

EC-8291. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 737-200, -300, and -400 Series Airplanes" ((RIN2120-AA64)(Docket No. 2004-NM-260)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8292. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McCauley Propeller Systems Propeller Models B5JFR36C1101/114GCA-0, C5JFR36C1102/L114GCA-0, B5JFR36C1103/114HCA-0, and C5JFR36C1104/L114HCA-0" ((RIN2120-AA64)(Docket No. 2006-NE-24)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8293. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Mitsubishi Heavy Industries, Ltd. MU-2B Series Airplanes" ((RIN2120-AA64) (Docket No. 2006-CE-04)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8294. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier Model CL-600-2C10 Airplanes, Model CL-600-2D15 Airplanes, and Model CL-600-2D24 Series Airplanes" ((RIN2120-AA64)(Docket No. 2005-NM-213)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8295. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 F4-600R Series Airplanes and Model A300 C4-605R Variant F Airplanes" ((RIN2120-AA64)(Docket No. 2006-NM-041)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8296. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200 and A330-300 Series Airplanes, and Airbus Model A340-200 and A340-300 Series Airplanes" ((RIN2120-AA64)(Docket No. 2002-NM-247)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8297. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200, A330-300, A340-200, and A340-300 Series Airplanes, and Model A340-541 and A340-642 Airplanes" ((RIN2120-AA64)(Docket No. 2005-NM-135)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8298. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Aerospatiale Model ATR42 and ATR72 Airplanes" ((RIN2120-AA64)(Docket No. 2006-NM-160)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8299. A communication from the Program Analyst, Federal Aviation Administra-

tion, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model 777-200, -300, and -300ER Series Airplanes" ((RIN2120-AA64)(Docket No. 2005-NM-262)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8300. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company Models 208 and 208B Airplanes" ((RIN2120-AA64)(Docket No. 2006-CE-07)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8301. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; GROB-WERKE Model G120A Airplanes" ((RIN2120-AA64)(Docket No. 2004-CE-35)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8302. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International Inc. TPE331 Series Turbo-prop Engines" ((RIN2120-AA64)(Docket No. 2006-NE-03)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8303. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Mitsubishi Heavy Industries MU-2B Series Airplanes" ((RIN2120-AA64)(Docket No. 2006-CE-01)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8304. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; McDonnell Douglas Model DC-9-31, DC-9-32, DC-9-32F, DC-9-33F, DC-9-34, and DC-9-34F Airplanes; and Model DC-9-40 and DC-9-50 Series Airplanes" ((RIN2120-AA64)(Docket No. 2006-NM-048)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8305. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International Inc. TPE331 Series Turbo-prop, and TSE331-3U Model Turbo-shaft Engines" ((RIN2120-AA64)(Docket No. 2006-NE-02)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8306. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace; Camp Ripley, MN: Establishment of Class E Airspace; Camp Ripley, MN" ((RIN2120-AA66)(Docket No. 05-AGL-08)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

EC-8307. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Nicholasville, KY; Correction" ((RIN2120-AA66)(Docket No. 06-ASO-7)) received on September 8, 2006; to the Committee on Commerce, Science, and Transportation.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. STABENOW:

S. 3888. A bill to amend title XVIII of the Social Security Act to sunset the sustainable growth rate formula as of January 1, 2009, in order to expedite Congressional action in establishing a new physician payment system that would appropriately reimburse physicians by keeping pace with increases in medical practice costs and providing stable, positive Medicare updates; to the Committee on Finance.

By Mr. FEINGOLD:

S. 3889. A bill to enhance housing and emergency assistance to victims of Hurricanes Katrina, Rita, and Wilma of 2005, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HARKIN (for himself, Mr. LUGAR, Mr. DURBIN, Mr. HAGEL, and Mr. NELSON of Nebraska):

S. 3890. A bill to enhance and improve the energy security of the United States, expand economic development, increase agricultural income, and improve environmental quality by reauthorizing and improving the renewable energy systems and energy efficiency improvements program of the Department of Agriculture through fiscal year 2012, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 3891. A bill to extend the time for filing certain claims under the September 11th Victim Compensation Fund of 2001, and for other purposes; to the Committee on the Judiciary.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. CLINTON:

S. Res. 566. A resolution expressing the sense of the Senate concerning the importance of preventing child abuse and neglect before they occur and achieving permanency and stability for children who must experience foster care; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself and Mr. LEVIN):

S. Res. 567. A resolution honoring the Detroit Shock on winning the 2006 Women's National Basketball Association Championship; considered and agreed to.

By Mr. CHAMBLISS (for himself and Mr. ISAKSON):

S. Res. 568. A resolution congratulating the Columbus Northern Little League team of Columbus, Georgia, for winning the championship game of the Little League World Series; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 311

At the request of Mr. SMITH, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 311, a bill to amend title XIX of the Social Security Act to permit States the option to provide Medicaid coverage for low-income individuals infected with HIV.

S. 368

At the request of Mr. LAUTENBERG, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 368, a bill to provide assistance to reduce teen pregnancy, HIV/AIDS, and other sexually transmitted diseases and to support healthy adolescent development.

S. 908

At the request of Mr. MCCONNELL, the names of the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kentucky (Mr. BUNNING), the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mr. CORNYN), the Senator from Iowa (Mr. GRASSLEY), the Senator from Utah (Mr. HATCH) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of S. 908, a bill to allow Congress, State legislatures, and regulatory agencies to determine appropriate laws, rules, and regulations to address the problems of weight gain, obesity, and health conditions associated with weight gain or obesity.

S. 2250

At the request of Mr. GRASSLEY, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 2250, a bill to award a congressional gold medal to Dr. Norman E. Borlaug.

S. 2348

At the request of Mr. OBAMA, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2348, a bill to amend the Atomic Energy Act of 1954 to require a licensee to notify the Atomic Energy Commission, and the State and county in which a facility is located, whenever there is an unplanned release of fission products in excess of allowable limits.

S. 2475

At the request of Mr. SALAZAR, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 2475, a bill to establish the Commission to Study the Potential Creation of a National Museum of the American Latino Community, to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, DC, and for other purposes.

S. 2491

At the request of Mr. CORNYN, the names of the Senator from Delaware (Mr. BIDEN), the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 2491, a bill to award a Congressional gold medal to Byron Nelson in recognition of his significant contributions to the game of golf as a player, a teacher, and a commentator.

S. 2599

At the request of Mr. VITTER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2599, a bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to prohibit the confiscation of firearms during certain national emergencies.

S. 2707

At the request of Mr. SUNUNU, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 2707, a bill to amend the United States Housing Act of 1937 to exempt qualified public housing agencies from the requirement of preparing an annual public housing agency plan.

S. 2828

At the request of Mr. DODD, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2828, a bill to provide for educational opportunities for all students in State public school systems, and for other purposes.

S. 3128

At the request of Mr. BURR, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 3128, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

S. 3238

At the request of Mr. CORNYN, the names of the Senator from New Mexico (Mr. BINGAMAN), the Senator from Colorado (Mr. SALAZAR) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 3238, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 50th anniversary of the establishment of the National Aeronautics and Space Administration and the Jet Propulsion Laboratory.

S. 3500

At the request of Mr. THOMAS, the names of the Senator from Arkansas (Mr. PRYOR) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 3500, a bill to amend title XVIII of the Social Security Act to protect and preserve access of Medicare beneficiaries in rural areas to health care providers under the Medicare program, and for other purposes.

S. 3508

At the request of Mr. SUNUNU, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 3508, a bill to authorize the Moving to Work Charter program to enable public housing agencies to improve the effectiveness of Federal housing assistance, and for other purposes.

S. 3684

At the request of Mr. ALLEN, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 3684, a bill to study and promote the use of energy efficient computer servers in the United States.

S. 3698

At the request of Mr. JEFFORDS, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 3698, a bill to amend the Clean Air Act to reduce emissions of carbon dioxide, and for other purposes.

S. 3707

At the request of Mr. LOTT, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 3707, a bill to improve consumer access to passenger vehicle loss data held by insurers.

S. 3739

At the request of Mr. COLEMAN, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 3739, a bill to establish a Consortium on the Impact of Technology in Aging Health Services.

S. 3744

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 3744, a bill to establish the Abraham Lincoln Study Abroad Program.

S. 3762

At the request of Mr. MCCAIN, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 3762, a bill to designate segments of Fossil Creek, a tributary to the Verde River in the State of Arizona, as wild and scenic rivers.

S. 3771

At the request of Mr. HATCH, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 3771, a bill to amend the Public Health Service Act to provide additional authorizations of appropriations for the health centers program under section 330 of such Act.

S. 3791

At the request of Mrs. HUTCHISON, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 3791, a bill to require the provision of information to parents and adults concerning bacterial meningitis and the availability of a vaccination with respect to such disease.

S. 3795

At the request of Mr. SMITH, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 3795, a bill to amend title XVIII of the Social Security Act to provide for a two-year moratorium on certain Medicare physician payment reductions for imaging services.

S. 3855

At the request of Mr. CONRAD, the names of the Senator from New York (Mrs. CLINTON) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 3855, a bill to provide emergency agricultural disaster assistance, and for other purposes.

S. 3884

At the request of Mr. LUGAR, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 3884, a bill to impose sanctions against individuals responsible for genocide, war crimes, and crimes against humanity, to support measures for the protection of civilians and humanitarian operations, and to support peace efforts in the Darfur region of Sudan, and for other purposes.

S. 3887

At the request of Mr. DORGAN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 3887, a bill to prohibit the Internal Revenue Service from using private debt collection companies, and for other purposes.

S. RES. 485

At the request of Mrs. CLINTON, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 485, a resolution to express the sense of the Senate concerning the value of family planning for American women.

S. RES. 559

At the request of Ms. SNOWE, her name was added as a cosponsor of S. Res. 559, a resolution calling on the President to take immediate steps to help stop the violence in Darfur.

At the request of Mr. BIDEN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. Res. 559, *supra*.

AMENDMENT NO. 4921

At the request of Mr. DEMINT, the names of the Senator from Montana (Mr. BURNS) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of amendment No. 4921 proposed to H.R. 4954, a bill to improve maritime and cargo security through enhanced layered defenses, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. STABENOW:

S. 3888. A bill to amend title XVIII of the Social Security Act to sunset the sustainable growth rate formula as of January 1, 2009, in order to expedite Congressional action in establishing a new physician payment system that would appropriately reimburse physicians by keeping pace with increases in medical practice costs and providing stable, positive Medicare updates; to the Committee on Finance.

Ms. STABENOW. Mr. President, I am pleased to introduce the "Fix and Improve Reimbursement (FAIR) for Physicians Act of 2006" today with the support of the Michigan State Medical Society and the Michigan Osteopathic Association.

Over 20,000 M.D.'s and D.O.'s in Michigan provide more than 1.4 million seniors and people with disabilities with high-quality medical services under the Medicare program. Our Michigan families have received fantastic care, from fantastic doctors.

But will they continue to? Not unless we do something about the payment system used to reimburse physicians for Medicare services. Beginning January 1, 2007, the Medicare Sustainable Growth Rate (SGR) formula will cut payments to physicians and health care professionals by 5.1 percent. What does that mean in dollar terms? Medicare payments in Michigan alone will be cut by \$137 million in 2007; the aver-

age cut for a physician in Michigan would be \$34,000 per year.

That doesn't make any sense. Medical costs are going up. How can doctors provide the same high-quality care when costs are going up and their payments are going down?

It makes even less sense when you realize physicians and other health care professionals have been struggling with this payment system for years. The SGR formula resulted in significant payment cuts in 2002, and would have resulted in payment cuts in 2003, 2004, 2005 and 2006 had Congress not intervened.

And it won't stop with the cut in 2007. According to the Medicare Payment Advisory Commission (MedPAC) and the Board of Trustees of the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, the Medicare SGR formula will result in substantial payment cuts to physicians and health care professionals through at least 2015.

The cuts are scheduled to total 40 percent by 2015, costing Michigan doctors in excess of \$8 billion between 2007 and 2015.

Can doctors absorb these kinds of cuts and continue to serve all Medicare beneficiaries with high-quality care? Absolutely not. The cuts would be particularly devastating for primary care doctors, the very doctors that, according to MedPAC, many Medicare beneficiaries rely on for important health care management. MedPAC states in their March 2006 report that they "are concerned that such consecutive annual cuts would threaten access to physician care services over time, particularly primary care services." They go on to say that "payment policies that may discourage medical students and residents from becoming primary care physicians raise particular concern".

A recent survey conducted by the AMA suggests that if the scheduled cuts go into effect, 45 percent of doctors will decrease the number of Medicare patients they accept—and this at a time that the Medicare population is burgeoning! Further, 50 percent of doctors will defer purchase of health information technology, 37 percent of doctors practicing in rural communities will be forced to discontinue rural outreach services, and 43 percent of physicians will decrease the number of new TRICARE patients they suggest.

This is not a new issue. MedPAC considers the Medicare SGR formula a flawed, inequitable mechanism for controlling the volume of services and first recommended repeal of the Medicare SGR formula in 2001. Since then they have consistently recommended repealing the formula.

But what has Congress done? Have we repealed the SGR? No. Instead, each year since 2003 Congress has acted to override the formula temporarily. While these actions have prevented cuts since 2002, nobody can believe this

is a good way of going about business. Congress tends to act very late in the year—or AFTER the cuts have actually gone into effect—which results in instability and unpredictability for physicians, health care professionals, seniors and individuals with disabilities.

Further, annual Congressional actions to override SGR don't solve the long-term problem as the formula extracts the added spending in future years by imposing even more drastic cuts.

We know what we need to do. A Medicare physician payment system that will provide stable, positive payment updates is critical to preserve Medicare beneficiaries' access to high-quality care and allow doctors to invest in health information technology and quality improvement programs.

While a new system is being developed, we know we need to adopt MedPAC's recommendation to update payments for physicians' services under the Medicare program by the projected change in input prices less MedPAC's expectation for productivity growth. The "Preserving Patient Access to Physicians Act of 2005", which I introduced last year with Senator KYL, would do just that. It would have provided physicians with a 2.7 percent update in 2006 and would provide a 2.8 percent update in 2007.

When I introduced that legislation I said that it was just the beginning. I said that our bill was necessary to provide updates for a couple of years but that we cannot continue to use stop-gap measures, and must replace the SGR with a payment system that actually makes sense and reflects the costs of providing physician care to Medicare beneficiaries.

This bill—the "Fix and Improve Reimbursement (FAIR) for Physicians Act of 2006"—takes the next step. The purpose of the "FAIR for Physicians Act" is to sunset the Medicare sustainable growth rate formula in order to expedite Congressional action in establishing a new physician payment system under the Medicare program that would appropriately reimburse physicians by keeping pace with increases in medical practice costs and providing stable, positive Medicare updates.

The "Fair for Physicians Act" would repeal the SGR formula as of January 1, 2009. I continue to believe that we must adopt MedPAC's recommendation for updates in 2007 and 2008 to give seniors access to high-quality care while giving Congress time to develop an alternative payment system.

To help Congress with developing the new payment system, the "Fair for Physicians Act" establishes a new, 17 member "Physician Payment Update Commission", the "Physician Commission". The members of the Physician Commission will include members with a wide variety of expertise in the delivery and financing of health care, but—and I believe this is critical—individuals who are physicians and other health professionals shall constitute a