programs, requiring NSF to work with institutions of higher education to facilitate the development of professional science master's degree programs, and expanding NSF's science, mathematics, engineering and technology talent program.

Providing Math Now grants to improve math instruction in the elementary and middle grades and provide targeted help to struggling students so that all students can master grade-level mathematics standards.

Expanding programs to increase the number of students from elementary school through postsecondary education who study critical foreign languages and become proficient.

Develop an innovation infrastructure by:

Establishing a President's Council on Innovation and Competitiveness to develop a comprehensive agenda to promote innovation and competitiveness in the public and private sectors.

Requiring the National Academy of Sciences to conduct a study to identify forms of risk that create barriers to innovation.

Mr. DOMENICI. I thank the Senator.

Mr. ALEXANDER. Mr. President, although most cannot hear it right now, I want to say how much all in the Senate appreciate the extra hours and the skill with which the staffs met and worked through August and over the last several weeks to bring the three committees together. Senator ENSIGN played a major role, and his staff did. There were many staffs. This was not a bill that Republicans wrote and Democrats looked at or vice versa. We did it together.

FUTURE OF HIGHER EDUCATION

Mr. President, today the Secretary of Education, Margaret Spellings, made an important speech at the National Press Club. In her remarks, she discussed the report from her Commission on the Future of Higher Education. This commission was chaired by Charles Miller, who was the former chairman of the board of regents of the University of Texas system and a leader in education reform at all levels.

I am very impressed with Secretary Spellings. I know her job. I once had it. I do not think we have had a more effective Secretary of Education. I am very impressed with Mr. Miller. I know about his work in Texas as part of a group of business leaders over the last 20 years who have led the country in terms of helping to set accountability standards in elementary and secondary education.

Mr. President, I encourage my colleagues to read Secretary Spellings' speech from today.

Secretary Spellings is the first U.S. Secretary of Education to assume the role of lead adviser to coordinate all of higher education. I am glad she is doing that because almost every Department of the Federal Government has something to do with higher education. Currently, no one is the lead person for that. It ought to be the Secretary of Education. She stepped up to do it. I applaud her, and I applaud President Bush for asking her to do that.

The Secretary's recommendations in her speech today are sensible and respect the prerogative of Congress to make major changes in higher education policy. In plain English, she laid out some very good recommendations, but she recognized that is one branch of Government, we are the Article I branch of Government, and if there are major changes in policy, we will make them here, and then it is their job to implement it.

But among the strong recommendations in her report are the following: Simplify the financial aid system. We are already doing that, having worked with the Secretary on a commission, and it is included in the higher education bill that has not passed. That is a very good recommendation. Another recommendation is expanding more access to more students. The initial cost estimates of her commission's report suggest its recommendations might cost $9 billion or $10 billion more in terms of Pell grants. That is a lot of money, but it is an important goal.

Another recommendation is increased competitiveness. The Secretary's commission spent quite a bit of time urging the Congress and the country to adopt the recommendations of the Augustine commission, to adopt the recommendations of the Council on Competitiveness, and to adopt the President's recommendations on competitiveness. That was a help in getting us come to the point in this body where tonight Senator FRIST and Senator REID will introduce the National Competitiveness Investment Act.

The Secretary's committee recommended less regulation for higher education, which is something I want to talk a little bit more about in a moment. I thoroughly agree with that. And, of course, another recommendation is to find ways to reduce costs, which every family who has a student headed toward higher education thinks about. In our own family, where we have two new grandchildren who are less than 1 year of age, the parents—our children—are already thinking about it: How in the world are we going to pay for college out of our budgets in 18 years? That is at the top of almost everyone's concern.

I want to wave one bright, yellow flag, a cautionary flag, at one troubling aspect of the report of the Secretary's commission. That is best captured by the following sentence on page 13 of the commission's report, and I quote: ''Our complex, decentralized post-secondary education system has no comprehensive strategy, particularly for undergraduate programs, to provide either adequate internal accountability systems or effective public information.''

''Our complex, decentralized post-secondary education system has no comprehensive strategy. . . .'' The commission apparently believes that is a weakness. I believe that is a strength. I believe that is the greatest strength of our higher education system. The key to the quality of the American higher education system is that it is not one system, but that it is a marketplace of over 6,000 autonomous systems, independent systems.

These autonomous or independent institutions—such as the University of Tennessee, or Fisk University, or the Nashville Auto Diesel College, or Yeshiva University—these institutions are regulated primarily by competition—competition for students, for faculty, and for research dollars—and by consumer choice, which is fueled by generous Federal dollars that follow more than one-half of American college students to the institutions of their choice.

There is, in addition, a system of independent accreditation to help regulate these independent and autonomous institutions. To be sure, there is still plenty of the traditional kind of command-and-control Government regulation. That is very hard to get away from. Every State has a regulatory body, such as the Tennessee Higher Education Commission. And each of the 6,000 institutions I described that accepts students with Federal grants or loans must wade through over 7,000 Federal regulations and notices. Those regulations exist today.

The president of Stanford University has said that 7 cents of every tuition dollar is spent on compliance with Government regulations. The last thing American higher education needs is a barrage of new Federal regulations requiring sending new data to Washington so someone here can try to figure out how to improve the Harvard Classics Department or the Nashville Auto Diesel College, both of whose students are eligible for Federal grants and loans.

I believe the overregulation of higher education is the greatest deterrent to maintaining the quality of American higher education, and that autonomy, competition, and choice are the greatest incentives to excellence.

I would, therefore, wish to lead the bandwagon or be on the bandwagon or

push the bandwagon for more deregulation and to increase the autonomy of institutions of higher education and to preserve competition for research dollars and to give students the broadest array of education choices possible.

Today in America we are doing that much better than any other country in the world. It is instructive that China and several European countries are deregulating their overly bureaucratized colleges and universities to try to catch up with the quality of ours. Of course, better information informs choices. And, of course, easier transfer policies between or among institutions could increase opportunities. Much is to be gained from research that will help institutions measure what value their classes add to students.

But I do not want rules about transfer policies to diminish institutional autonomy. I do not want to see rules from Washington substitute for choice and competition as the principal regulators of the quality of our colleges and universities. I do not want to see even more tuition dollars go to pay for complying with costly Government regulations instead of to improving research and teaching in the classroom.

By design or luck, the United States has created a magnificent marketplace environment that has resulted in, by far, the best higher education system in the world with remarkable access for students of all incomes. Our goal should be to improve that system, not to replace it with some command-and-control structure.

Mr. President, I spoke before the Secretary's Commission on December 9 of 2005, and I hope that those remarks were useful to the Commission.

Mr. President, I want to comment that it is important to keep all of this discussion in some perspective. For example, there is a great concern about the rising cost of tuition. Secretary Spellings, in her remarks, says she wants to know why. Well, I know why it has gone up. It has gone up because State funding for higher education has been flat. It has actually gone down in many cases. As State funding of colleges and universities in Minnesota or Tennessee or South Dakota has gone down, colleges and universities have had to raise their tuition to have enough funds to maintain quality.

Now, of course, there are plenty of ways to reduce costs, and we need to push that and encourage that. And the Secretary has many suggestions for that. She is right about that. But let's not overlook the fact that Federal spending for higher education has gone way up in the last several years, but State spending has been flat. If anyone wants to know why your tuition bills are higher, it is because your Governors and your legislatures have not been paying their fair share of what it takes to have a quality system of higher education in America. I talked about that in my testimony to the Commission, and I hope they listened to that. I hope the Administration and my colleagues understand that as well.

For example, during the 5-year period from 2000 to 2004, State spending for Medicaid, which is where the Governors have to put most of their extra money, was up 36 percent; State spending for higher education was up barely 7 percent. As a result, tuition went up 38 percent.

There is another way I think about it. When I left the Governor's office nearly 20 years ago in Tennessee, Tennessee was spending 51 cents of every State tax dollar on education and 16 cents on health care—mainly Medicaid. Today, instead of 51 cents on education, it is 40 cents on education. And instead of 16 cents on health care, it is 26 cents on health care. So if we do not get control of Medicaid spending here in this Chamber, and in the other Chamber, one of the unintended consequences will be that we will drive down the quality of higher education all across America because it will not have appropriate State funding and we will not create the new jobs that will help us compete with China and India.

On the question of cost, two other things: One is, I ask unanimous consent, Mr. President, to have printed in the RECORD a short column by the president of the University of Maryland, William E. Kirwan, who discusses State funding that I have just talked about, and talks about what some colleges and universities are doing to reduce costs to help control the rise of tuition.

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

[From the Washington Post, Aug. 14, 2006]

SECURITY THROUGH EDUCATION

(By William E. Kirwan)

A national security crisis is brewing, and if our country doesn't take immediate action, it could be devastating for the future of the United States.

Consider these facts: Worldwide, the United States ranks seventh in high-school completion rates and ninth in the percentage of high-school graduates who enroll in college. Of every 100 current eighth-graders in America, just 18 will receive a college degree during the next 10 years. Based on current participation and completion rates, the education pipeline reveals alarming holes.

The ''prescription'' for what ails education in this country enjoys widespread consensus: Improve the performance of our primary and secondary school students and provide access to affordable, high-quality higher education to more people. But how the country goes about filling this prescription is a matter of significant debate.

Clearly, a ''fix'' to the problem requires the combined and coordinated efforts of various sectors. Central to the effort, however, must be higher education. Higher education, after all, prepares the teachers for the schools and sets the standards for the degrees.

What should higher education do to help plug the holes in the education pipeline and enable our nation to address its most pressing long-term national security issue: the development of a robust and superbly educated workforce?

First, higher education must become more engaged in improving primary and secondary school performance. Colleges and universities need to encourage more students to pursue teaching careers and, in partnership with local school districts, better prepare prospective teachers with the content knowledge and pedagogy skills to succeed. Universities must work more effectively with the K–12 sector to ensure that student assessment in high school is closely aligned with college entrance requirements, and that the transition from high school to college is as seamless as advancement from 11th to 12th grade.

The best way to achieve such transformational changes is through so-called statewide K–16 councils, which bring educational leaders from all levels—superintendents, principals, university presidents, deans—together with business and community leaders on a regular basis to develop reform agendas. Such an approach is working in Maryland and a few other states.

As a second means of plugging the holes, state governments and higher education need to rethink the way they distribute financial aid. During the past two decades there has been a huge shift in the allocation of university-based aid, away from students with demonstrated financial need and toward high-ability students—often from upper-middle-class families—whom universities seek in order to improve their SAT profiles and ''vanity'' rankings. Too many low-income students are either discouraged from attending college or must work such long hours that their progress toward a degree is unreasonably delayed or, worse, terminated.

Fortunately, we have seen several ''enlightened'' universities—including the University of North Carolina at Chapel Hill, Harvard University, the University of Virginia and the University of Maryland, College Park—introduce programs to ensure that students from families at the lower end of the economic ladder can graduate debt-free. At the University System of Maryland, we recently adopted a policy requiring that students from families with the lowest levels of income graduate with the lowest debt. Planned expenditures on institutional need-based aid by USM institutions have increased more than 30 percent in the past year.

Finally, higher education—especially public higher education—must learn to operate with a more cost-conscious budget model. Most others sectors have experienced significant productivity gains through rigorous attention to cost containment. Higher education can no longer afford to ignore this strategy.

Investment of state funds in higher education on a per-student basis is at a 25-year low. It has fallen from about $7,100 in 2001 to just over $5,800 in 2005. As state investment on a per-student basis has declined, the tuition burden on students and their families has increased. In more than a quarter of our states, tuition revenue is now greater than the state's investment in its public colleges and universities. In the coming decades, areas such as health care, energy, and social services for an aging population will require an ever greater proportion of available tax dollars, accelerating the decline in public investment in higher education.

With that decline and without serious attention to cost containment, colleges and universities will face two highly undesirable alternatives: Accept more students at generally affordable tuition levels and see quality erode or protect quality by driving up tuition to levels that will be prohibitive for low-income students.

With the leadership of its Board of Regents, the University System of Maryland has incorporated cost containment as a formal part of its budget development process. These efforts have reduced the ''bottom line'' by more than $40 million for the system's 13 institutions during the past two years.

Filling the holes in America's education pipeline must become an urgent national priority. Nowhere is strong, unified action more necessary than at our colleges and universities. In partnership with other sectors, higher education must be held accountable for embracing its role and responsibilities to help improve K–12 education, increasing its need-based financial aid substantially, and containing costs more aggressively. If this doesn't happen, U.S. leadership in the global economy will erode. Perhaps even more threatening, our national ethos of social upward mobility will be lost and we will devolve into a two-tier society with a permanent underclass.

Mr. ALEXANDER. Sometimes we talk so much about the high cost of higher education where families hear that and think no one can go to college. I was president of the University of Tennessee. Tuition has gone up there for the reasons I just talked about. But today tuition at the University of Tennessee, which is one of the leading research institutions in this country—the manager of the Oak Ridge National Laboratory—is $5,300 a year. It is $5,300 a year for tuition at the University of Tennessee. That is more than a lot of people have, but that is a very good bargain in today's marketplace.

Volunteer State Community College, a public 2-year college—we encourage many people to go to community colleges, and then to our research universities—the tuition there is $2,383 a year.

At Tennessee State University, in Nashville—an excellent institution—it is $4,300. It is the same story in many other States. At the University of North Carolina at Chapel Hill, for North Carolina students—one of the best universities in the world—it is $4,500 a year. At the University of Phoenix—a different kind of university, but I had a distinguished scientist from the University of Texas tell me he looked at colleges of education all over America, and he thought the college of education at the University of Phoenix was as good as any to get your teacher's degrees—the comparable cost there for a year's tuition is about $6,669. They do things a little differently, but they provide an education and a service that many people are asking for, and I think that reflects the strength of our autonomous system of higher education.

Now, if you want to go to Harvard, it is a lot more. If you want to go to Vanderbilt, it is a lot more. But the rest of that story is, if you show up at Harvard, or if you are admitted to Vanderbilt, and you do not have the money, they are going to do their best to help you pay for that.

So I would hope as we talk about the cost of higher education that we recognize that many of the State institutions are reasonably priced, that the failure of State funding over the last several years is the principal culprit in the rising increase for public schools, and that we do not get carried away up here in Washington by thinking if we pass some more regulations here, somehow we are going to solve the problem, and we are going to make our higher education system better.

My main point is this: Our greatest threat to quality higher education is overregulation. And our greatest incentive for it is deregulation, choice, and competition. Those are the incentives I would like to preserve.

Mr. President, I yield the floor.

Mr. THUNE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

ENERGY INDEPENDENCE FOR AMERICA

Mr. THUNE. Mr. President, as we wind down this legislative session in this last week, we have a lot of work to do on the agenda. We have bills dealing with port security, Homeland Security appropriations, Defense appropriations, and border security, which is the subject of discussion right now, the Secure Fence Act of 2006, and those are probably going to be the things on which we can find consensus. We can add to that the issue of how we deal with detainees and continue to acquire high-value intelligence that will enable us to prevent future terrorist attacks. That legislation is coming down the pike, too. So we have a lot of things to vote on in the last few days before the election. And the assumption, of course, is that we will probably come back in after the election to wrap up some of the outstanding issues.

There are other pieces of legislation that could be dealt with in this period—legislation that is without controversy, legislation that has been acted on by the House of Representatives and on which there is broad bipartisan agreement. It seems to me, at least at this point in the legislative session, that in order to get these bills through, it is going to take considerable agreement on both sides of the political aisle, with enough critical mass behind them to get them through.

I have a bill that fits into that category. I have come to the Senate floor on a couple occasions to speak about it. It has been cleared by the House of Representatives by a vote of 355 to 9. Now it is sitting here, and Senator SALAZAR from Colorado and I have a substitute amendment to that, and as soon as it is picked up and the Senate passes it, it goes back to the House. The House has indicated that if we send it back, they will pass it. Then we can put it on the President's desk.

The bill has to do with an issue that I think is on the minds of a lot of Americans—energy independence. It is a fairly straightforward issue. As I have explained previously on the floor, it has to do with closing the gap in the distribution system between the production of ethanol, the supply of renewable energy in this country, and the demand for it, the ultimate consumer of renewable energy.

Right now, as you know, in the last year we passed an energy bill which required, for the first time ever, certain use of ethanol in this country—7.5 billion gallons by 2012. We are ramping up to that level now. In South Dakota, we already have 11 ethanol plants. We have three under construction, and in a short period we will be at a billion gallons a year—just in South Dakota. If you add to that the production underway in the Chair's home State of Minnesota and other States in the Midwest, there is a tremendous amount of ethanol that is in the pipeline. We have now a requirement that States around the country have to meet that 7.5 billion. I think we also have a very robust demand for it because people in this country realize that if we are going to get serious about energy independence, we have to begin shifting away from some of the types of energy that we get from other places around the world. This is American energy, homegrown energy, renewable energy. We can raise it every year. We have a corn crop every year that can be converted into gallons of ethanol. We have other types of biomass materials that, raised in places such as the Midwest, are on the cusp in terms of the technology that will soon be available. One is switch grass. There is a research project at South Dakota State University right now looking at the probability in the near future of having the essential ingredients and processes that will enable us to make ethanol out of switch grass, something that is in abundance in the upper Midwest.

This movement toward renewable energy, American-grown energy, is long overdue. People are demanding that we begin to move in that direction. We have a renewable fuel standard, as a result of the Energy bill that passed, which is a great success for moving in that direction. We have, as I said, a lot of production now that is currently on line, with additional plants under construction. What we are missing is the method by which that ethanol or other renewable fuels—bioenergy—is distributed to consumers in this country.

Right now, we have about 180,000 filling stations in America, and only about 800 of those make available E85 or other alternative fuels. If you do the math on that, that is 1 filling station for every 10,000 cars that are currently capable of using E85 or some other form of alternative energy. The Auto Alliance—and probably Members of this Chamber have seen them—has run ads in some of the publications in town saying that today there are 9½ million cars on the road that can use alternative sources of energy. ''Flex-fuel vehicles'' is how we refer to them in most cases. If you look at the 9½ million cars already on the road and those currently in production, the car manufacturers are gearing up to come up with more vehicles that can run on alternative sources of energy, primarily 85.

We have an enormous opportunity out there, a great potential for increasing usage of ethanol and renewable fuels, thereby lessening our dependence upon foreign sources of energy, which has implications for our economy, for our national security, and foreign policy.

This is a win-win. This is flatout a no-brainer for America and for the Senate. Yet we have a hold—a secret hold—by someone on the Democratic side that is preventing this bill from moving forward.

Mr. President, I understand the traditions and the rules of the Senate allow for that sort of thing to happen, but whoever it is—and I have my suspicions about who it is—who has a hold on the bill, I wish they would come forward and defend that hold. This is a noncontroversial piece of legislation which has broad bipartisan support, has passed the House with a 355-to-9 vote, and is ready for action in the Senate. But as of right now, it is being held up by someone on the other side. Again, I don't know who that is. I would like to know who that is and have the opportunity to visit with them to find out what their objection is.

The reality is that this is a piece of legislation which makes so much sense for our economy and, as I said, for our need for energy independence, to have American energy so we can get away from our dependence on foreign sources of energy. It is good for the environment. There are so many benefits to moving this legislation forward. Again, it is heading in a direction that gets us away from dependence upon foreign energy and more energy independence in this country.

I come to the floor to urge my colleagues—it has been cleared on the Republican side. It is ready for action in the House. It is teed up to go there; we have talked with our colleagues in the House. It passed once there.

The amendment Senator SALAZAR and I have offered, the substitute amendment, is a modification of that bill, but it keeps in place the basic concept of the bill. Very simply, in terms of explanation, it provides up to a $30,000 cash incentive for fuel retailers to install pumps that would provide E85 or other types of energy. The average cost to install that pump is somewhere between $40,000 and $200,000, depending on where you are in the country. We believe the convenience stores and the gas stations across this country would take advantage of this if it were in place. It would do something about this ratio I just mentioned where we have 1 filling station for every 10,000 cars in this country that are capable of running on E85 or some other form of alternative energy.

Again, I commend this to my colleagues in the hopes that we can move ahead. We have a few days left this week before everybody heads home for the elections. We don't know what will happen with the elections. This is legislation which, as I said, is broadly supported on a bipartisan, bicameral basis and has the support of the auto manufacturers across the country and the National Association of Convenience Stores. I submitted letters previously for the RECORD expressing the support of the entire ethanol industry and environmental groups. I think it has been cleared on the Republican side, and I hope that whoever on the Democratic side who has placed a hold on the bill will make that known so we can discuss what the objection is and, hopefully, clear it for action so we can get something meaningful done about the issue of energy security before Congress goes home for the elections.

Mr. President, I raise the issue again, and I urge and ask and request that my colleagues work together to accomplish what I think is a very important objective before we leave for the election; that is, moving America in the direction of lessening our dependence upon foreign energy, becoming energy independent, and helping to address the issue of high gas prices in this country. This bill would do that. I simply ask my colleagues to work with me to get that done.

I yield the floor.

The PRESIDING OFFICER (Mr. MARTINEZ). The Senator from Illinois is recognized.

Mr. DURBIN. I thank the chair.

MENTAL HEALTH PARITY ACT

Mr. DURBIN. Mr. President, in just a few weeks while we are in recess, we will mark the fourth anniversary of the untimely death of our former colleague from Minnesota, Paul Wellstone. Paul Wellstone died at the age of 58 in an airplane crash about 4 years ago. Paul and his wife Sheila and daughter Marcia were on their way to a campaign event in Eveleth, MN on October 25, 2002 when their plane crashed in a wooded field 2 miles short of the airport. We mourn for the surviving children Mark and David and for the families of the campaign staffers, Will McLaughlin, Tom Lapic, and Mary McEvoy, and for the families of the pilots flying that fated aircraft.

Paul's tragic and premature death silenced one of the leading voices in America on the issue of mental illness. Paul Wellstone understood the devastation that mental illness can bring: the stigma, the alienation, the broken families and, sadly, even broken lives.

In 1992, together with Senator PETE DOMENICI of New Mexico, Paul introduced legislation to require insurance companies to offer the same coverage for treating mental illness as for physical illness. The Mental Health Parity Act was passed and signed into law in 1996. The final version of the bill sadly was watered down and fell short of Paul's earliest goals.

A new bill to eliminate these disparities in insurance coverage was introduced in the last Congress. The Paul Wellstone Treatment Act attracted widespread bipartisan support: 69 Members of this Chamber and 245 Members of the House—a clear majority supporting Paul Wellstone's legacy. But unfortunately, during the past 2 years, this bill was not called for passage and did not pass.

Today I am honored to be joined by Senator Norm Coleman of Minnesota, Senator TED KENNEDY, Senator TOM HARKIN, and Senator MARK DAYTON of Minnesota in submitting a sense-of-the-Senate resolution, first to remember Paul Wellstone and honor his legacy, but also to publicly commit to finishing his work on mental health equity legislation.

Mental health disorders are the leading cause of disability. Without treatment, the consequences of mental illness for the individual and for all of us are staggering: disability, unemployment, substance abuse, homelessness, inappropriate incarceration, suicide, and wasted lives. The economic costs of untreated mental illness is more than $100 billion each year in the United States. In my home State of Illinois, close to 4 million people, or 30 percent of the population, are affected by some form of mental illness each year, including depression. Suicide is the third leading cause of death among young people 15 to 24. Seventy-seven percent of adults with severe mental illness are unemployed.

Now, the good news is this: Mental illness is treatable but only for the people who have access to sound diagnosis and care. We have a good start, thanks to the Mental Health Parity law that Senators WELLSTONE and DOMENICI led to enactment in 1996. Our next challenge is to build on the work Paul Wellstone left behind.

Current law requires insurers offer mental health care and offer comparable benefit caps for mental health and physical health, but it does not require group health plans and their health insurance issuers to include mental health coverage in their benefits package. It doesn't prevent insurers from setting higher deductibles, higher copays, and fewer services covered for mental health illness. I commend Senators KENNEDY and DOMENICI for their work in this Congress on working toward a consensus for reaching mental health parity for Americans.

I called Senator DOMENICI last week to tell him I was submitting this resolution and to cheer him on so that during the next session of Congress we can give the right tribute to Paul Wellstone and, more importantly, as Paul would see it and I see it as well, hope to millions of Americans.

This resolution honors Paul Wellstone. It commits us to continuing his work to ensure equity for people with mental illness. Paul fought against discrimination in any form. His life work was dedicated to creating a world in which everyone, regardless of race, religion, economic status, or health or mental health status, would be treated fairly and equally. I urge my colleagues to support this resolution and renew our commitment to ensuring mental health parity.

Paul Wellstone was often quoted as saying:

I don't think politics has anything to do with left, right, or center. It has to do with trying to do right by the people.

That was what Paul Wellstone said. And now we will have our chance in the next session of Congress to honor that commitment.

Mr. President, I yield the floor.

Mr. COLEMAN. Mr. President, I thank my colleague from Illinois for submitting this resolution both on the legacy of Paul Wellstone and, in particular, focusing on this issue of mental health parity.

Paul Wellstone and I disagreed on a lot of issues. One of the great things about Paul Wellstone is that even if you disagreed with him, you admired his passion—his passion which was reflected when we had our debates. He was always energized. He was real. He was very real.

One of the things he was very passionate about was mental health parity and doing the right thing for millions of Americans. His Senate family has been touched by the tragedy of mental illness—touched. Millions of Americans have been touched or impacted by the tragedy of mental illness. The reality is there is treatment available. We can deal with this. We can lift up lives to make people whole and productive. There is a path to do this. There is a path that my predecessor laid out with the help of Senator DOMENICI in the early 1990s. We made some headway, but we didn't go far enough. We know what the voids are. We know what the gaps are. We have a path to get there. We are close. The problem is ''close'' may be good in bocce ball, but it is not good in legislation.

I have been here 4 years. It is one of my hopes that on one of the things that Senator Wellstone and I fully agreed on, which is the importance of providing true mental health parity, is that we can get it done. We are not there yet. We need to get it done. I hope that as we move forward and when we come back and finish this session—we are not going to get it done now, but I hope folks will reflect on what is the right thing. It is the right thing. With this resolution we are honoring the legacy of a great Senator, we honor the legacy of someone who had great passion, and we do the right thing for millions of Americans.

Let us get mental health parity through. It is the right thing and I hope we can get it done. Again, I thank my colleague from Illinois for raising this issue.

Mr. President, I yield the floor.

Mr. DURBIN. Mr. President, I at the outset thank my colleague from Minnesota who was quick to join with his colleague Senator DAYTON as a cosponsor of this resolution.

Many times politics divides us, but when it comes to an issue such as mental illness, we are all in this together. I know my colleague from Minnesota has probably had the same experience I had, of raising this issue at a town meeting or a public meeting, and then I almost guarantee you that before you leave that hall, someone will come up to you and ask if they can speak to you privately to tell you the story of a child or a spouse who has bipolar disorder or schizophrenia or who has committed suicide. It touches so many of us. What Paul Wellstone was trying to remind us of is that mental illness is not a curse, it is an illness, and an illness that can be treated. Why shouldn't we include it in our health insurance for Americans so that every family can be spared the suffering that comes with mental illness today.

I thank my colleague from Minnesota for joining me on this resolution.

Mr. DAYTON. Mr. President, I thank and commend my friend and colleague, the assistant Democratic leader from Illinois, Senator DURBIN, for submitting the Senate resolution honoring the memory of the late Senator Paul Wellstone from Minnesota, my friend of 22 years, my colleague and mentor for my first 2 years in the Senate.

I also thank Senator COLEMAN, my present colleague, for his cosponsorship of this resolution and making it a bipartisan statement. I am proud to join as a cosponsor of the resolution.

It is hard to believe that it has been almost 4 years—it will be on October 25, 2006, when we will not be in session—since the terrible plane crash occurred that took the lives of Paul Wellstone, U.S. Senator from Minnesota, his wife and partner of 39 years, Sheila Wellstone, his daughter Marcia; the Democratic Party associate chair from Minnesota, Mary McEvoy; one of Paul's longtime valued Senate staffers here in Washington, Tom Lapic; and a young Minnesota aide, Will McLaughlin, as well as two pilots.

One of Paul's most important causes was that of mental health parity. The illness of a family member made this a very personal cause for him, as well as his compassion for those throughout this country who suffer from some form of mental illness and are unable to get the treatment they deserve and which is medically available because insurance companies will not pay for and treat mental illness with the same parity they do other physical health problems.

Senator Wellstone found a valuable partner in the distinguished Senator from New Mexico, Mr. DOMENICI. Together they worked on a bipartisan basis for several years against the fervent opposition of the medical insurance industry to pass mental health parity legislation.

In the aftermath of Senator Wellstone's death, then-majority leader of the Senate Tom Daschle succeeded in getting through the Senate the Wellstone-Domenici legislation, which passed the Senate but unfortunately hit opposition by the House of Representatives. And once again the medical insurance industry prevented one of Paul's legislative dreams from becoming law in 2002.

Despite assurances beginning in January of 2003 from the new Senate majority leadership that the Senate would act on successor legislation in honor of Senator Wellstone and pass mental health parity, despite the best efforts of Senator DOMENICI, who was then joined on our side of the aisle by Senator KENNEDY and our own caucus leaders, Senator REID and Senator DURBIN, the Senate has neither considered as a body nor passed mental health parity in either the 108th Congress or the 109th Congress.

In other words, during the last 4 years following Senator Wellstone's terrible tragedy, the Senate has not acted to pass this legislation.

That is why Senator DURBIN's resolution today is so timely and so important in these final days of the 109th session. It states that Senator Wellstone should be remembered for his compassion and leadership on social issues, and the Congress should act to end discrimination against citizens of the United States who live with a illness by passing legislation relating to mental health parity as a priority for the 110th Congress.

One of Paul's favorite quotes was that of a rabbi many years ago who concluded by saying: If not now, when? If not now, unfortunately, then at least in the 110th Congress, over the next 2 years, it is my fervent hope, although I will not be here, and even though my colleague, Senator Paul Wellstone, will not be here, his spirit will continue to carry this legislation forward, and with the leadership of Senator DURBIN and others who have championed this cause in the Senate and with greater understanding perhaps on the other side of Capitol Hill in the House about the importance of this legislation to millions and millions of Americans, this would be one of Senator Wellstone's proudest moments. It would be one of the Senate's and Congress's great accomplishments, if mental health parity were to be made the law of this country for the millions of those who would benefit from it.

I again thank Senator DURBIN.

I yield the floor.

Mr. DURBIN. Mr. President, if the Senator will yield for a question, I would like to say by way of question through the Chair that I thank my colleague from Minnesota. I can recall when he first came to the Senate serving with our mutual friend, Paul Wellstone. It must have been tough to be that close to a dynamo. The man had boundless energy and committed to so many good causes.

The Senator from Minnesota has carried on the fine tradition for your State. I thank the Senator for joining us in this resolution.

Hope springs eternal, and maybe during the lame duck session Senator KENNEDY and Senator DOMENICI will be able to give us some good news that will make us proud on this important issue.

I thank the Senator for his words today.

Mr. DAYTON. I thank the Senator from Illinois. Senator Wellstone was an eternal optimist. I share the Senator's hope that something might be possible this year. If not, this resolution passing on that responsibility to the 110th Congress is very timely and appropriate. I am glad to cosponsor it.

ESTATE TAX

Mr. DURBIN. Mr. President, this morning one of my Republican colleagues came to the floor to talk about what appears to be the favorite topic of most Republican Senators: the estate tax. No matter what we are talking about on the floor, whether it is immigration reform, making America safe from terrorism, dealing with issues involving the funding for our troops, port security, without fail, you can count on one of my colleagues on the other side of the aisle trying to wedge in to this queue with what many of them consider to be at least equally important: the issue of the estate tax.

So my colleague came to the floor and mentioned my name over and over again as if I were his opponent. I would say to my colleague there are many Senators who disagree with his position, but I will be happy to address it for a moment or two.

The simple fact is this: If an American and a spouse have assets valued at less than $2 million at the time of their death, they will never pay one penny in estate taxes—not one. So if you ask who benefits from this repeal of the estate tax, well, sadly it turns out to be some of the wealthiest people in America. If you took 1 percent—that is 1 out of 100—estates in America, people who die each year, only one-fourth of those will ever pay any estate tax. It is a very small number of people who have done very well in their lives in America who may end up paying estate tax.

I want my position to be clear. There is an exemption under the estate tax, an exempt amount that you can leave to your heirs, that will not be taxed. I think we need to increase that and regularly increase it to reflect reality. It is true, the real estate we own has gone up in value while we have lived there, businesses have increased in value, farms have increased in value, and I think the exemption should be increased as well.

Where I have a problem is where we have people who are very well off—multimillionaires—who end up owing the Government—in fact, owing their country—something for their success, and they will be left in a position with the proposal from the other side of the aisle where they may have no estate tax liability whatsoever.

The majority leader of the Senate, Senator FRIST, has said he is for total repeal of the estate tax—total repeal so that Mr. Bill Gates of Microsoft, who has done so well and made so much money, would pay nothing back to America by way of estate tax when he passes away. Well, Mr. Gates is not asking for that. Many people who are well off are not asking for that. They understand this country has been very good to them, and they are also prepared to pay back so that future generations have a chance to succeed as well.

My colleague came to the floor and talked about farmers and is concerned about farmers. I am from downstate Illinois. A few years ago, after hearing all of the debate about estate taxes, I wrote to the Illinois Farm Bureau, the Illinois Farmers Union, and asked them: Tell me of any farm that you know of where the farmer's survivors had to sell the farm because of paying Federal estate tax. There was not one single instance in my State. They couldn't find one. Now, I understand some of those farmers may have to sell off a portion of their land or some of their acreage to pay their taxes at the time that the spouse finally passes away. But as far as losing farms, that is something that is said over and over again, but neither the Illinois Farm Bureau, the Farmers Union and, in fact, the American Farm Bureau could find a single example of a family being forced to sell its farm because of estate tax liability.

According to the Congressional Budget Office, only 123 family-owned farms and 135 family-owned businesses would pay any estate tax at all with a $2 million family exemption level.

So we often have to stop and wonder why are we dwelling on this or why are some Members of the Senate continuing to dwell on this. If their sympathy is for those who are struggling to survive in America, they should focus their spotlight not on the wealthiest among us but those who are struggling at lower levels.

Let's take a look at some of the realities, the economic realities in America today. This chart shows what has happened over the last 6 years. The minimum wage has been frozen under President Bush and this Republican Congress for 9 years. During that 9-year period of time, the President's pay has been increased substantially, pay for Members of Congress increased $31,600, and the $5.15 an hour minimum wage has not gone up.

It is always interesting to me that my colleagues on the other side of the aisle seem to think that it is fine for those making the lowest wages in America, some of them working very hard each day, to have no increase in their pay for 9 straight years, while they are struggling to make ends meet. They come to the floor and talk to us about those who have made millions of dollars in their lives and whether they will have to pay any taxes. I think it is a misplaced priority.

If we take a look at some of the real household income of Americans across the board, you can see what has happened from 2000 to 2005. Real household income has declined by $1,273. It means the average family, working hard, paying off the costs of living—utilities and mortgages, energy costs, education costs—is working harder and falling behind each and every year.

Our economic policies in this country really are not focused where they should be. We should be focusing on this middle-income American family that is struggling to make ends meet in a very difficult time.

The distribution of wealth in America has changed substantially over the last several years. The distribution of earnings has become even more unequal. When you look at this situation, you see the years between 1995 and 2000 with a violet color, 2000 to 2005 with the red. So in the year 1995 to 2000, the last term of President Clinton, you can see there was an increase in earnings, weekly earnings for full-time workers, across the board. All of these violet bars above show, for example, a 9.6-percent increase, a 7.4-percent increase. So in that 4-year period of time, we had the distribution of earnings increasing.

Now look at the period of time under President Bush. During that time period, in each of these categories of income in America, we have seen that earnings have been declining or rising very slowly, as they are at the highest levels of income in America

Take a look at the wealth as well under the tax breaks given under this administration the last several years. This is the Bush economic record: a $38,000 tax break for people who are making $1 million a year, but for middle-income families making $50,000 to $100,000, their tax break under the Bush administration has been $55, and for those in the lowest income categories a tax break of $6.

You can see where the priorities have been when it comes to taxes. But ask the average family making about $100,000 a year—let's take that as an example. Let's take someone who is a teacher and whose spouse may work part time, bringing in some income to the family, and together they make $100,000 a year. They have raised their kids and spent good money sending them to school. Then the kids apply to college. The families are inundated with a stack of forms—most families have seen them—to apply for student loans and students grants. Those making about $100,000 a year will find it difficult to apply for any financial assistance. So the students, their sons and daughters who finally got into the school of their dreams, may face an unconscionable debt.

Some students put off their education. Some give up on the best schools. Some go on to school and graduate with a mountain of debt, a mountain of debt which was made worse this year when, on July 1, a law signed by President Bush increased the interest rates on student loan debts by 2 percent. It doesn't sound like much, except it means the payback for that student loan has now been increased by 20 percent over the life of the loan. It means these students, borrowing money to go to school, deeper in debt, will now be paying off their student loan debt into their 50s. Imagine that student graduating today—23, 24 years

old, maybe—looking ahead to 20 or 30 years of paying off student loan debt. Finally, in their early 50s, they have paid it all off, and now they have a few years to contemplate their retirement.

What is wrong with that picture? What is wrong is students and families in middle-income circumstances are bearing this burden, and this burden is increasing, as I will show, as the cost of college education increases. So instead of talking about a $38,000 tax break for someone who makes $1 million a year, we believe on this side of the aisle that we should allow the deductibility of college education expenses. If you can deduct the amount of interest you pay on your home to encourage home ownership, why shouldn't a family be able to deduct some of the costs of college education from their tax expenses so we can encourage students to go on, further their education, and make this a better country? It is a question of tax priorities: on one side of the aisle, estate tax relief for those in the highest income categories; on this side of the aisle, we are talking about relief when it comes to tax deduction for the real cost of college education expenses.

Most of the families I represent in Illinois were quick to tell me, during the August break, how bad gasoline prices were. We know in the last 5 years they have increased 104 percent. They started coming down in the Midwest, but I think there is a false sense of security here. A lot of people were sacrificing to put more gasoline in the car, but we still don't have a national energy policy, and there is no guarantee that a few weeks from now those gasoline prices will not go back up again because we have no bargaining power.

We are so dependent on foreign oil today that we can't say to those who gouge us and those who want to really charge us the most that there is anything we will do about it. And this administration has not really called the oil company executives in, Exxon and others, to explain the absolutely unprecedented level of profits they took as the gasoline prices went up. That industry made more money more quickly than any industry in America, and they reached higher profit levels than any industry had recorded previously. Yet this administration sat back and said we can do nothing about it as Americans and families and businesses and farmers paid the price. As the cost of gasoline goes up, as prices have in the last several months, families have faced that sacrifice. Now comes the heating oil season for many, and that may again increase the cost of expenses for these families.

Take a look at what has happened as well when it comes to family health insurance premiums under this administration. Family health insurance premiums have increased 71 percent in the last 5 years. That means the average premium for family health insurance went from $6,348 when President Bush took office to $10,880. Is it any wonder families are feeling the squeeze? These premium increases, of course, translate into another $300 or $400 each month that a family has to come up with just to have the same health insurance as last year and maybe less coverage.

Have we discussed expanding health insurance or making it more affordable on the floor of the Senate? Only once and just for a few days. I salute Senator ENZI, Republican from Wyoming, chairman of the HELP Committee, for bringing a health insurance proposal to the floor. We had another proposal here. We tried, if we could, to work out something ahead of time to have a bipartisan approach. We didn't get it done. I hope that in the next Congress, we can find a way to bring real relief on a bipartisan basis to families that are struggling with these health insurance premiums.

I mentioned earlier the cost of education and student loans. This graph shows what has happened under this administration since the President took office with regard to the increased costs of college. They have gone up $3,688, the average annual cost of a public 4-year college, tuition, fees, room, and board. So there was a 44-percent increase in just this 5-year period of time under this administration, increase in college cost. Again, wouldn't our Tax Code be more sensible if we helped families pay this difference, if we helped them put their kids through college to get a good degree and a good life and contribute to this country? Wouldn't that be a higher priority in terms of our Tax Code than whether Bill Gates is going to end up being excused from paying an estate tax when he passes away?

There is also a concern as well with retirement plans. Take a look at what has happened in the last 5 years. In the last 5 years, 3.7 million fewer Americans have retirement plans. The number of workers with employer-sponsored retirement plans has gone down from 56.2 million to 52.5 million, which means more vulnerability.

A lot of people who had paid into a retirement plan through the course of their work experience believed that they had paid their dues, taken the money out of their check every week, and that the day would come and they would see it, that they would finally get to retire and relax. Then came mergers and consolidations and corporate sleight of hand and legal work, and the next thing you know a lot of these pensions started disappearing. So many families are concerned, concerned about when or if they can retire.

You read the stories in the paper all the time in Illinois and every other State about those who had their future plans wrecked when they lost their pension benefits. It has happened at the airlines. It has happened in so many industries across our country. We know it makes a real difference in life. A lot of people who thought they would be spending their time worrying about where to go fishing now are acting as greeters at stores around America and trying to find part-time jobs just to keep it together.

We need to do something about retirement in this country, and one thing we do not need to do is privatize Social Security. Privatizing Social Security is, of course, supported by the President but not by the American people. They know the math doesn't work. Taking money out of the Social Security trust fund for people to experiment with their investments is going to weaken that fund unfortunately. They will be unable to make the payments our Social Security retirees need. If there is ever a time when we need Social Security to be strong, it is now, as we see fewer and fewer Americans with retirement plans.

The number of Americans without health insurance has gone up dramatically under this administration, from 39.8 million Americans with no health insurance to 46.6 million Americans. Those who are insured will tell you many times that their health insurance is not very good. They come up to me at town meetings in Illinois and talk about frightening scenarios where someone in their family had a serious illness, a diagnosis, and then when they tried to pay off the medical bills, it turns out the health insurance fought them all the way. These health insurance companies are spending a lot less on care and a lot more on battles with the people who have the health insurance, denying coverage whenever they can. So we have to really get back to this issue as part of the priorities of this Congress. I am sorry that this Republican Congress has not really come up with assistance that many of these Americans need with health insurance.

Overall, as we go through this litany, you can understand as you go through this litany why this next chart is where it is today. In the last 5 years, under this administration, household debt has gone up over $26,000. Because Americans are struggling to make ends meet, because the cost of college and health care and gasoline and heating your home has gone up dramatically, Americans have had to borrow more and more just to keep up. They are right on the edge, trying to pay off very expensive credit card debt.

There has been a 35-percent increase in household debt in the last 5 years for the reasons I mentioned earlier, from an average inflation-adjusted debt per household of $75,000 to over $101,000. This debt is hanging over the heads of many Americans, and if there is any rock in the road that Americans families trip over—if someone gets sick, loses a job, a divorce, something unforeseen—they are going to find themselves then facing default on their debt and even higher interest rates.

While this has been going on for the average American, employee compensation has gone down some 4.6 percent. So while all the debts have been

piling up, the compensation that is being given to individuals has been going down. Meanwhile, corporate profits are up 8 percentage points. So we can see that the share of corporate income going to profits and employee compensation has gone in opposite directions, and those directions do not benefit those families that are struggling to get by.

Those who run the corporations are doing quite well, thank you. In the last 5 years, the pay for the chief executive officers of major corporations in America has gone up over $1.6 million individually. This average pay here of $5.2 million when the President took office is now up to $6.8 million. So while the pay for employees is going down and expenses are going up, in the boardrooms the median CEO compensation has gone up substantially.

When you take a look at the tax cuts under this administration, their economic record, tax cuts are over 150 times larger for millionaires than they are for most households in America. So we gave the tax cuts of $103,000 for those in the highest income levels and $684 for those making less than $100,000 a year. So the so-called tax cut program has not really helped those families struggling the hardest.

What has happened to employment, creation of jobs in America, is illustrated by this chart. We have seen the average annual growth rate of nonfarm employment in America under every President. You have to go back to Herbert Hoover and the Great Depression to see a decline of 6 percent in employment in America. You will see the lowest number of any President since Herbert Hoover has been registered by this administration, in the creation of jobs. That is the average annual growth rate of nonfarm employment. It is the slowest job growth in America in over 70 years.

The other sad reality is, while all of these things have taken place, this represents the famous wall of debt which Senator CONRAD of North Dakota has brought to our attention over and over again. When President Bush took office, our national debt was $5.8 trillion. Today, it is over $8.5 trillion—a dramatic increase in America's debt in a 6-year period of time. With policies which this administration supports and many on the other side have been arguing for, we can see America's debt reaching $11.6 trillion in 2011. So in a 10-year period of time, we will have virtually doubled—not quite but almost doubled—the debt of America, which means we are leaving a burden for our children, a burden with which they will have to deal—a burden with which they will have to deal as we see more and more baby boomers in Social Security and Medicare. As we see fewer people working, those who remain in the workforce will not only have to face their own personal challenges economically, but they will have to deal with the debt that we are leaving behind.

If this is fiscal conservatism, I don't understand the meaning of the term.

Why is it that we have reached this point? Sadly, the economy is not going as planned. We are facing a war which costs between $1.5 billion and $3 billion every week, and the other side continues to come to the floor and ask for something that no administration has ever asked for in the history of the United States—a tax cut in the midst of a war. That is what the Senator from this morning was suggesting. He wants to cut the estate tax. By cutting the estate tax there will be less revenue for our Government, the war will continue, and our debt will grow. These numbers will have to be adjusted upwards for the debt we are going to leave our children.

Yesterday we had a hearing with the Democratic Policy Conference to discuss the war in Iraq. We had two generals and a Marine Corps colonel who spoke to us. They spoke on a lot of things that we need to do to make America safer and make sure we win this war in Iraq. But one thing that MG John Batiste said I really thought was important. He said—and I think we all believe—that America can rise to a challenge. America can meet a challenge. We have done it so many times in our history. We have won wars when we were not expected to. We put a man on the Moon when a lot of people scoffed at that possibility. We developed medical breakthroughs which no one would have dreamed of. We led the world in computer technology development and in so many areas one by one. Whether it was in agricultural production or in industrial development or innovation we have led the world. We have led the world because leaders have stepped forward—a President has stepped forward and challenged us and said we need to stick together, we need to work together to reach the goal.

General Batiste said yesterday—and I paraphrase his actual testimony, but I believe what he said. He said that what we need to be reminded of is we can meet any challenge as a nation. We need to be reminded, as well, if we are challenged and work together, we can win this war on terrorism. And he said it is going to involve sacrifice. It is not the first time Americans have been asked to sacrifice. They have done that many times. I believe that spirit of sacrifice is what is needed to make sure we keep America safe from terrorism and safe from other threats.

I see that Senator ENSIGN has come to the floor. I don't know whether he wishes to take the floor at this time. But I mentioned his name earlier. I commended him for bringing the health insurance issue to the floor. I hope in the next session that we can work together to try to find some bipartisan compromise to deal with this health insurance challenge. It is still out there and getting more challenging every day. Senator ENZI of Wyoming, as Republican chair of the committee, may have been the first one to bring the health issue to the floor of the Senate in the 10 years I have been here. I commend him for that.

Although we didn't see eye to eye on all of that, I hope we come back together and sit down and try to find some common bipartisan approach no matter who is in charge of the Senate in the next session.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ENZI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

RYAN WHITE HIV/AIDS TREATMENT MODERNIZATION ACT

Mr. ENZI. Mr. President, in a moment I will request unanimous consent that the Senate pass S. 2823, the Ryan White HIV/AIDS Treatment Modernization Act.

Just last week, we made a unanimous consent request to pass this bipartisan, bicameral legislation. That means Members from both sides of the aisle and both ends of the building have agreed to the language in this reauthorization. It passed out of the House Committee on Energy and Commerce last week. However, Senators from three States are blocking the vote that would speed reauthorization programs that provide life-sparing treatment to individuals suffering from HIV and AIDS.

We have to pass this bill. If this bill is not reauthorized by September 30, several States and the District of Columbia will be slated to lose funds. People who have been counting on the money for HIV and AIDS will lose money on September 30. Therefore, Senators from three States are holding up a bill that would help Connecticut, Georgia, Kentucky, New Hampshire, Pennsylvania, Delaware, Illinois, Maine, Oregon, Washington State, California, Hawaii, Massachusetts, Maryland, Montana, Rhode Island, Vermont, and the District of Columbia, not to mention some of the towns, major cities, and some of the States that would be gaining revenue as we move the money to areas where the current AIDS and HIV cases are. People with HIV and AIDS who live in the States I just mentioned will be hurt if a few Senators continue blocking this reauthorization.

As we all know, the Ryan White program provides critical health services for people infected with HIV and AIDS. These individuals rely on vital programs for drugs and other services. We need to pass this legislation so we can provide them with the treatment they desperately need. I urge Senators who are holding up this bill to stop playing the ''numbers game'' so that the Ryan White legislation can address the epidemic of today—not yesterday.

I mentioned that we changed the formula to follow the people. The HIV/AIDS epidemic affects more women, minorities, and more people in rural

areas and the South than ever before. While we have made significant progress in understanding and treating this disease, there is still much to do to ensure equitable treatment for all Americans infected with HIV and AIDS. We must ensure that those infected with HIV and living with AIDS will receive our support and our compassion, regardless of their race, regardless of their agenda, regardless of where they live; therefore, I urge my colleagues to support this key legislation and to stop playing the numbers game so we can assist those with HIV in America.

UNANIMOUS-CONSENT REQUEST S. 2823

Having said that, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2823, the Ryan White Act. I ask unanimous consent that the Enzi substitute at the desk be agreed to; the committee-reported amendment No. 578, as amended, be agreed to; the bill, as amended, be read the third time and passed; the motion to reconsider be laid upon the table; and any statements related to the bill be printed in the RECORD.

Mr. DAYTON. Mr. President, I object, not on my account but on behalf of some of my Senate colleagues who, I stress, want to join with the program.

I commend the chairman for his leadership on behalf of this legislation and the support of the reauthorization, but they object to the permanent reduction in funding for their respective States which would occur under the formula the chairman referenced. They share my hope, along with the chairman, that this issue can be satisfactorily resolved for all concerned before the expiration, September 30, so that this—I think we all agree—very important and valuable program benefiting all of our States can continue uninterrupted.

I do object on their behalf.

The PRESIDING OFFICER. The objection is heard.

Mr. ENZI. I am sorry to hear we have an objection. We need to find a way to work through this objection. I have been working desperately across the aisle with Senator KENNEDY, who has been joining me in this effort to help get it out of committee. We have been trying to find a way that the formula would work. One of the ways was to include in the bill 3 years of hold harmless for them to finish updating their system to the point where if they truly have the HIV numbers, they will truly get the money. If they don't have the HIV numbers, yes, they will lose the money.

Now, I don't know if the Senator from Minnesota is aware that our Ryan White reauthorization bill increases the funding for Minneapolis by $2 million and $2.5 million for the whole State. It is a net benefactor. There have been increases in HIV and AIDS cases in Minnesota, and this would move money to where the cases are. That is where the numbers show that his city and State would be significant beneficiaries.

I have a lot of statistics I can go through, but I wonder if the Senator is also aware that these increases are due to the inclusion of HIV/AIDS in the funding formula and that Minnesota has more HIV cases.

Mr. DAYTON. Mr. President, again, to make the record clear, I am not objecting on my own account but on behalf of my other Senate colleagues. I thank the chairman for that improvement in the funds that are going to Minnesota. I strongly support the program and intend to vote for it.

I thank the chairman again for his leadership and his continuing efforts to get this important legislation reauthorized.

Mr. ENZI. Mr. President, I appreciate that clarification.

I will ask the Senator for his help. He said he would vote for the bill. Anything we can do to move this forward. We have put a 3-year hold harmless in there for everyone.

On September 30, the world falls apart for a number of people. California, for one, will lose $18.5 million of their funding. There are a number of big losers. There are no big losers if we pass the bill, provided the numbers back up what they have.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, by objecting to moving this bill, we need to look at the real lives that are getting ready to be harmed. Not only is the funding for the program going to be cut to the poorest of the poor by the formula in the preexisting Ryan White Act, but also the money for New York and California is going to be cut. The New York delegation, for example, argues that updating the formulas is devastating their State's infrastructure. A closer look reveals that the impact on New York, like other States with large urban areas, is not so great.

The national average funding per AIDS case in 2006 was $1,613. New York's average was $2,122—33 percent more than the national average. Under the corrected funding formulas, the national average in 2007 would be $1,793; New York's would still be higher at $2,107, just 5 percent less than the State currently has, so people who are getting no treatment now, especially minority women where this disease has ravaged and is growing at a larger proportion, do not have access to any care.

What we are really saying is to avoid a 5-percent cut, we are going to eliminate access for large numbers of minority women in this country who are infected with this virus and have no access to drugs, have no access to treatment today because the dollars have not followed the epidemic.

The political response to this, even though it might be parochial, is wrong for this country. It is wrong for those who have no benefit today to continue to be denied benefits because some group might lose a small percentage when, in fact, a very large number of people are going to be benefited by the new Ryan White fund.

We need to be very careful. The last Ryan White law was very specific in what is getting ready to happen. The number of people waiting for drugs is going to shoot through the ceiling if we do not pass the bill because of the funding formula that was in there to force us to pass a bill.

What we have said is we are going to object on parochial interests, a 4- or 5-percent cut, but the reason we are going to object, we do not care that other people are going to have no care, no treatment, no drugs, no access, so what we are really doing is we are not taking away any significant care, but we are markedly reducing an opportunity for life for those who are the least able to care for themselves.

Just a couple of other examples. The New York Times noted that out of this $2,107, we have dog-walking paid for through AIDS funds, we have candlelight dinners paid for for AIDS recipients—this at the same time an African-American woman in Atlanta, in Greensboro, or in Tulsa cannot get the lifesaving drugs she needs for tomorrow, the drugs that will save her life, allowing her to continue to be a mother.

There have been a lot of people who have worked very hard to get Ryan White reauthorized. I thank them personally for that. It diminishes the Senate when we think of the parochial and not the whole.

The long-term former funding for Ryan White was based on AIDS cases. The new funding is based on HIV and AIDS cases. This new funding in this new bill says that 75 percent of the money has to go to treatment—we have never had that before—to really make a difference in people's lives.

I am disappointed that we are not going to be able to do this bill, but my disappointment is nothing compared to the people who aren't going to get care, who aren't going to have a future, who aren't going to have a life if this is not changed. I thank the chairman for his hard work. I thank the Senator from North Carolina for his work and Senator JEFF SESSIONS, as well. This is a disease which is moving hard and heavy to minority communities, to the South. If we do not recognize that they ought to have equal rights for treatment and care, there is something wrong with us.

I yield the floor.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, this is, plain and simple, about whether this Senate is going to allow legislation to go forward to reauthorize Ryan White, that allows the funding to follow the patients. What an incredible thought, that we would be here at a stalemate over whether health dollars follow the individual HIV-positive and AIDS patients.

In North Carolina, we have gone on an aggressive program for volunteer

testing. The amazing thing we found out is that of those individuals now tested, 30 percent have full-blown aids, meaning that the options we have, that the health community has, are minimal from a standpoint of how we stop that disease in its tracks and give them any quality of life.

We are making the steps in North Carolina to try to identify the individuals who should be on a regimen of drugs. But by not allowing this bill to come to the floor for debate, we are denying the Senate the ability to bring the bill up and to consider the merits of it, and, yes, to amend it if we want to, to live with the majority of this body as to whether we change the funding formulas from what the committee has decided; which is, the funding should follow the patient.

My colleague from Oklahoma is an OB/GYN by profession. He has the medical degree. He understands the specifics of it. And the one thing that TOM COBURN has drilled in me over and over and over again is that to deny these individuals the ability to have the regimen of drugs that are available is to give them a death sentence. To deny this legislation to come up on this floor is to give a death sentence to somebody in America.

The likelihood is that some of those individuals with that death sentence live in North Carolina. Seventy-two percent of new North Carolina cases reported in 2005 were minority clients. Women of color in the South are 26 times more likely to be HIV positive than White females. In 2004, 66.7 percent of people living with AIDS in North Carolina were African American—the fifth highest rate in the Nation. The national average was 39.9 percent.

What is unique about this challenge of the demographic shift in where HIV and AIDS is affecting the U.S. population is that, for example, in North Carolina, in many cases, it is in rural North Carolina. The challenge is not only how you match the dollars for drugs with the patient, it is how you supply the transportation to the patient to get to the clinic where, in fact, they get their drugs. To deny the ability of the Senate to come to the floor and debate this bill, to bring it up and to address the merits of this formula change, to suggest that there is something wrong with allowing the funding to follow the patient—I am not sure I get it. I thought that is why America sent us here.

In 2004, North Carolina's contribution of $11.2 million a year represented the seventh highest among all States for ADAP programs in absolute dollars, and the second highest contribution as a State in percentage. Nobody can look at North Carolina and say we are not doing our share and more for the people who live in North Carolina.

But what we are denied by our inability to debate this legislation, to amend it, if some want to amend it, is to say that North Carolina will have to continue to make a bigger investment on the part of our State because certain States do not want to give up their Federal dollars, even though they no longer have the pool of HIV and AIDS patients.

In 2004—one comparison I will draw for this body—in Massachusetts, there were 8,254 individuals living with AIDS; in North Carolina, we had 7,245. Total Federal spending in Massachusetts for individuals living with AIDS was $18.6 million. In North Carolina, it was $8.1 million—$10 million shy of Massachusetts, with an affected AIDS population 1,000 less than Massachusetts. That one statistic shows the inequity that exists in the formula that we currently have within Ryan White.

One simple change means that funds will now follow the patients. That the concentration of dollars will go into the communities that affect the individuals who are infected with this disease.

I am not sure that many of us have stopped to focus on the fact that when the Federal Government makes an investment or the State government makes an investment to make sure that AIDS patients have the medications they need, we eliminate two hospital visits a year. A person living with AIDS today untreated will likely visit the hospital twice in any given year, for a week's stay each, once for a retinal infection, the second time for pneumonia. The average of those two stays is about $33,000.

For an investment of slightly over $10,000 a year—part by the Federal Government, part by the State government, part by private entities—we can eliminate those two hospital visits.

So the inability to bring up this legislation, the inability to debate a change in Ryan White, an inability to let the money follow the patients means not only will New York keep their pot of money or California keep their pot of money, but it means North Carolina is going to pick up, in unrecoverable hospital expenses, about $22,000 per year per patient for whom we could not provide the medicine. So not only are we not investing the Federal money wisely because it is being invested in communities that do not have the patient population anymore, we are turning around, and the Federal Government is picking up, in the case of North Carolina, 60-plus percent of the Medicaid expense, or of the disproportionate share of the hospital expense in DSH payments, or, in fact, the hospital is sitting there with a $33,000 bill and somebody unable to pay for it, and potentially it gives them a collection problem.

This is an opportunity for us to fix something that is broken, for us to do something that every person, every Member of the Senate understands the equity and the fairness of; and that is, if we are going to make a Federal investment, let's make sure the dollars follow the individuals who are affected with HIV and AIDS.

This is an opportunity for us to understand that AIDS does not recognize State borders, that it does not recognize the difference between sexes or ethnic backgrounds, that it has now infiltrated rural areas the same way it did urban areas years ago when we were reluctant to come to this floor and talk about it.

This is a health problem in America. It deserves our attention today. It demands that we change the formula to make sure as many Americans as possible who are infected with AIDS are, in fact, treated, in part with the money we devote out of the taxpayers' pockets to do it. The inability to bring this legislation up—to stand up and suggest that we would like to bring it up, and there is an objection—is to say, no, we do not want to debate it. Why? Because they do not want to fix it. They would rather allow a death sentence to be applied to somebody, to many people, across this country.

So as Dr. COBURN said, dogs can be watched, midnight dinners can be had, but the fact is, this legislation is focused on how we get lifesaving drugs to individuals who are infected with HIV and AIDS. My hope today is that Members who are scared to have this debate will come to the floor and lift their hold, will agree to the unanimous consent request, and come down and have a debate on this and try to defend—try to defend—these numbers, try to tell me that having $18 million for 1,000 more HIV/AIDS patients is fair. In fact, it is not fair.

We are obligated—we are obligated—as Members of this body to change the formula so it represents where the best investment can be made, and to where the American people look at it and know we have responded in a fair and equitable way.

I thank the chairman for the committee's commitment to do this legislation, for the work of the chairman and his leadership in, quite frankly, coming up with a very difficult bill to address the input of many different regions of the country and many different States. But the same population—a population that was infected with HIV/AIDS, regardless of where they live, regardless of where they grew up, regardless of what their skin color is, regardless of whether they are male or female—they ought to be equitably treated as it relates to the distribution of Federal funds available for them to access lifesaving treatments and drugs for their disease.

My hope is that at the end of this day the Chair, the committee, but more importantly the individuals who are infected across this country, will, in fact, win and we will pass this legislation and change this unfair funding formula.

I yield the floor.

The PRESIDING OFFICER (Mr. ALEXANDER). The Senator from Wyoming.

Mr. ENZI. Mr. President, I thank the Senator for his words. The increase in knowledge that I am sure he has created across the country—and also the

comments of the Senator from Oklahoma—both of them have made an excellent case for why we need to do this. We need to do it immediately. We need to do it for people who have HIV/AIDS. I would note that the person who raised the objection to us adopting the bill is not from one of the three States that have a hold on the bill. I would hope those people would take a look at the situation in their State, and take a look at the fact they are getting more than the average number of funds being expended on patients across the rest of the country, and see that the surpluses their States are running at the end of the year greatly exceed the rather minute loss they would have, and that they would agree for us to move forward on this bill and get it in place before that September 30 deadline that is going to be devastating to 13 States that will lose money for having done the right thing.

Now, having said that, I know there will be people who will say the Republicans cannot get anything done. Well, that particular issue, and many others are not Republican issues. They are issues of the United States. And that is one on which we worked across the aisle and had a great deal of agreement on. And I have to thank Senator KENNEDY, the ranking member on my committee, for the extreme work he did to help us find, among the thousands of formulas we looked at, the one that was the most fair so it would follow the patients. I do appreciate the work he has helped us do in the committee during the year.

ACCOMPLISHMENTS OF THE HELP COMMITTEE

Mr. ENZI. Mr. President, I want to take just a few minutes to talk about what the Health, Education, Labor, and Pensions Committee has done this year. This Ryan White reauthorization is extremely important, but it is not the only bill we have been working on. Because of the way we have done our work, some people may not be aware of what has been done. In fact, I know that to be the case.

This is a committee that has worked across the aisle. When you work across the aisle, a lot of times you can work out many of the difficulties, and when you work out the difficulties, there is not a big floor debate. And when there is not a big floor debate, there is nothing for the media to write up about the blood; consequently, it does not get coverage. So I want to correct that here today, and I would like to discuss the Senate Health, Education, Labor, and Pensions Committee's accomplishments for the 109th Congress.

We have heard some claims that this is a do-nothing Congress. Well, I am here to assure American workers, retirees, students, and parents that the Health, Education, Labor, and Pensions Committee has done a great deal to help you live more secure, productive, and healthy lives. Of course, we have more to do, but I am proud that during a time of intense partisanship on Capitol Hill, the HELP Committee has produced a lengthy list of legislative accomplishments.

Looking back over the past 2 years, most of these victories materialized when Senators were willing to work across party lines and across the Capitol to put finding a solution in front of exploiting an issue.

Mr. President, I ask unanimous consent that a list of bills and reports filed by the HELP Committee in the 109th Congress be printed in the RECORD.

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

REPORTS FILED BY THE HELP COMMITTEE, 109TH CONGRESS, FIRST AND SECOND SESSION (2005–2006)

Bill No.	Ordered rpted.	Date rpted.	Written rpt.	Cal. No.	Status
1. S. 265 (Reau. Trauma Care)	2/9/2005	2/2/2006	109–215	359	
2. S. 285 (Children's Hosp. Graduate Medical Ed. Prog.)	2/9/2005	5/11/2005	109–66	98	Passed Senate, Amended 7/26/2005, Referred to Energy & Commerce 7/27/2005 (H.R. 5574).
3. S. 288 (High Risk Health Insurance Pools)	2/9/2005	2/10/2005	No	2	Passed Senate, 10/19/2005, (amdt. to H.R. 3204) P.L. 109–172.
		7/29/2005	109–121		
4. S. 302 (NIH)	2/9/2005	5/26/2005	109–75	117	Passed Senate, 7/27/2005, Referred to Energy & Commerce 7/28/2005.
5. S. 306 (Genetic Info . . .)	2/9/2005	2/10/2005	No	3	Passed Senate, Amended 2/17/2005, Received in House, Held at desk 3/1/2005
6. S. 172 (Amend FDA-re: Contact lenses)	3/9/2005	7/27/2005	109–110	177	Passed Senate, 7/29/2005, Passed House 10/26/2005.
					P.L. 109–96.
					11/9/2005
7. S. 250 (Carl D. Perkins)	3/9/2005	3/9/2005	No	39	P.L. 109–270
		5/10/2005	109–65	39	8/12/2006.
8. S. 525 (Caring for Children)	3/9/2005	8/31/2005	109–130	199	
9. S. 544 (Patient Safety)	3/9/2005	Discharged			Passed Senate, Amended 7/21/2005, Passed House 7/27/2005 P.L. 109–41.
					7/29/2005.
10. S. 655 (Centers for Disease Control	4/27/2005	6/27/2005	109–91	140	P.L. 109–245.
					7/26/2006
11. S. 898 (Patient Navigator)	4/27/2005	5/25/2005	109–73	115	P.L. 109–18; (H.R. 1812).
					6/29/2005.
12. S. 1021 (WIA)	5/18/2005	9/7/2005	109–134	203	Passed Senate, Amended 6/29/2006.
13. S. 518 (. . . Prescription Electronic Reporting)	5/25/2005	7/29/2005	109–117	187	P.L. 109–60; (H.R. 1132).
					8/11/2005.
14. S. 1107 (Head Start)	5/25/2005	8/31/2005	109–131	200	
15. S. 1317 (Cord Blood)	6/29/2005	7/11/2005	109–129	156	P.L. 109–129; (H.R. 2520).
					12/20/2005.
16. S. 1418 (Health IT)	7/20/2005	7/27/2005	109–111	178	Passed Senate, Amended 11/17/2005, Referred to Energy & Commerce 11/18/2005.
17. S. 1420 (Medical Device User Fees)	7/20/2005	7/25/2005	109–107	173	P.L. 109–43; (H.R. 3423).
					8/1/2005.
18. S. 1614 (Higher Education)	9/8/2005	11/17/2005	No	300	
		2/28/2006	109–218	300	
19. S. ___ (Defined Benefit Security)	9/8/2005	9/28/2005	No	[1] (See Below)	H.R. 4 Pension Protection Act, P.L. 109–280.
20. S. 1873 (Biodefense and Pandemic Vaccine and Drug Development Act)	10/18/2005	10/24/2005	No	257	
21. S. 1902 (CAMRA)	3/8/2006	9/5/2006	109–323	585	Passed Senate 9/13/2006.
22. S. 1955 (Health Insurance Marketplace Modernization and Affordability Act of 2006).	3/15/2006	4/28/2006	No	417	
23. S. 2803 (Mine Improvement and New Emergency)	5/17/2006	5/23/2006	No	439	P.L. 109–236 (6/15/2006).
24. S. 2823 (Ryan White HIV/AIDS Modernization Act)	5/17/2006	8/3/2006	No	580	
25. S. 860 (American History Achievement Act)	5/17/2006				
26. S. 3570 (Older Americans Act Amendments)	6/28/2006	9/19/2006		616	
27. S. 3546 (Dietary Supplements)	6/28/2006	9/5/2006	109–324	586	
28. S. 707 (PREEMIE Act)	6/28/2006	7/31/2006	109–298	541	Passed Senate 8/1/2006.
29. S. 757 (Breast Cancer and Environmental Research Act)	6/28/2006	7/24/2006	109–290	530	
30. S. 3678 (Pandemic and All Hazards Preparedness Act)	7/19/2006	8/3/2006	109–312	583	
31. S. 843 (Combating Autism)	7/19/2006	8/3/2006	109–318	578	Passed Senate 8/3/2006.
32. S. 2322 (RADCare)	9/20/2006				
33. S. 1531 (Keeping Seniors Safe From Falls and TBI)	9/20/2006				
34. S. 3771 (Health Centers Renewal Act)	9/20/2006	9/25/2006		639	
35. H.R. 5074 (Railroad Retirement Technical Improvements)	9/20/2006	9/21/2006		630	Passed Senate 9/25/2006.

[1] (Status—Was combined with a Fin. Cmte. bill and introduced as a Senate Bill on 9/28/2005 as S. 1783—Pension Security and Transparency Act of 2005. Passed Senate amended 11/16/2005. (See also H.R. 28301, H. Res. 602); H.R. 2830—House disagreed to Senate amendment/agreed to a conference on 3/8/2006.)

Mr. ENZI. Mr. President, I joined the HELP Committee when I was first elected to the Senate in 1997. It was natural for me because of my small business background as an owner of family shoe stores. I had firsthand experience with burdensome government regulations, inadequate health care coverage for my workers, and adversarial workplace safety laws. I was energized about finding common sense solutions rather than more Washington bureaucracy.

Now, another reason I joined the HELP Committee is because its broad jurisdiction touches nearly every American.

Now, there were a lot of vacancies on the committee when I signed up. I asked why there were so many vacancies, and I was told, well, that is a contentious committee. I thought I knew what contentious committees were because I served on the labor committee in Wyoming. I found out that there is another level of contentious. I wanted to work with my colleagues to find smart solutions that would address some of the most important challenges faced by my constituents in Wyoming and, of course, other people across the country. I came from Wyoming as a firm believer in my 80–20 rule. The way that rule works is that we can usually find agreement on 80 percent of any issue. We agree across the aisle on about 80 percent the issues that comes up. Now, we are probably never going to reach agreement on the remaining 20 percent.

Unfortunately, for America, what they get to watch on any bill is the debate on the 20 percent we don't agree on, and probably will never compromise on. That is what makes this body seem so contentious—the 20 percent that we don't agree on, even though 80 percent can get done. The committee process will enable us to find that 80 percent, and that has been a principle that has guided my chairmanship.

I was honored and humbled when my colleagues selected me to chair the HELP Committee nearly 2 years ago. Since my chairmanship began, the vision for both the full committee and the subcommittees is to craft legislation that provides lifelong opportunities for people to be healthier, more competitive, and to be more secure at school, work, and in retirement.

Because we have such a broad jurisdiction, the HELP Committee has had an aggressive legislative schedule in the 109th Congress. Over the past 2 years, together with the subcommittees, we have held 57 hearings and reported 36 bills out of committee; 21 of these proposals were approved by the Senate and 12 were signed by the President and became public law. We also reviewed and approved 352 nominations that require Senate confirmation. I thank my colleagues, including their staffs, for doing the work needed to maintain this aggressive pace.

In this Congress, the HELP Committee has been privileged to have in its ranks active subcommittee chairmen and engaged members. This is largely the reason the committee has had legislative success. I thank them for their dedication, and I applaud them for the joint success as a committee. Our ranking member, Senator KENNEDY, and I may disagree on a number of issues, but we have worked hard to find common ground and we share a commitment to improving the health, education, work, and retirement security of Americans.

The number of bills acted upon by the HELP Committee is certainly impressive. However, the numbers alone don't begin to tell the story of how the committee's activity will improve the lives of Americans now and in the years to come. One of the committee's most significant accomplishments came on August 17 of this year when President Bush signed into law the Pension Protection Act. That act marks the most comprehensive change to pension law since 1974. The Pension Protection Act is a real victory for working Americans who spend a lifetime working hard and saving for retirement. It dramatically strengthens pension funding rules and helps curb record pension failures. In doing so, the act better protects the retirement dreams of 45 million Americans. Not only were single employer fund rules significantly overhauled, but the rules regarding hybrid pension plans were finally clarified, and multi-employer funding rules were changed as well. The proposal strengthens current law and will better help Americans prepare and plan for retirement. It provides workers the security of knowing that moneys earned for retirement will be there when they are ready to retire.

It also secures the Pension Benefit Guaranty Corporation and secures that corporation without picking the pockets of taxpayers to keep the agency solvent. This legislation was no small undertaking. It took a year and a half of hearings, 5 months of deliberations in conference, and countless hours of negotiations on each provision of the bill.

Fortunately, pension issues are almost always handled in tag team fashion, involving both the HELP Committee and the Senate Finance Committee, which has jurisdiction over the Internal Revenue Code. While this tag team approach is a great asset and helped us get the bill through the Senate, it meant a complicated and extraordinarily large conference involving four committees in the House and Senate and 27 conferees.

Together with my ranking member, Senator KENNEDY, Finance Committee Chairman GRASSLEY, ranking member Senator BAUCUS, as well as HELP's Retirement Security and Aging Subcommittee Chairman DEWINE, and Ranking Member MIKULSKI, our committees collaborated with House counterparts to make this sweeping reform happen. Because of this teamwork, the law passed the Senate 93 to 5. The result was a policy and a process that was truly bipartisan. Total floor time for the bill—Senate debate and conference report debate—totaled about one hour and fifteen minutes equally divided.

Some may think the conference took a long time to conclude, but history proves that it was ended in record time. The last big pension conference occurred in 1994. The conference was appointed in March of that year, but did not conclude until December. Prior to that, the most recent conference took place in 1987 and operated in the context of budget reconciliation. Again, that conference commenced in March but didn't end until December.

This year, our conference began in March and ended in July—just 5 months compared to a 10-month conference for earlier bills. Comparatively speaking, the Pension Protection Act conference finished quickly, but the impact will be felt for generations.

Another major accomplishment of the HELP Committee was the enactment of the Mine Improvement and New Emergency Response Act, MINER. From the tragic loss of life in the coal mines of West Virginia and Kentucky came the first reforms of mine safety laws in 28 years. These tragedies brought together leaders from the mining industry, from government, and from the labor unions, and helped to forge a commitment to improve mine safety. I traveled to the Sago mine with Senators KENNEDY, ROCKEFELLER, and ISAKSON. We met with the families of the miners who lost their lives. We met with other miners who worked there, and we met with people in the union. I felt a commitment to those families and miners in this country to try to ensure that this would never happen again.

The committee approved the MINER Act on May 17, and the President signed the bill in June. That has to be one of the fastest, most comprehensive changes to any safety law. I can't emphasize enough the cooperation of unions and company executives, and Republicans and Democrats.

Protecting the health and safety of those who work in the mining industry need not be a partisan issue. Mining, and coal mining in particular, is vital to our national and local economies, and to national energy security. Ensuring the safety of our miners is essential to protecting and preserving the industry and protecting the workers. I especially thank Senators KENNEDY, ISAKSON, BYRD, ROCKEFELLER, and MCCONNELL for the tireless effort they extended. Their efforts contributed in large part to this proposal becoming law.

I should mention that the debate on the Senate floor was 1 hour equally divided with two votes. So nobody saw that. Nobody saw that debate, but it makes a significant difference for all the people in the country—the mining bill. You never saw any debate on the floor. It passed unanimously without debate. It passed in the House under suspension with limited debate—the same bill.

Sometimes the things that get done by unanimous consent that everybody agrees on nobody ever finds out about, except the people it does benefit; they know. That is why it is worth doing it that way. For a bill that has objections around here, there are ways to overcome it if you get 60 votes for it. But that is usually about a 3-week process. A unanimous consent doesn't use up much time, but it gets things done.

The committee has also made tremendous strides related to education and job training. This session the

HELP Committee initiated a comprehensive effort to authorize legislation that enhances knowledge and skills and helps American workers become leaders in the global economy. Some estimates suggest that 60 percent of the jobs created in the next decade will require skills that only 20 percent of the workers today currently possess, and 80 percent of the jobs will require education or training beyond high school. Eighty percent of the jobs will require education or training beyond high school. That is where the world is going. It is changing fast.

One important component of this effort is the reauthorization of the Carl Perkins Career and Technical Education Act. It was signed by the President in August, and it will help close the gap that threatens America's long-term competitiveness. The act addresses the needs of the Nation's changing workforce and prepares Americans for highly technical, higher-paying jobs. The reauthorization also made changes that will increase accountability at the State and local levels and will establish stronger links with businesses to build partnerships with high schools and colleges so they can better meet the needs of the changing workforce.

For many people, participation in these programs can mean the difference between a job with no possibility of advancement and a successful career. Passage of this legislation was a significant accomplishment. Again, limited floor debate, no debate on the conference report; unanimous consent across the aisle.

Another piece of this comprehensive effort is the reauthorization of the Higher Education Act. As my colleagues know, the mandatory portions of the higher education law were reauthorized in February under the Deficit Reduction Act of 2006. Before I elaborate, I want to stress that it is critical to reauthorize the remaining discretionary programs under the act, which I intend to make a top priority for 2007. We have the bill out of committee but haven't had the floor time to do the debate on it. I am making that a top priority for 2007 because postsecondary education is the key to the future success of our students, our communities, and our economy.

As I stated earlier, we reauthorized the mandatory components of the Higher Education Act through the budget reconciliation process. We found over $20 billion in savings by eliminating corporate subsidies for lenders and reworking the interest rate structure for many borrowers, among other revisions. A portion of the savings was used to pay for over $9 billion in enhanced students benefits. The law makes higher education more affordable for students who finance part of their education through loans by reducing borrow origination fees and increasing loan limits.

Another benefit is a $4 billion grant program for postsecondary students who major in science, math, and certain national-security-related foreign languages. These funds are dubbed ''SMART grants'' and are an important part of making higher education more affordable for low- and middle-income families. We invested resources where we need them the most, which will help ensure we have a workforce that can compete globally.

I was in India earlier this year and saw firsthand what Thomas Friedman discusses in his book, ''The World Is Flat.'' It doesn't take long to figure out that by sheer numbers alone, India has only to educate 25 percent of its population to have more literate and educated people than the total population of the United States.

By using the reconciliation process for these higher education reforms, the HELP Committee was able to produce meaningful deficit reduction. In fact, I am proud the HELP Committee led the entire Congress in deficit reduction and produced $15.5 billion in savings over five years. That is 40 percent of the entire Deficit Reduction Act of 2006. It is not right to overspend now and pass the bill on to our children and grandchildren to pay later.

I thank Chairman GREGG for his leadership on the Budget Committee and for his contribution on the authorizing committee that helped make the meaningful deficit reduction a reality.

Enactment of the Perkins reauthorization and the mandatory revisions of the Higher Education Act were critical components of a comprehensive effort to strengthen knowledge and skills. However, this effort also includes the reauthorization of the Workforce Investment Act. The reauthorization is essential because it will help train American workers to fill the good jobs being created so we can continue to be leaders in the global economy.

The reauthorization of the Workforce Investment Act has been a priority of mine since I chaired the Subcommittee on Employment and Workplace Safety in the previous Congress. Last Congress, I worked tirelessly to report the legislation from the committee, only to be held up on the Senate floor when it came time to appoint conferees. Now, that means the bill made it out of committee and cleared the Senate floor. The House passed a different version, so we need a conference committee to resolve the differences. However, we weren't allowed to appoint a conference committee. That was 2 years ago. Mr. President, 900,000 new jobs could be trained under that program. This year, once again, I have been procedurally hamstrung in my efforts to move to conference. The bill must be completed. It made it out of the committee unanimously. It made it through the floor of the Senate, again unanimously. That means everybody agreed with what is in the bill. Now the only problem left is we have to reconcile that with what the House passed.

America is facing an economic challenge that threatens our ability as a nation to compete on the world stage. This bill sends a clear message that we are serious about helping our workers and our employers remain competitive and about closing the skills gap that is putting America's long-term competitiveness in jeopardy.

Our commitment to lifelong learning never ends. It begins with giving our children the proper tools for a start down the pathway that leads to their education. The committee approved improvements to Head Start this last year, and the completion of this process is one of my top priorities.

On the health front, eight committee bills were signed into law by President Bush. One of the most significant new health care laws is the Patient Safety and Quality Improvement Act. The new law is a culmination of 6 years of work in response to the Institute of Medicine's 1999 report that found that nearly 100,000 Americans die needlessly every year due to medical errors.

The Patient Safety and Quality Improvement Act creates a protected legal environment in which patient safety organizations can analyze why medical errors happen and develop strategies to stop those errors from happening again. The law provides critical legal protection for doctors, nurses, and other health care workers who might fear coming forward with information about mistakes because the information could be used in a lawsuit against them.

This new law is the first important step toward creating a new culture of safety and continuous quality improvement in health care.

This new law is one of just several important pieces of legislation the HELP Committee produced in this Congress. I would mention again that this too took zero debate time on the floor. Another one is the Patient Navigator Outreach and Chronic Disease Prevention Act of 2005, which will help patients with chronic diseases team up with health care experts who can help them find their way through the maze to the best treatment offered in this often complex health care system. Again, no floor debate time.

The Stem Cell Therapeutic and Research Act of 2005 supports the creation and maintenance of cord blood stem cells. Stem cells obtained from umbilical cord blood have already shown great promise in treating cancers, leukemia, and other diseases, and this law will accelerate our work in those areas. I have already had people who have reported back to me that their life may have been saved by that particular act already. I think we had 5 minutes of debate time on that bill.

The National All Schedules Prescription Electronic Reporting Act of 2005 enables physicians and other prescribers to find out whether patients are abusing and diverting narcotics and other dangerous drugs. Instead of enabling these patients and their self-destructive habits, physicians will now be able to identify them and treat them.

The State High Risk Pool Funding Extension Act of 2005 renewed a key law that funds State high-risk health insurance pools. These pools create access to health insurance for otherwise medically uninsurable individuals and are an important part of our strategy to make health insurance available to more Americans. The President also signed a bill to amend the Public Health Service Act and strengthen the National Foundation for the Centers for Disease Control and Prevention.

Finally, we passed two key laws to preserve access to medical technology. The Medical Device User Fee Stabilization Act of 2005 prevented the FDA's medical device user fee program from expiring. Without this law, patients' access to the latest medical innovations would have been compromised. Congress also acted to protect children from dangerous, unregulated cosmetic lenses, often used as part of costumes, by providing for the regulation of these lenses as medical devices.

The HELP Committee members worked together with our House counterparts in a bipartisan, bicameral way to complete action on these laws. I personally thank all of the committee members on both ends of the building for their active participation in this process.

We also scored a victory on the Senate floor this summer related to health insurance. Together with Senators NELSON and BURNS, I introduced legislation that would allow business and trade associations to band their members together in small business health plans and offer group health coverage on a national or statewide basis. It would give small businesses the capability to group together across State lines to effectively negotiate against big insurance companies. It would bring down insurance rates significantly, particularly in the area of administrative costs.

This legislation, the Health Insurance Marketplace and Modernization and Affordability Act, is a direct response to the runaway costs that are driving Americans and businesses away from the health insurance marketplace. In May, this legislation received 55 votes on the Senate floor—a clear majority. Unfortunately, obstructionists used arcane Senate rules requiring 60 votes for passage to defeat consideration of the bill. I count this as a victory for the HELP Committee because the policy is supported by the majority of the Senate. This will not be a victory for Americans until it is signed by the President.

Enacting the Health Insurance Marketplace Modernization and Affordability Act will be a top priority for the HELP Committee and me personally in the 110th Congress. I intend to act on this legislation early next year and continue to work across party lines to find the solution that produces 60 votes in the Senate. The HELP Committee has a role to play in making employer-sponsored health care more accessible and affordable. Employer-provided health insurance is voluntary, and it is in critical condition. Sixty percent of the country's employers offer insurance today. That is down 9 percent from just 5 years ago. And the cost of health insurance for companies has nearly doubled in that same period, with employers expected to pay an average of $8,167 per employee family versus $4,248 5 years ago. My proposal would provide health care coverage to over 1 million small businesses and their working families.

This fall, I am also hopeful the committee can add two more victories to our list of accomplishments. That would be the Health Information Technology conference agreement and the reauthorization of the Ryan White Care Act.

Right now, my staff is working aggressively with the House to complete action on the Wired For Health Care Quality Act conference agreement. This legislation will enhance the adoption of a nationwide interoperable health information technology system, improve the quality of health care, and contain costs. Primarily, it will allow each individual to own their own health care record and to carry it around with them easily. They will have the permanent record to carry with them and release, to the degree they want to, to any health care provider. This will contain costs: just between Medicare, Medicaid and Veterans, this is expected to save $160 billion a year. The cost to implement: $40 billion, one time. A good investment anywhere.

The committee has also been working in a bipartisan, bicameral fashion to complete the reauthorization of the Ryan White Care Act. The measure was approved by the HELP Committee in May, and I am hopeful that we can swiftly clear compromise legislation through both Chambers by December—I was hoping we could pass it today, but I see it has been stopped. It is absolutely essential that this clear by September 30.

The reauthorization of the Older Americans Act will also have a significant impact on the everyday lives of Americans. The HELP Committee approved this legislation in June, and I am hopeful we can complete action on it this year as well. This reauthorization is important because it ensures that our Nation's older Americans, including 78 million aging baby boomers, are healthy, fed, housed, able to get where they need to go, and safe from abuse and scams. We have been in bicameral, bipartisan deliberations for several months. Again, there is a little hangup on the funding formula. Money has to follow the people in all of these programs.

The committee also conducted various investigations and held several oversight hearings that exposed waste, fraud, and abuse in Federal programs and used the findings to craft legislation to increase accountability. Our first oversight hearing last year focused on how an asset management company, Capital Consultants, defrauded workers out of approximately $500 million in retirement assets. The findings from this oversight effort were addressed in the new pension law.

The committee also held the first oversight hearing in almost 70 years on the Randolph Sheppard Act and the Javits Wagner O'Day Act. Both programs are supposed to find employment opportunities for people with disabilities. The committee's investigation and hearing established that some executives were using the programs for their own enrichment—making millions while exploiting people with disabilities. Following the hearing, Federal law enforcement took action against the worst actors, and we have collaborated across party lines to systematically overhaul both programs. My goal is to address these programs with legislation next year.

I thank my ranking member, Senator KENNEDY, and his staff for their hard work these past 2 years. His assistance and cooperation are the main reasons we have been able to accomplish many of these priorities. We didn't always agree, but we were able to identify common ground to advance our mutual priorities.

I also thank each of our committee members. As I stated earlier, we have kept a full schedule. Many of the legislative victories were initiatives brought to my attention by our subcommittee chairs or individual committee members. Senators were also especially diligent about attending the committee hearings and particularly patient when we sometimes waited for a quorum during executive session. For the remainder of the year, I will be reaching out to each of our members to seek feedback on the 2007 agenda, which will serve as the blueprint for the year.

Finally, in closing, I would like to recognize two departing members of the committee: Majority Leader FRIST and Senator JEFFORDS. We are fortunate they chose to serve, and we are grateful for their contributions. Senator JEFFORDS is a past chairman of the committee, and, of course, Majority Leader FRIST has been the doctor on the committee and provided a perspective no one else could. I am proud of the work we have done here on the committee these past 2 years. By working together, we have established a track record of success.

I also wish to compliment the subcommittee chairmen for their extremely hard work. We gave them a lot of independence, and they didn't disappoint me. They took hold of programs. The competitiveness program is one of them that has reached a point where it can now be debated and pursued. The Senator from Tennessee, Mr. ALEXANDER, did a tremendous job of working that bill, along with Senator ENSIGN, collaborating with three different committees on one piece of farsighted legislation.

Senators DEWINE and MIKULSKI have done a marvelous job with the Elder Fall Act and Older Americans Act and have worked well together for a number of years across the aisle to make sure older Americans are taken care of.

I could go on and mention all of the subcommittees and the work they have done. Senator BURR has done some fantastic work on bioterrorism. He has put together a fantastic bill that contains new concepts which will allow better preparation for any of the possible terrorism acts that could happen on our own soil. Senator ISAKSON, of course, has been extremely active in handling labor issues. As I mentioned, he was a key player in the miner safety bill.

It has been an interesting year. I look forward to another interesting year. I am looking for suggestions from my colleagues on what needs to be done, and looking for that 80 percent that can be accomplished.

Our record of accomplishment is proof that we are a can-do Congress. Far from being a do-nothing Congress, we have shown our colleagues and our constituents that Congress can and is working hard to improve the lives of Americans.

One of the reasons America doesn't know more about this is because of the cooperation that has taken place. We didn't have to debate the 20 percent we didn't agree on here on the floor of the Senate, and consequently there was not a lot of coverage. But just the pensions bill and the miner safety bill, either of those, would be a major accomplishment for any committee during a 2-year period.

I am proud of the 12 bills the President signed and the 21 bills we got through this body. I think that is a record of accomplishment, and I thank all those who participated.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. CHAMBLISS). Without objection, it is so ordered.

MENTAL HEALTH PARITY

Mr. HARKIN. Mr. President, earlier today, my colleague, Senator DURBIN of Illinois, took the floor to describe a resolution he and I submitted and a number of others cosponsored with him to both recognize the contributions of our former colleague, Senator Paul Wellstone, and to, in that resolution which has now been submitted in the Senate, commit ourselves to making a mental health parity bill a high priority in the next Congress, the 110th Congress.

I want to join with Senator DURBIN, Senator COLEMAN, and Senator DAYTON, who also spoke on this topic today, in recognizing the contribution of our former colleague, Paul Wellstone, and to rededicating ourselves in his memory to trying to get this mental health parity bill passed once and for all.

It almost seems impossible that it was almost 4 years ago this next month when we tragically lost our friend and colleague, Paul Wellstone, and some others—his wife and others—in that tragic plane crash in Minnesota.

He was a very special individual to all of us. He was one of the best friends I ever had. Of course, I think he was to millions of other people around America. They thought he was one their best friends also because of what he stood for and what he fought for. He was always sticking up for the kind of little person—people who didn't have much voice or power around here.

Paul had one burning goal during his all-too-short tenure in the Senate, and that was to get mental health put on the same parity as physical health. He struggled mightily to get that done.

After his tragic death in October of 2002, many here talked about the need to pass in his memory the Paul Wellstone mental health parity bill. We still have not gotten it done. Four years later, we remember that political science professor who came to the Senate. He had a great impact.

Paul once said, politics is about what we create by what we do and what we hope for and what we dare to imagine. He dared to imagine and to fight for the end of neglect and denial surrounding issues of mental health, especially access to mental health services.

Right now, over 41 million persons suffer from moderate or serious mental disorders each year. Less than half receive any needed treatment. However, 80 to 90 percent of mental disorders are treatable by therapies and medications. Paul fought hard with his characteristic passion for the Mental Health Parity Act, to end this absurd practice of dividing mental health from physical health and putting them into different categories under health insurance.

Mental disorders account for 4 of the 10 leading causes of disability for persons age 5 and older. In fact, depression is the leading cause of disability in the United States. Tragically, mental disorders are also major contributors to mortality. Some 30,000 Americans die by suicide each year.

According to the Substance Abuse and Mental Health Services Administration, undertreated and untreated mental disorders cost the Nation in excess of $200 billion annually, hurting the economy, the profitability of businesses, and, of course, our Government budgets.

For example, a report released earlier this month by the Department of Justice found that more than half of all prison and jail inmates, including 56 percent of State prisoners, 45 percent of Federal prisoners, and 64 percent of local jail inmates were found to have a mental health problem.

We do not treat the mental health; we hire more police. People with mental health problems cause problems in society, and they turn, perhaps, to crime or illicit drugs to somehow treat themselves and their mental disorders and they wind up in our jails. And we pay and we pay and we pay for this as a society. More than half of all of the people in jails and prison in America have mental health problems.

A lot of opponents of mental health parity claim it will drive up the cost of health care. However, an interesting study released on March 30, 2006, in the New England Journal of Medicine released results of a study that evaluated the Federal Employees Health Benefits Program, the one we are under, to which we all belong. This has provided insurance parity for mental health since 2001. The researchers found that when the care was managed, the cost of coverage for mental health problems attributable to parity did not increase the cost, and the quality of the care remained constant.

Interesting. In our own health benefits program since 2001 we have had mental health parity. And guess what. The costs have not gone up, and the quality of care has remained constant. The Wellstone Mental Health Parity Act is modeled after the mental health benefits provided through the Federal program.

Many cost studies miss something that is very important: they fail to calculate and quantify the benefits and savings that will result from parity. They fail to weigh the offsetting cost-benefits to employers from increased productivity, reduced sick leave, reduced disability costs. Indeed, a true comprehensive assessment of the costs of parity must take into account the costs of not providing parity, including the economic costs in the workplace, the cost to taxpayers of shifting of burden to public systems—as I mentioned earlier, our prisons and jails—the cost of care of homeless persons, the cost of care of our public mental health systems, the increased cost in emergency room visits. Add up all that and the cost of not treating people with mental illnesses comes to around $79 billion a year.

When workers suffering from depression receive treatment, many of the medical costs decline by $882 per employee per year. Absenteeism drops by 9 days. Again, if we provide that care, we are saving money and increasing productivity.

Also, the good news is that millions of people with mental illness can recover. I don't know why so many people think once you have a mental illness, that person is doomed for life. That is like saying if I have a physical illness, forget it, I have to have it for the rest of my life. Not true. It is the same for mental health. People have problems; they need help; they get it; they get over it. They can reclaim their lives if they are provided treatment and support in a timely fashion.

To that end, it is time to do away with the discriminatory practice of treating mental and physical illnesses as two different categories under insurance. It is time to do away with the barriers to mental health treatment and coverage. It is time to pass mental health parity.

I might remind the Senate, we did pass it once on the 2002 appropriations bill. I happened to be chairman that year on the health appropriations bill. We passed mental health parity in the Senate. It got voiced-voted. No one even objected. Imagine that. We passed it. It went to conference. We kept it in on the Senate side, but we went to conference with the House and we lost it because the House objected to it, by two or three votes. By two or three votes in conference we lost it. We came that close in 2002 to getting mental health parity.

What has happened since? Why have we fallen so far backward? Why hasn't the Senate, since that time, brought it up? As I said, in 2002, we did it. Since 2003, it has not even been brought up. Hopefully, in the next Congress, we will bring it up again, we will pass it again, like we did before.

For those who had the privilege of serving with Paul Wellstone, his spirit is still very much with us. He still inspires us and he still calls us to conscience. Each day that we fail to pass this legislation, as we have for years, we are cheating millions of Americans. Each day that we do not step up to the plate and provide adequate mental health coverage to our citizens, we cheat them from reclaiming their health and well-being, and we starve society of the talent, contributions, and productivity they have to offer. It is a disservice to society to sweep mental illness under the rug and to deny people access and coverage of adequate treatment.

Congress should make the Wellstone Mental Health Equitable Treatment Act a priority for the 110th Congress. With widespread support and widespread need, passage of this legislation is long overdue.

MORNING BUSINESS

Mr. McCONNELL. I ask unanimous consent the Senate now proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

RECOGNIZING DR. WILLIAM C. TORCH

Mr. REID. Mr. President, I rise today in recognition of Dr. William C. Torch of Reno, NV, who has been selected as a recipient of the prestigious Tibbetts Award. Significantly, Dr. Torch is the first individual from Nevada to receive this honor.

Each year the U.S. Small Business Administration celebrates the accomplishments of a handful of firms, organizations, and individuals nationwide with the Tibbetts Award, the agency's highest recognition for innovative technology. Named for Roland Tibbetts, the father of the Small Business Innovation Research Program, the award honors those who best exemplify the philosophy and doctrine of the SBIR Program. Recipients are selected based on overall business achievements, the economic impact of technological innovations, and demonstration of successful collaboration, among other factors. An individual may only win once in his or her lifetime.

Considering the purpose of the Tibbetts Award, I find it very appropriate Dr. Torch is a recipient. A neurologist specializing in sleep disorders, Dr. Torch has long been an innovative leader in modern, medical research, and social improvement. I have been very impressed by Dr. Torch's unique contributions to the field of medicine and the State of Nevada.

Dr. Torch is perhaps best known as the inventor of EYE–COM, a biosensor that monitors the frequency and speed of the human eye blink. Small enough to hide inside of a pair of glasses, EYE–COM uses an alarm to alert wearers if they begin blinking slower than normal. Already this technology has had profound social effects; it holds great potential for even more social and medical utility in the future.

For example, EYE–COM has improved the therapy and lives of many patients by allowing them to better interact with the world around them. In a 2002 interview, Dr. Torch said he hoped truckers and pilots would use EYE–COM to warn them if they were getting too tired, thereby increasing the safety of our Nation's airspace and highways. Law enforcement officers might also use the device to determine if individuals were driving while impaired. As I speak, researchers across the country are working to cultivate the inherent potential of EYE–COM.

Beyond being a noteworthy inventor, Dr. Torch has significant business achievements to his credit. He is the founder and director of the EYEcom Corporation, the Neurodevelopmental and Neurodiagnostic Center, and Washoe Sleep Disorders Center in Reno, NV, which is accredited by the American Academy of Sleep Medicine. He is also the founder of Sleep-Management, a Nevada corporation, specializing in jet lag and shift work fatigue research. From 1998 to 2003, he was the director of neurology at Northern Nevada Medical Center.

Dr. Torch, who has been licensed in Nevada since 1979, received his medical degree with distinction in research and a master's degree in neurochemistry from the University of Rochester. He received his bachelor's degree in chemistry from the Brooklyn College. He completed a residency in pediatrics and a residency and fellowship in child and adult neurology at the Albert Einstein College of Medicine in Bronx, NY.

The Tibbetts Award presentation ceremony is on September 26, 2006, in Washington. I wish to congratulate Dr. Torch on this significant achievement and express my confidence that he has great contributions yet to come. I hope that you will join me in recognizing Dr. Torch's significant achievement.

NATIONAL PUBLIC LANDS DAY

Mr. REID. Mr. President, I rise today in recognition of the 13th annual National Public Lands Day, which will be celebrated on Saturday, September 30. Covering nearly one third of America's total land area, public lands are part of the essence of our country. Today, I am pleased to acknowledge the efforts of volunteers around the Nation who will come together to improve and restore one of America's most valuable assets.

Since it's inception in 1994, National Public Lands Day has helped foster communities of volunteers around the Nation. When it started thirteen years ago, there were 700 volunteers working in only a few areas. I am pleased to report that this year nearly 90,000 volunteers will work at over 800 locations to maintain and enhance countless acres of public land for the enjoyment of future generations.

Growing up in Searchlight—whether I was hunting or just hiking in the desert—I developed a great appreciation for public lands. Preserving these lands for both practical and aesthetic purposes is one of my top priorities.

Given that more than 87 percent of the land in Nevada is managed by Federal agencies, I know that I am not alone in recognizing the importance of public land. Nevadans understand that public lands serve many vital purposes in our State; from hiking and hunting to mining and ranching.

I would be remiss if I didn't also take time to recognize and thank the thousands of Federal employees who manage these lands year-round. The Bureau of Land Management, the Forest Service, the Fish and Wildlife Service and other Federal land agencies help ensure that the complex patchwork of Federal land management in Nevada serves and adapts to the changing needs of our communities and the public at large. They provide a vital, although rarely reported, service to our Nation.

Through the month of October, volunteers and staff from land management agencies from across Nevada will gather at sites such as the Black Rock Desert-High Rock Canyon Emigrant Trails Conservation Area, the Desert Tortoise Conservation Management Area, the Lake Mead National Recreation Area, Lamoille Canyon, and the Nevada Northern Railway, among others. They will remove litter, construct walking paths, restore fences, post signs, and perform tasks that will improve our public lands for everyone who is fortunate enough to visit them.

Our public lands are part of what makes America a great nation. I voice