United States of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 110th CONGRESS, FIRST SESSION

Vol. 153 WASHINGTON, FRIDAY, APRIL 20, 2007 No. 64

# Senate

The Senate met at 10 a.m. and was called to order by the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island.

## PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, we thank You for Your gifts to us. You have given us peace during life's storms and comfort for our pain. You have given us strength for our present duties and courage to face future challenges. Lord, You have given us redemption that frees us from guilt and grateful love that keeps us walking on the right road. You help us find encouragement through friendships. You illuminate our darkness with the light of Your word.

Strengthen our Senators for today's journey. Let Your power pilot them, Your wisdom instruct them, Your hand protect them, and Your word direct them.

We pray in Your great Name. Amen.

## PLEDGE OF ALLEGIANCE

The Honorable SHELDON WHITEHOUSE led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

## APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
*Washington, DC, April 20, 2007.*

*To the Senate:*

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable SHELDON WHITEHOUSE, a Senator from the State of Rhode Island, to perform the duties of the Chair.

ROBERT C. BYRD,
*President pro tempore.*

Mr. WHITEHOUSE thereupon assumed the chair as Acting President pro tempore.

## RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

## SCHEDULE

Mr. REID. Mr. President, today there will be a period for morning business for only 30 minutes. Senators are allowed to speak for 10 minutes each during this time. At 10:30, the Senate will begin consideration of S. 761, the America COMPETES Act. During today's session, consideration of the bill is limited to debate only. No amendments will be in order.

Our managers, Senators BINGAMAN and ALEXANDER, are expected to be here at 10:30. The distinguished Republican leader and I will give our opening statements on the bill, and that will be followed by the two managers of this legislation.

As I previously announced, there are no rollcall votes today or on Monday, but on Monday we expect amendments to this bill. We hope people who believe it can be improved will offer amendments. There are no rollcall votes on Monday, as I have indicated, so that any amendments offered to this bill would occur Tuesday. I would like to complete those votes prior to the conference recess period, which starts at 12:30 on Tuesday.

Next week, the House will send to us the conference report on the supplemental appropriations bill. We hope to get that on Tuesday or Wednesday. I will continue to discuss Senate consideration of this matter with the Republican leader.

## RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

## MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business until 10:30 a.m, with Senators permitted to speak for up to 10 minutes each.

The Senator from Colorado.

## COLUMBINE ANNIVERSARY REMEMBRANCE

Mr. ALLARD. Mr. President, my wife Joan and I were horrified at the violence and bloodshed at Virginia Tech on Monday.

I was already preparing to come to the floor today to speak on another tragedy. Today marks the eighth anniversary of the Columbine murders. Next Thursday, it will be 7 months since the shooting at Platte Canyon High School in Bailey, CO. April has become a month of awful memories, a month of terrible reminders of the presence of evil and the ability of lost souls to stray far into the darkness.

I stood on this floor in April 1999 to express my shock and dismay at what had happened in Littleton. I offered my condolences to all those who lost loved ones, and to those whose loved ones have been wounded, hurt, and terrified. Today I remember them again, but I also must add sympathy and support for those at Virginia Tech.

Words cannot adequately convey the deep sense of loss all of us are feeling over this tragedy. But words—these words, and the words of our prayers—are what we have to offer.

Yet again, America is in shock.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



Printed on recycled paper.

There are far too many of my colleagues who have had this experience—who have watched as news of school violence spread across our country. This week's tragedy was in Virginia, but it is obviously of nationwide concern.

Thirty-two lives, most of them young and from the best and brightest in our society, ended Monday by savage violence. Last year, one lost life in Bailey; thirteen lives lost in 1999 at Columbine in Littleton; and there are others lost around this Nation, and around the world, in similar tragedies: Dawson College in Montréal, Gutenberg School in Erfurt, Germany.

These are wounds, scars, that will not be removed, and for those who bear the worst of this burden my wife and I offer all our compassion, our sympathy and our prayers.

Our Nation continues to grieve with the families and friends of those killed and the injured students and teachers. Although we know exhaustive details of what happened at Columbine, and are learning more from Blacksburg, we are still attempting to understand why. People are trying to cope with the terror that keeps thrusting itself into our lives. It has become obvious at this point that there are no easy answers. We need to examine the problems facing our youth, but it is critical that we take time to carefully consider the solutions being offered.

In the coming months there will be time, and there will be a need, for us to commit ourselves to finding a way to attempt to prevent this from happening again. We must ask ourselves how this could happen, and what can be done to prevent it. There is, I am sure, no simple solution. But we must pledge ourselves to doing what we can. After Columbine, the Nation took a serious look at school safety. But Bailey—and the murders in Pennsylvania last year at Nickel Mines Amish School—showed us that it is not always troubled students. Virginia Tech showed us it is not just grade schools or high schools. We need to think about ways to provide a better, more secure future.

Watching the aftermath in Blacksburg, I am reminded of the healing Colorado undertook 8 Aprils ago. I remember the memorial service held the weekend after the Columbine murders. Tens of thousands of people attended the memorial service. Among those gathered in sorrow, Joan and I witnessed a strong belief in God. We prayed together and searched for answers. I hope the students, faculty and families of Virginia Tech can find their way to face this terrible time.

Again, I offer my deepest sympathy to those who are suffering. And I want to let my colleagues from Virginia, and their constituents, know the people of Colorado will be thinking of you today as we mark the eighth anniversary of Columbine.

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

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is now closed.

## AMERICA COMPETES ACT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to consideration of S. 761, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 761) to invest in innovation and education to improve the competitiveness of the United States in the global economy.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

Mr. REID. Mr. President, sometime last year, word was received that Senators Bingaman and Alexander had an idea. The idea was to do something about our country's educational slide the wrong way. I spoke to them on several occasions. They wanted to see what we could do to increase our competitiveness internationally. Their suggestion was, first, let's do a study and find out how bad it is; is it as bad as we think it is. These two fine Senators got other Senators to join with them in the idea. They received a study from the National Academy of Sciences to find out where we were internationally with our science programs. The information was not good. As a result of that, we have the legislation now before the Senate.

This legislation is not the know-all and cure-all, but it is certainly a major step forward, if we can do this, and there is no reason we cannot.

I am happy and pleased to speak about the America COMPETES legislation. America COMPETES comes from the words ''creating opportunities to meaningfully promote excellence in technology, education, and science,'' COMPETES. This is something we should do and are doing on a bipartisan basis. The bill is sponsored by both leaders and 50 Senators. That is a step in the right direction. Frankly, this is the way we used to do legislation here. There was so much that was done on a bipartisan basis. If we are able to complete this legislation, it will allow us to move forward on other meaningful legislation dealing with this subject generally.

The bill is the result clearly of a truly bipartisan effort. This legislation has been in the making for 2 years. I said last year. Time flies by. It was the year before last that these two Senators came to me to talk about this subject. They asked the National Academy to make recommendations on steps we should take as a nation to maintain our competitive advantage. The result was the Augustine report, ''Rising Above the Gathering Storm.'' The report warned that the Nation's traditional advantages are eroding at a time when many other nations are gathering strength and that decisive action is needed now.

We faced a challenge such as this before, one that occurred when I was in high school. In 1957, when the Soviets launched Sputnik, there was panic and concern. That panic and concern came about from our inability to do what they were doing to maintain our technological superiority. The Soviet Union clearly was ahead of us. Our great country responded to these threats quickly. The following year Congress passed, on a bipartisan basis, the National Defense Education Act, the sole purpose of which was to keep the United States ahead of the Soviet Union, to increase investment in math and science education. As a result of that bipartisan legislation, our country trained a whole new generation of engineers and scientists and ensured our preeminence in technology innovation for a generation.

The fact is, Federal investment in the basic sciences and research has long been a critical component of America's competitive dominance globally. Some economists have estimated that more than half of the country's economic growth since World War II has been a result of that technological innovation and dominance. Today, sadly, our position of dominance has been lost. We can debate where we are, but our dominance is not there—strong, of course, but dominant, no. We are challenged by emerging countries such as India and China where national investment in basic research, math, and science education continues to grow at a far greater pace than in the United States.

The Augustine panel cited many examples, but some statistics are striking. Consider that in 2005, more than 600,000 engineers graduated from institutions of higher education in China, 600,000; 350,000 in India; in the United States, 70,000—70,000 in the United States, 600,000 in China, and 350,000 in India. We can't keep up at that rate. China's population is more than the United States, of course, yet they graduate eight times the number of engineers even though they are only three times larger than the United States. The report also found that American 12th graders, seniors in high school, performed below the national average for 21 countries on a general knowledge of math and science.

Another study cited in the report had American 15-year-olds rank 24th out of 40 countries on a math assessment. I am embarrassed to tell the Senate and everyone within the sound of my voice Nevada students ranked 43rd out of 50 States in the Nation on math assessment.

As other countries become more competitive, it is clear we must refocus our energies on enhancing the Federal commitment to funding basic research in education.

My mind goes back to Paul Simon. The three of us had the opportunity to serve with him. Of course, Senator ALEXANDER served with him in different capacities when he was part of the Cabinet. He was a wonderful man, uneducated himself, no college education, wrote more than 20 books. He was a newspaper publisher when he was 19 years old. He knew that education was important, even though he was uneducated. He wrote a book called ''The Tongue-Tied American,'' about our declining knowledge of languages and how it was hurting us internationally. I joined with him in legislation to give summer workshop programs sponsored by the Federal Government where we could pay math and science teachers on an elementary and secondary level so they could make more money than other teachers to keep up with math and science and keep them in the classroom. Paul Simon has passed away, but I am sure he is smiling on us today as a result of our trying to move forward on something that was his vision many years ago.

The America COMPETES Act addresses concerns of Paul Simon and the National Science Foundation. It is in effect a downpayment, a very modest first step in ensuring that America retains its competitive edge.

I extend my appreciation to Senators BINGAMAN and ALEXANDER for authorizing the academy study. This study, along with a number of recent reports and books, brought a much needed sense of urgency to this issue. There are also chairmen and ranking members of committees who have expressed an interest in and support of what we are doing. Senators INOUYE, STEVENS, KENNEDY, ENZI, LIEBERMAN, ENSIGN, MIKULSKI, HUTCHISON, and NELSON of Florida have been instrumental in crafting this legislation. This legislation will double the Federal investment for the National Science Foundation over the next 4 years and for the Office of Science at the Department of Energy over the next decade. I personally think it should be more than five. I am happy if we can do this. I hope we can. I am confident we can.

The bill provides grants to States in order to better align elementary and secondary school curriculum with the knowledge and skills needed for the global economy. Nevada has a program recognizing where we are in the overall scheme. It is called a P–16 Council.

This Federal legislation we have introduced and are considering now will also strengthen our math and science teaching workforce—that was Paul Simon's dream—by recruiting and training teachers to teach in high-need schools and help improve math instruction at the elementary and middle school level, through Math Now grants.

I suggest to the two authors and the two managers of this bill we go back and look at the idea Senator Simon had—and I joined with him—that we have summer workshop programs sponsored by the Federal Government for elementary and secondary teachers so they can update their math and science skills, get paid for doing that, and stay teaching. We have such a shortage of math and science teachers.

On the high school level, we have far fewer physics teachers than we have schools. Of course, the other reason for doing this is, with the collective bargaining agreements—I support them, and we have them in many of our schools, in most of our school districts—it makes it very difficult to pay math or science teachers more than you can pay a PE teacher. This summer workshop program would allow that to take place.

So I hope that is something Senator ALEXANDER and Senator BINGAMAN will look at and see if we can come up with that. It is not only important to produce these math and science teachers but to keep them in the schools also.

America COMPETES will expand important advanced placement and international baccalaureate, IB, programs by increasing the number of math, science, and foreign languages AP and IB courses and preparing more teachers to teach these challenging courses. This is essential for all States. But take, again, Nevada, where only 6 percent of 12th graders took the AP calculus exam and only 7 percent took the AP science exam.

If signed into law, our bill will do much of what the Augustine Report recommended, but the truth is, in years to come we will have to do even more.

Although we make new and significant investments in research, we still must address our tax structure and make sure we do as much as possible to encourage investment in research and development.

In 1844, this Congress was approached by an individual who said he had a great idea. He could not raise the money in the private sector, but he had an idea that would revolutionize the communications of this country, and in 1844 Congress appropriated $40,000 for a man to build a telegraph line between Washington, DC, and Baltimore, MD. It revolutionized—revolutionized—the communication industry, the telegraph.

The Federal Government is going to have to understand there are times when we have to advance moneys for research and development that cannot come from the private sector. I hope we will look to do it. We should start by finally making the R&D tax credit permanent.

We must also do more in education. The bill strengthens educational opportunities in science, technology, engineering, math, and critical foreign languages, but this, again, is a first step—but it is a big first step.

As an example, we must take a very hard look at our high schools. As Bill Gates has said, and often, our high schools were designed for a 20th century economy and often do not address the needs of the 21st century workforce.

Bill Gates and Melinda Gates now are giving money to schools, school districts, but they have a lot of strings on it. For example, recently they gave money to a New York school district, with this proviso: You can only use this money if you are going to make your schools smaller.

Nevada, again—we have high schools in Nevada that have more than 5,000 students. How in the world can students learn well—and try to make that basketball team—with 5,000 students? Some of the schools are not that big now, but we have many schools in southern Nevada that have over 3,000 students. So the Gates recognize this. We have to recognize this also as part of our problem. The average school in America is about 50 years old.

We should also realize that unless our most basic commitments to America's students are met—by properly funding title I and No Child Left Behind and making a college education accessible and affordable—these efforts alone in this bill cannot prepare our students for the global economy.

The American COMPETES Act is a tremendously important step in maintaining this Nation's competitive advantage. I look forward to doing whatever I can to make this legislation a reality.

I express my appreciation to the Republican leader for joining in this legislation. This is something he and I have talked about now for 3 months since we have assumed our roles in this 110th Congress. We are going to work to make sure this legislation goes forward.

I say to everyone within the sound of my voice, for this legislation there is going to be no cloture motion filed.

We are either going to do this or not do it. This is something we need to do. We need to prove we can do things on a bipartisan basis. And if we cannot do this, Mr. President, we are in real trouble.

So I hope we can move forward on this legislation. I hope it sets a foundation for the first of many items we can do on a bipartisan basis to move this country forward.

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

Mr. MCCONNELL. Mr. President, I thank my good friend, the majority leader, for his remarks and indicate that even though this is a Reid-McConnell bill, the true inspirations for this measure being on the Senate floor right now are Senator ALEXANDER from Tennessee and Senator BINGAMAN from New Mexico.

They made an extraordinary contribution in pulling together a disparate group of Senators from different committees to produce an extremely important piece of legislation.

The America COMPETES Act is vitally important legislation that this Senate must pass to ensure America retains its competitive edge in the global economy of the 21st century.

This bill, sponsored by my good friend and counterpart on the other side of the aisle, Senator REID, also enjoys broad bipartisan support, as I just indicated. Our two parties' cooperation shows how we can and should work together to accomplish important things for the American people.

The story of this bill began 2 years ago, when Senators ALEXANDER and BINGAMAN, from the Energy Committee, with then-Chairman PETE DOMENICI's blessing, asked the National Academy of Sciences a simple question: What are the top 10 actions that policymakers in Washington could take to keep America in the lead in science and technology for the 21st century?

That was the question. The National Academies turned to leaders of business, government, and academia for an answer, including three Nobel prize winners and a university president who is now the Secretary of Defense.

The respected former CEO of Lockheed Martin, Norm Augustine, headed the panel and produced the report we have all heard so much about, titled ''Rising Above the Gathering Storm.''

Mr. Augustine summed up the problem we face when he wrote in that report:

> In the five decades since I began working in the aerospace industry, I have never seen American business and academic leaders as concerned about this nation's future prosperity as they are today.

However, his report also specifically recommended to us how we attack this problem, and maintain America's lead in science and innovation.

Additional recommendations were made by the Council on Competitiveness and by the President in his American Competitiveness Initiative.

The good news is, boosting the number of rocket scientists—along with mathematicians, engineers, and computer designers—is not rocket science. We currently have the greatest scientific and technological enterprise in the world.

We have the finest system of colleges and universities anywhere. But in many ways we have become complacent, while other countries are catching up.

They see by investing in science and technology and in the education of their citizens, they can attract jobs and create wealth. We must make the same investment in our future if we are to maintain our leadership through this century and beyond in the global marketplace.

This bill, S. 761, will help maintain and improve the competitive edge of the United States over the next century by increasing our investment in basic research, strengthening educational opportunities in science, technology, engineering, and math at all educational levels, and encouraging young people to pursue careers in those fields.

From my home State of Kentucky, that means scholarships for future math and science teachers. It means increased research and development at our State universities, which could lead to new discoveries, new high-tech companies, and, of course, new jobs.

This fall, Kentucky will open the Academy of Mathematics and Science in Kentucky at Western Kentucky University, located in Bowling Green. Thanks to the leadership of Dr. Julia Roberts, director of the Center for Gifted Studies at WKU, the academy will bring together talented high-school students from all over the Commonwealth to study advanced math and science year-round—year-round—for college credit.

This bill will provide Federal support to advanced academies such as the Kentucky Academy throughout the Nation. A good friend of mine at the University of Kentucky, its president, Lee Todd, has also been working for decades to highlight the importance of math, science, and engineering in keeping Kentucky competitive. In a letter he recently sent me, President Todd wrote:

> The National Academies' report ''Rising Above the Gathering Storm'' has the wrong title. The ''storm'' is not gathering—it is already here. . . . We are putting our economic future at risk. We must do better.

Now, President Todd knows what he is talking about. Prior to assuming the presidency of one of the State's flagship institutions of higher learning, he was a highly regarded engineer and successful entrepreneur. He has built technology companies that compete in the global economy, and he understands the challenges we face.

The America COMPETES Act will make it easier for leaders like him to create more opportunities for technical learning and careers. I want to commend him for all the hard work he has done, and I ask unanimous consent his entire letter be printed in the RECORD.

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

OFFICE OF THE PRESIDENT,
UNIVERSITY OF KENTUCKY,
*Lexington, KY, March 8, 2007.*

Hon. MITCH MCCONNELL,
*Washington, DC.*

DEAR SENATOR MCCONNELL: The ''America COMPETES Act'' provides the visionary investment in education and research America needs, and we appreciate your continued leadership in support of the act. If we are serious about competing in the global economy, we have to pursue bold policy change.

The National Academies' report ''Rising above the Gathering Storm'' has the wrong title. The ''storm'' is not gathering—it is already here. America is not producing enough engineers, scientists, and mathematicians to maintain our role as a world leader in technological advance. We are putting our economic future at risk. We must do better.

The same is true for Kentucky. If we want to recruit and retain knowledge-based businesses, we have to change the way we teach our kids. We must inspire a lot more of them to seek technical careers, and they need to have the skills necessary to fill high-paying jobs and create new ones. That is why I am leading a statewide Task Force on Science, Technology, Engineering, and Math (STEM). We will soon announce recommendations that have much in common with the ''America COMPETES Act.'' Tinkering with Kentucky's current structure will not be enough if we want real and lasting change in math and science education. The time has come for fundamental change.

A second initiative the Task Force will share with the ''America COMPETES Act'' is recognition of the vital role energy education and research play in our future economic and homeland security. Kentucky is well positioned to provide solutions to America's need for energy independence.

Senator McConnell, I want our state to be a national leader in producing STEM graduates and solving America's energy problems. For too long, we have been willing to wait and watch as other states make tough choices that result in progress for them and leftovers for us. Kentucky has that opportunity to lead right now if we are willing to take action. I am ready to work with you in any way I can to move Kentucky and America forward.

Thank you again for your leadership in math and science and your strong and consistent support for the University of Kentucky.

Sincerely,

LEE T. TODD, Jr.,
*President.*

Mr. MCCONNELL. Finally, Mr. President, I especially want to commend, once again, as I did at the outset of my remarks, my good friend from the neighboring State of Tennessee, Senator ALEXANDER, for his extraordinary leadership in building the case for this legislation, helping to craft its various components, and shepherding it through each stage of the process to this point.

It was Senator ALEXANDER who, 2 years ago, along with Senator BINGAMAN, asked the National Academy of Sciences the question that led to their recommendations, and sparked this entire process.

Their inquiry led to the release of the Academy's report, which made plain for all that the leadership of the United States in science and technology is eroding, with serious consequences for our workers, our jobs, our economy, and our very way of life.

Three different committees contributed titles to this bill—the Energy, Commerce and HELP Committees—so I also want to thank those committees' leaders—Senators INOUYE and STEVENS, Senators DOMENICI and BINGAMAN, and Senators KENNEDY and ENZI—for their cooperation and hard work on this important bipartisan bill.

In a sign of how cooperative their efforts have been, this bill was actually assembled last year when Republicans held the majority, but it was created in such a bipartisan fashion that we are bringing the very same bill up today under a Democratic majority.

That is a credit to the Republican leaders of these three committees, who worked closely with their Democratic counterparts every step of the way to craft this important legislation.

I also want to recognize the efforts of my friend and predecessor as Republican leader, Senator Bill Frist of Tennessee. Senator Frist invested a great deal of time and energy last year to bring these three committees together, and he was the primary sponsor of the bill last year, along with Senator REID.

America has led the world in innovation for over a century. From the light bulb, to the airplane, to the integrated circuit, America has given the world the tools to live happier, easier, and more productive lives.

Now the rest of the world is beginning to catch up. Nations such as China and India are seeing the benefits of brainpower and what it can do to remake their economies.

The America COMPETES Act is the best way to keep more of the jobs of the 21st century right here in America, and the best way to ensure that our children have the skills to keep America at the forefront of innovation and discovery.

Once again, I thank all of my colleagues for working on this comprehensive, bipartisan solution to reinvigorate scientific exploration and invention at home. This bill is an investment in our children, our schools, and in the future of America.

It is a bill this Senate can pass and the President can sign into law. With my colleagues' support, I hope to see exactly that in the very near future.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, first I thank Senator REID and Senator MCCONNELL for their fine statements and their willingness to be the lead in bringing this bill to the floor. It is bipartisan legislation. It is legislation that was developed in the last Congress. We were not able to complete action on it there, so we are trying to do so at this time.

It does represent the work of three committees over the past year. Those are the Energy and Natural Resources Committee, the Commerce, Science and Transportation Committee and, of course, the Health, Education, Labor and Pensions Committee. I am fortunate to serve on two of those committees.

The chairman and ranking member of each of the three committees are cosponsoring this bill. In fact, we now have 57 Members of the Senate who are cosponsoring this legislation, with Senators REID and MCCONNELL as the lead sponsors.

This bill reflects a deep undercurrent of anxiety in this country. It was highlighted recently by the very best-selling book by Tom Friedman called ''The World Is Flat.'' It is also highlighted by the report to which Senator MCCONNELL just referred, the ''Rising Above the Gathering Storm'' report issued by the National Academies of Science and Engineering. Both of these publications highlight a strengthening, worldwide, of the effort in science and technology.

Although we in the United States are still a world leader in these areas, other nations are clearly catching up. Without effort and intervention now, and attention to this issue now, I fear we may lose our edge in high technology areas that are critical to our future economy. The high technology competition has been an ongoing effort and continues and will continue indefinitely.

In the 1980s, during the Cold War, we were about to lose our semiconductor leadership to Japan. Motivated then by national security concerns, the U.S. Government worked with industry to help preserve our domestic chip-making capability. Along with Secretary of Defense Caspar Weinberger and Dr. Bob Noyce, Gordon Moore from Intel, and others, we were able to launch a public-private partnership called Sematech. This partnership developed early phase technologies designed to keep our semiconductor industry competitive.

Sematech was a success. It kept our industry competitive through the 1990s and even today. But the issue we are faced with here in 2007 is even more troubling. India and China and other countries from the former Soviet Union now represent nearly 3 billion new capitalists who are coming at us in a competitive way through the Internet where, in one click, anyone in this country can order a product from anywhere in the world and have that delivered to his or her doorstep. Not only can these countries and entrepreneurs in these countries manufacture at a fraction of the cost that oftentimes is required here in the United States, but in coordination with their Governments they are climbing up the value chain by developing the professional talents in areas such as research and engineering and in telemedicine and in finance—in a whole variety of areas.

We have taken for granted that our Nation would never be displaced in many of these areas. These are areas that represent part of the pillars of our national identity. Many Americans have grown up assuming the United States would always be the leader in high technology, but that is not a foregone conclusion. It is not the simple box fan that is being made in China today that concerns people. It is the sophisticated code from Beijing for enterprise server software or state-of-the-art locomotives and turbines designed in Bangalore when they used to be designed in this country.

The data paints a disturbing picture about the trends with which we are faced. Right now the United States invests about 2.7 percent of its gross domestic product in research and development. That is not bad. It puts us No. 5 in the world in the percentage of our gross domestic product invested in research and development. Yet we are still behind Korea. We are still behind Japan. Both those countries invest over 3 percent of their gross domestic product in research and development.

However, the issue is not to look at the static snapshot that says today we are fifth in this level of effort, but to look at the change in the rate of commitment over time.

Let me do that with a chart here. I have several charts I want to briefly take people through, to make the case for what we are up against. This is the Emerging Economies Rapidly Increasing Research and Development Investments chart. The top line with the orange dots upon it shows the United States and shows we are investing more than other nations. But the bottom line, which, of course, is rising rapidly, is fast-growing economies. Those economies are specifically China, Ireland, Israel, Singapore, South Korea, and Taiwan. So clearly we have a circumstance where the rate of change is not favorable to us. In fact, during this same timeframe, China's research and development per GDP grew from .6 percent to 1.4 percent. That is still well behind us, the United States, but it doubled in slightly more than a half dozen years, at a 7-percent annual growth rate.

The trend line on the chart is self-evident. We need to begin to focus again on this area if we are going to maintain our ability to compete in biotechnology, in semiconductors, in flat panel displays. In some of those areas, particularly flat panel displays, the reality is we no longer compete effectively.

Let me move to a second chart. This second chart shows the widening trade deficit in certain advanced technologies, in areas such as semiconductors, pharmaceuticals, and telecommunications. As the sophistication of the imports we bring into this country increases, so will the sophistication of the research and development that is needed to support this type of manufacturing. You can see this orange line here, which represents the trade balance in advanced technology. You can see that up until somewhere around 2000, or the late 1990s, we had a very positive balance of trade with regard to advanced technology products. Since then, the line has been going down and going down rapidly. This is a concern which all of us should focus on, and this legislation is designed to address this concern head on.

The third chart shows the average science literacy score of 15-year-old students by country. This is very hard to read. Unfortunately, the lettering is too small. But the main point can be understood. These, of course, are the future scientists and engineers in the world, young people on whom we depend to become future scientists and engineers and innovators. Obviously, we are concerned that the United States ranks way down here on the chart compared to 15-year-old students in all of these countries above us: Japan, South Korea, Australia, Netherlands, Czech Republic, New Zealand, Canada, Switzerland, France, Belgium, Sweden, Ireland, Hungary—you can follow on down. We come in right behind Iceland. We need to do better. I think

everyone in this country who is concerned about the future of our economy and the future of our children knows we need to do better by those children and provide a better opportunity for them to compete in this world.

Let me move to the fourth chart. If we look further up the pipeline of future innovators, the news is not that much better. This chart shows the fraction of United States undergraduates who receive science and engineering degrees, so you can see that at least three times more college students graduate with science and engineering degrees in China each year than in the United States. This is not a favorable trend either. Obviously, there are more people in China. But our ability to compete in the world, to a substantial extent, is going to depend on how many people we can train and equip to compete in this science and competition.

The fifth chart I have here relates to trained scientists and engineers. This shows that China now produces almost as many Ph.D.'s as the United States. Again, the trend is the disturbing part of this chart. It is not that China is producing nearly as many doctoral degrees in the natural sciences and math and engineering as is the United States today. That is a fact but one that does not cause great concern. The concern is that we were dominant in this area and have been for a very long time. Now that has changed very dramatically. Universities in these other countries are first-class universities and people need to focus on that. Universities such as Tsinghua, in China, are very high quality. If they turn out a Ph.D. in engineering or science or the natural sciences in these schools, those individuals are world-class scientists in their fields.

There is a 1995 quote by Alan Greenspan that sums up the importance of investment in research and development and education:

> Had the innovations of recent decades, especially in information technologies, not come to fruition, productivity growth would have continued to languish at the rate of the preceding 20 years.

Much of the prosperity we have enjoyed and have come to expect has been the result of the focus we have had on science and engineering in our history.

The final chart I have here is one from ''The Economist.'' It is based on the 2006 work that was done by three individuals at the Federal Reserve. It deals with this broad category of so-called intangible assets, assets such as research and development, information technology, even finance.

Basically what it says is, as a percentage of gross domestic product, there is a very large amount of our gross domestic product that is tied to these so-called intangible assets. They now account for nearly 11 percent of our gross domestic product—that is $3.1 trillion in 2003. In other words, growth that is attributed to such areas is absolutely crucial to our overall economy—again, another reason why we need to be concerned about this issue.

With this background, let me briefly talk about what is in the bill before I defer to my colleague here, Senator ALEXANDER. In the Energy and Natural Resources Committee, the portion of the bill that was developed out of that committee, we do several things. First, we create a director for math and science education in the Department of Energy whose job it is to coordinate math and science education, departmentwide. The director would report to the Under Secretary for Science in the Department of Energy.

Next, we would significantly increase funding for the Department of Energy's Office of Science to match the multiyear funding profile of the President's advanced competitiveness initiative which he presented to us here this year.

Third, the bill proposes to create an Advanced Research Projects Agency for Energy, to translate basic research that is carried out in the Office of Science into solutions for critical problems facing the applied energy programs in the Department.

Examples of such problems would include hydrogen fuel storage using new materials or applying nanoscience to a new generation of solid-state lights.

The bill will also address broader themes related to math and science education. According to the National Academy of Sciences, the technical building blocks of our Nation's economic strength have been eroding for a time. We need to produce students who are prepared to meet the challenges of the 21st century. That means more attention to math and science education.

America COMPETES contains a number of important provisions to improve K–12 math and science education, strengthen science and math skills of our teaching workforce. I know Senator REID talked eloquently about that need and, of course, the commitment our former colleague, Paul Simon, had to progress in that area.

First, it provides incentives for universities to systematically change the way they prepare teachers to teach math and science. The legislation provides grants to universities to integrate the teacher preparation programs with rich content subject matter in math and science, develop bachelor's degree programs in math and science with concurrent teacher certification, as well as master's degree programs in math and science for people who are currently teaching in our schools.

Second, to make these programs attractive to students who are inclined to study these subjects—math, science, and engineering—the legislation significantly expands the National Science Foundation scholarships for students to become math and science teachers.

The legislation significantly expands opportunities for teachers to strengthen their math and science skills. The bill increases training for teachers to become qualified to teach advanced placement courses and international baccalaureate courses in math and science. The bill provides significant training opportunities for teachers at both the National Science Foundation, as well as our National Laboratories, and there I think some of the summer programs Senator REID was talking about are intended to take place at our universities, at our laboratories. Clearly, he is right in saying we need to provide the financial wherewithal so that teachers can take advantage of these programs and can upgrade their knowledge and then give that knowledge to their students the next school year.

Further, the legislation provides grants to States to promote better alignment of elementary and secondary education with the knowledge and skills needed for success in postsecondary education and in the 21st century workforce.

The bill significantly increases funding for the National Science Foundation, essentially doubling that budget in 5 years, while ensuring that the math and science education programs that are in the National Science Foundation increase at the same rate as the overall budget increases.

The bill helps manufacturers by increasing funding for the National Institute of Standards and Technology, or NIST, by 33 percent over 4 years.

As I have said many times, this America COMPETES bill is only an authorization bill. The hard part, obviously, is going to be providing the funds to carry out the programs in this bill to meet these authorization targets we have set.

In this regard, we were successful just a month or so ago, with Senator ALEXANDER's good help, in adopting an amendment in the Senate which was an amendment to the budget resolution. It was adopted 71 to 1 to provide $1 billion in additional leeway or additional opportunity to meet the President's request in the areas of funding for the Department of Energy's Office of Science, the National Science Foundation, and NIST. Because of that amendment to the budget resolution, virtually all of the authorization we are calling for in this legislation will be permitted to be appropriated this year, and that is very good news.

This bill is a good bill. It is bipartisan. Like most bipartisan bills, it is the product of much negotiation. Many competing views, many competing interests have had a chance to be heard.

I am proud of the way this bill has come together. Our staffs deserve great credit for the hard work they have put into this legislation.

I particularly commend Senator ALEXANDER. He is the person who got this initiative started and came to me initially and said: Let's do this letter to the National Academies and see if they will do a study and tell us what are the most important things we can do in this country to keep this country competitive in world markets. That is what

then led to the Augustine Commission report and, of course, that combined with the other reports that came forward—and there were several other very useful reports—that have gotten us to this point. Senator ALEXANDER deserves particular credit for the success we have had so far.

I hope all colleagues will look seriously at this legislation and will support the effort to move ahead with it. This is authorizing legislation. In doing the appropriations bills that will come to the floor later this year, we still will have an opportunity to debate the specific funding levels for some of these programs. This sets out a framework for progress which can be very beneficial to this country and a framework which is long overdue.

I urge my colleagues to support the legislation.

I yield the floor. I know my colleague from Tennessee wishes to speak at this time.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from New Mexico. No one in the Senate on either side of the aisle has been more consistent or more effective in advancing our Nation's position in science and technology. He is also a delight to work with. It is rare to have a chance to work across the aisle in the way we have the last couple of years, not only on this legislation, but Senator BINGAMAN, for example, noticed that we were losing our edge in world-class computing. He saw that because of a visit to Japan. He came to me, and we worked together to try to restore that edge. He constantly is doing that in a quiet and effective way. It is a pleasure to work with him.

I also thank the majority leader, Senator REID, and the Republican leader, Senator MCCONNELL. Senator BINGAMAN and I went to see the majority leader 2 years ago when he was the minority leader. We asked him to do exactly what he has done. He and Senator Frist did. They created an environment in which this bill had a chance to succeed. Then Senator MCCONNELL stepped right up, following Senator Frist's tremendous help and leadership in this effort, and it is fairly remarkable that we worked so evenly together in the last Republican Senate on this bill that the legislation was introduced in the Democratic Senate in the same way because we worked together on it and, hopefully, that has produced a better result.

I begin my remarks with a story. Last August, a group of Senators went to China. We were led by two of our most distinguished Members, Senator STEVENS and Senator INOUYE, the two leaders of the Commerce Committee and two of the major contributors to this legislation. Those two Senators were very well received in China. Senator INOUYE, of course, is a Congressional Medal of Honor winner from World War II, and Senator STEVENS was a Flying Tiger. He flew the first cargo plane into Beijing toward the end of World War II. So he was very well received in China.

As a result, we had a chance to meet with the senior leaders of China in a way most Americans had not to that time. We spent an hour with President Hu. We spent another hour with the No. 2 leader in China, Mr. WU, who is chairman of the National People's Congress.

We talked about the issues one would expect an American delegation of a dozen Senators would talk about with the leaders of China. We talked about their military posture. We talked about North Korea. We talked about Iraq. We talked about Iran. But, Mr. President—I can still see this—in both of the meetings we had, one with Mr. Hu, the second with Mr. WU, there was one subject about which those two leaders of China were most animated, and that was the subject we are discussing today: how to develop China's brain power advantage so they can create more good, new jobs in China. That was the subject they really wanted to talk about.

President Hu had gone to the Chinese Academy of Sciences and the Chinese Academy of Engineering just a month earlier in July. He assembled them in the Great Hall of the people. He outlined a new 15-year plan to make China a technology leader in the world.

In his speech, President Hu said China must ''promote a huge leap forward in science and technology. We shall put strengthening independent innovation capability at the core of economic structure adjustment.''

Anyone who follows China knows that when their leaders talk about leaps forward, it is a pretty big deal. President Hu's new plan appears more likely to succeed and includes reforming China's universities and massively investing in new research.

We regularly see stories of how Chinese-born academicians, some of our most distinguished faculty members at our major universities, are now accepting invitations to go back to China, their homeland, and create great universities there. There are a lot of people here—one-half of the Nobel Prize winners in physics who are American are immigrants or the sons and daughters of immigrants.

So China is serious about this plan. Mr. Hu said:

> We all bear the time-honored mission to provide strong scientific support for the construction of a well-off society by improving our independent innovation capability and building an innovative country. I hope that our scientists and technicians will strive hard to make our brilliant achievements and constantly contribute to our country and our people.

Those are the leaders of China. They know what to do.

The United States has a remarkable position. As Senator BINGAMAN said, Senator REID said, and Senator MCCONNELL said, we don't want to take it for granted because we can't. But let's stop and think about where we are. This huge brain power advantage we have in the United States of America has given us a situation in which we produce about 30 percent of the gross national product in the world in for about 5 percent of the people. About 30 percent of all the dollars, volume in the world this year is being produced in this country, a country that only includes 5 percent of the people. How does that happen? The United States has a number of advantages: its location, its resources, the great diversity we have here, the fact we have turned all that diversity into one country. But when we look at all of our advantages—and I should quickly put the great entrepreneurial engine we have here, the fact that if you want to come to a big country and start from scratch and create a company—and I have had the privilege to help do that in the private sector—this is the place to do it. But when you look at our major advantage, it is our brainpower.

No other country has had the broad system of education we have had. No other country has the large number of great research universities the United States of America has. No other country has the great National Laboratories we have. As a result, over the last century, especially since World War II, no other country has come close to turning its brainpower advantage into jobs, into dollars, into a high standard of living for a large number of people, and the rest of the world sees that. They see it on television. They see it on the Internet. They see it because more than half a million students from around the world, many of the brightest men and women in the world, come here to our universities, and they see what we have been able to do, and they say: Why can't we do this at home in China? Why can't we do this at home in India? Why can't we do this in Ireland? And they are doing it. We are glad they are doing it. We want them to have a high standard of living, too. The more money they make, the more goods they can buy from the United States of America. So we encourage that activity.

It also spreads our democracy, our ideals. We go to Thailand or some other country, and we find the Minister of Agriculture is a graduate of the University of Tennessee. He has learned here. He goes there and teaches about agriculture, and he promotes our ideas. Our higher education system has probably been the most effective foreign aid we have ever invested in, just those half million students who go there.

However, we are at risk of losing our brainpower advantage. If we lose our brainpower advantage, we lose our advantage and our standard of living. In other words, in plain English, we don't have as much money in our pockets, we don't have as many good jobs, and our families don't have the kind of prosperity many have come to take for granted. That is what this piece of legislation is about.

We talk a lot about outsourcing jobs, about growing new jobs. Well, this is the way to keep good new jobs in the United States and to grow them. When a graduate of a university, such as the student at the University of Maryland—I think he dropped out, actually—a foreign student—creates Google, that creates thousands and thousands of new jobs in the United States, as Thomas Edison did years ago, as Bill Gates did more recently, and as thousands of entrepreneurs do every day. It takes the brainpower advantage to create the job and it takes the brainpower advantage to work at the facility or the plant that has the jobs.

That is why, toward the end of a long Budget Committee hearing 2 years ago, I was getting a little depressed listening to what I heard about the numbers. According to the budget 2 years ago, and the budget last year, and the budget this year, we are on an unsustainable course in terms of being able to pay for Medicare and Medicaid. So the question came to me: Well, if we are going to squeeze out everything else in order to pay for Medicare and Medicaid and other programs, the war in Iraq, then how are we going to invest in this great engine of brainpower that creates the money that pays all the bills? I struggled with this as the Governor of Tennessee. I was trying to raise our standard of living in Tennessee. We were the third poorest State 25 years ago when I became Governor, based on family incomes. We already had low taxes. We had a right-to-work law. We needed to change some rules about the usury limit in banking. We needed to add a new four-lane highway system. All those were progrowth. But the most progrowth action I discovered we could take was to improve our colleges and our universities and our research facilities. That is progrowth.

As a result of better schools, better colleges, and better universities, combined with our other advantages, we moved ahead in our State. Better schools meant better jobs. Better colleges and universities mean better jobs. More research means better jobs. So we are talking today about better jobs—progrowth.

We better realize as well that we have some pretty big bills to pay. Last year, we spent $237 billion on debt, $378 billion on Medicare, $545 billion on Social Security, $70 billion or more on hurricanes, and we are spending about $4 billion a week on Iraq. What this legislation does is authorizes $4 billion a year over the next 4 years. As Senator BINGAMAN said, we made room for it in the budget this year to create and encourage and continue to push ahead this brainpower engine that creates the money to pay for all these necessary and urgent needs we have, these priorities we have. This is a progrowth piece of legislation.

I would say this may be the most important piece of legislation the Congress considers in this 2-year session. If it is not the most important piece of legislation, there is certainly no more important subject to most American families than: How do I keep money in my pocket to pay my bills? How do we keep our jobs from going to India and China? How do we keep our economic advantage? How do we come close to continuing to be the country that produces 30 percent of all the money in the world for only 5 percent of the people? That is why, at the end of that Budget Committee hearing I mentioned a little earlier, I literally walked down the street to the National Academy of Sciences and asked them, on behalf of Senator BINGAMAN and myself, with the approval of Senator DOMENICI, the chairman of our committee, and with the endorsement of Representatives BOEHLERT and GORDON in the House of Representatives—I said: Most ideas in Washington fail for lack of the idea. You are here at the end of a long day in the National Academies. You are supposed to be our advisers. So let me ask you a question: Why don't you tell us the 10 most important things we can do, in priority order, to keep our brainpower advantage? I said to them: I am merely one Senator, but I will bet if you do that, we will do it. We will take your advice.

The National Academy of Sciences and of Engineering and the Institute of Medicine formed an immediate group. They asked Norm Augustine, the former chief executive officer of Lockheed Martin and a member of the National Academy of Engineering, to chair the group. He turned to 21 distinguished Americans who know a lot about the world and our country, Craig Barrett, chairman of the board of Intel; Steven Chu, cowinner of the Nobel prize in physics and Director of Lawrence Berkeley National Laboratory; Robert Gates, who was then head of Texas A&M and now is the Secretary of Defense, and a number of others; the former head of MIT, Peter O'Donnell, a Texas businessman who has worked on AP courses, and they did this report: ''Rising Above The Gathering Storm.'' They didn't make 10 recommendations, they made 20, and they made them in priority order. Their priorities began with K–12 education. They went next to engineering and research. They went next to higher education. They went next to incentives for innovation.

At that point, we formed a bipartisan group of Senators and began to have what we called ''homework sessions'' with the various agencies of the Federal Government that had jurisdiction over these programs and the areas where the programs would fit. We also recognized that Senator LIEBERMAN, Senator ENSIGN, and others had been working hard with the Council on Competitiveness, and they had similar recommendations. We also acknowledged that Senators HUTCHISON, BOND, and MIKULSKI had for many years been advocating various aspects of these programs, so we tried to integrate all of this into a whole. That produced a long piece of legislation that had to make its way through five different committees, but it attracted 70 sponsors last year—35 Democrats, 35 Republicans. The Republican leader, Senator Frist, and the Democratic leader, Senator REID, were the principal sponsors of the bill.

Senator BINGAMAN has done a good job of outlining most of the provisions of the bill, so I will, in a few minutes, put those into the record, but there is no other piece of legislation during the past 2 years that was so broadly recommended by disinterested groups outside of the Senate and the House, that has been worked on by so many Senators here, and that has moved forward in the way this has. Making this even more remarkable is not only was it introduced by the Democratic and Republican leaders, it has been brought directly to the floor for debate. So what we hope is our colleagues will carefully read the bill, bring their amendments to the floor, and maybe we can operate in an old-fashioned way here. Maybe we can consider the amendments, or the improvements, debate them, vote on them, go to the next amendment, and then after we have finished with that, have a vote on whether to pass the bill, which I believe we will. I think we have a good chance of doing that.

Mr. President, I wish to now insert into the RECORD a few items that are important for our colleagues and those who are following this debate, so I ask unanimous consent that following my remarks a ''Dear Colleague'' letter of April 10, written by Senator REID and Senator MCCONNELL to all of our colleagues, signed by the chairmen and Democratic and Republican leaders of the three major committees which contributed to this, and which produced 50 cosponsors—we hope there will be more by next week—be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a two-page summary of the America COMPETES Act be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 2.)

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a list of the cosponsors of the America COMPETES Act, the 50 cosponsors, as it stands today, be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 3.)

Mr. ALEXANDER. Finally, Mr. President, I ask unanimous consent that a section-by-section analysis of the America COMPETES Act be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 4.)

Mr. ALEXANDER. Mr. President, we will have plenty of time to debate this next week, so I will reserve most of my comments until then, but let me reiterate some of the major provisions that are here. As Senator BINGAMAN said, this is only an authorization bill. It is permission to establish programs, but it is backed up by an amendment to the Budget Act which creates room in the appropriations bill to pay for these programs.

Here is what we intend to do: Double funding for the National Science Foundation; set the Department of Energy's Office of Science on track to double its funding; strengthen the skills of thousands of math and science teachers by establishing training and education programs at summer institutes hosted by the national laboratories; and by increasing support for teacher institutes for programs at the National Science Foundation.

These are the kinds of programs that Senator REID, the majority leader, was talking about.

Expand the teacher scholarship programs at NSF; help establish academies for math and science in the various States.

North Carolina has had one for a long time, and 20 years ago, when I was Governor, I went to see if Tennessee could create one. We decided we didn't have the money to do it, so we created a summer Governor's school, which turned out to be a good idea, where outstanding students from math and science could go to the University of Tennessee for 4 weeks in the summer. The faculty loves it, the students love it, and they participate in the Oak Ridge Laboratory. They go back fired up into their classrooms, and the teachers are fired up as well. Our Governor Bredesen wants to create a summer school for math and science, and he has started on a modest basis, but this will help him expand that.

We will expand advanced placement in international baccalaureate programs by increasing the number of teachers who are trained to teach math, science, and foreign languages. This would allow thousands of new students to take these courses. The AP courses, as we call them, are a good track to college, and college is a good track to success. Those students are the ones who will help create the jobs to keep our high standard of living. But we have a lot of students, many of them lower income, who don't take these courses and who easily could. So we will help pay for their tests, and we will train more teachers so they can be taught, and we will see that three or four times more students will be able to do this.

These programs weren't picked out of thin air. This group of distinguished Nobel laureates, university presidents, and business leaders spent their summer 2 years ago reviewing many programs. For example, the AP program comes from a Texas program which has been successful for 10 years. They picked the 20 best ideas in priority order from among hundreds of ideas. This is not merely a group of Senators and Congressmen picking our best friend's favorite program. We all have one of those. This is the National Academies of Sciences and Engineering and the Institute of Medicine reviewing hundreds of programs with a distinguished panel in answering our question exactly what do we need to do to keep our brainpower advantage, and they say here are the first 20 things you ought to do.

Not in this legislation are other provisions that were part of this report and that were acted on in the last Congress. One was the temporary extension of the research and development tax credit. It should be made permanent. Another are several provisions for attracting and keeping in this country talented professionals from overseas. These 500,000 foreign students who are here include some of the brightest students from China, some of the brightest students from India, some of the brightest from around the world. They are going to create jobs somewhere. We would like for them to stay and create jobs here, yet our archaic immigration laws prevent that. They require these students to swear they are going home before they come. They make it hard for them to stay once they get here.

So the Senate, last year, in debating the immigration bill, adopted three of the provisions from this report. One, for example, pins a green card on any foreign student who gets a graduate degree in math, science, engineering and technology so that person can stay here and create jobs for us here.

I am hopeful when we get to the immigration legislation within a few weeks that we will do at least that much to change our archaic immigration laws and allow those students to stay here and create jobs for us. We talk a lot about outsourcing jobs. This would be insourcing brain power, and we would be smart to do it.

I particularly thank our staffs, and we will do this specifically by name next week. This is a complex bill with many different parts, as the section-by-section analysis shows. They have worked evenly to try to make this a well-crafted bill. We have more work to do.

I conclude by again thanking the Democratic and Republican leaders, Senator BINGAMAN, Senator DOMENICI, especially, who was chairman of our committee last year, STEVENS and INOUYE, ENZI and KENNEDY, ENSIGN and LIEBERMAN, BOND, HUTCHISON, CHAMBLISS, MURKOWSKI, and MIKULSKI—all of these Senators made major contributions. I am sure they will be on the Senate floor next week to address this legislation and to support it.

We are talking about keeping our brain power advantage so we keep our jobs. We are talking about a country that has grown accustomed to 30 percent of all of the money in the world being produced each year with just 5 percent of the people, and we are saying, unless we take at least these steps, that won't continue.

EXHIBIT 1

U.S. SENATE,
*Washington, DC, April 10, 2007.*

DEAR COLLEAGUE: We are writing to invite you to cosponsor the America COMPETES Act; a bipartisan bill to help America maintain its edge in science, technology, engineering, and mathematics in an increasingly competitive global economy. An earlier version of this bill was introduced in the final days of the 109th Congress as S. 3936.

The America COMPETES Act is based upon recommendations from both the national Academies' ''Rising Above the Gathering Storm'' report and the Council on Competitiveness' ''Innovate America'' report. It contains revised versions of the legislation approved by both the Senate Energy and Commerce Committees [from the 109th Congress] in response to those recommendations: S. 2197, the PACE–Energy bill, and S. 2802 the American Innovation and Competitiveness bill, which were reported without opposition to the Senate floor. The bill also includes provisions developed by the bipartisan leadership of the HELP Committee to improve science, technology, engineering, mathematics, and critical foreign language skills.

The competitiveness package would significantly increase the federal investment in basic research, foster and innovative infrastructure, improve the teaching of math, science, engineering and technology to our children, and encourage the brightest minds to pursue careers in these fields. Among other provisions, the bill would: Double the investment in basic research at the national Science Foundation (NSF), the National Institutes of Standards and Technology (NIST), and the Department of Energy's Office of Science (DOE–SC) over five to ten years; Improve teacher training in math and science, through summer institutes hosted by the NSF and the DOE–SC and grants to increase university degree programs that combine math and science study with concurrent teacher certification; and Increase support for Advanced Placement programs to expand access for low income students to take and succeed in college preparatory courses.

This bill alone will not secure American leadership in the decades to come. But it is a critical first step toward protecting our competitive position in the world. We hope you will join us in this effort and cosponsor this bipartisan legislation.

Sincerely,

Harry Reid, Majority Leader; Jeff Bingaman, Chairman, Committee on Energy and Natural Resources; Daniel K. Inouy, Chairman, Committee on Commerce, Science, and Transportation; Edward M. Kennedy, Chairman, Committee on Health, Education, Labor, and Pensions; Joseph I. Lieberman, U.S. Senator; Barbara A. Mikulski, U.S. Senator; Bill Nelson, U.S. Senator; Mitch McConnell, Republican Leader; Pete V. Domenici, Ranking Member, Committee on Energy and Natural Resources; Ted Stevens, Vice-Chairman, Committee on Commerce, Science, and Transportation; Michael B. Enzi, Ranking Member, Committee on Health, Education, Labor, and Pensions; John Ensign, U.S. Senator; Lamar Alexander, U.S. Senator; Kay Bailey Hutchison, U.S. Senator.

EXHIBIT 2

SUMMARY OF THE ''AMERICA COMPETES ACT''

The ''America COMPETES 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. The bill is similar to the ''National Competitiveness Investment Act'' that Senators Frist, Reid, Stevens, Inouye, Domenici, Bingaman, Enzi, Kennedy, Ensign, Lieberman, Alexander, Mikulski, Hutchison, and others introduced in September 2006. Several sections of the bill are derived from proposals contained in the ''American Innovation and Competitiveness Act of 2006'' (S. 2802), approved without opposition by the Senate Commerce Committee, and the ''Protecting America's Competitive Edge Through Energy Act of 2006'' (S. 2197) approved without opposition by the Senate Energy Committee last year. Accordingly, the America COMPETES 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 America COMPETES 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 $703 million in Fiscal Year 2008 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.

---

EXHIBIT 3

COSPONSORS, ALPHABETICAL

[* = original cosponsor]

Sen Alexander, Lamar [R–TN]—3/5/2007*; Sen Bennett, Robert F. [R–UT]—4/19/2007; Sen Biden, Joseph R. [D–DE]—4/18/2007; Sen Bingaman, Jeff [D–NM]—3/5/2007*; Sen Brown, Sherrod [D–OH]—3/15/2007*; Sen Cantwell, Maria [D–WA]—3/5/2007* Sen Cardin, Benjamin L. [D–MD]—4/18/2007; Sen Carper, Thomas R. [D–DE]—3/5/2007* Sen Chambliss, Saxby [R–GA]—3/7/2007; Sen Clinton, Hillary Rodham [D–NY]—3/5/2007* Sen Cochran, Thad [R–MS]—4/17/2007; Sen Coleman, Norm [R–MN]—3/5/2007*; Sen Collins, Susan M. [R–ME]—3/14/2007; Sen Cornyn, John [R–TX]—3/5/2007*; Sen Craig, Larry E. [R–ID]—3/5/2007*; Sen Demenici, Pete V. [R–NM]—3/5/2007*; Sen Durbin, Richard [D–IL]—3/6/2007; Sen Ensign, John [R–NV]—3/5/2007*; Sen Enzi, Michael B. [R–WY]—3/5/2007*; Sen Feinstein, Dianne [D–CA]—3/6/2007; Sen Hagel, Chuck [R–NE]—3/29/2007; Sen Hutchison, Kay Baily [R–TX]—3/5/2007*; Sen Inouye, Daniel K. [D–HI]—3/5/2007*; Sen Isakson, Johnny [R–GA]—3/29/2007; Sen Kennedy, Edward M. [D–MA]—3/5/2007*; Sen Kerry, John F. [D–MA]—3/5/2007*; Sen Klobuchar, Amy [D–MN]—3/14/2007; Sen Kohl, Herb [D–WI]—3/5/2007*; Sen Landrieu, Mary L. [D–LA]—3/5/2007*; Sen Lautenberg, Frank R. [D–NJ]—3/8/2007; Sen Levin, Carl [D–MI]—4/19/2007; Sen Lieberman, Joseph I. [ID–CT]—3/5/2007*; Sen Lott, Trent [R–MS]—4/18/2007; Sen Lugar, Richard G. [R–IN]—3/5/2007*; Sen Martinez, Mel [R–FL]—3/5/2007*; Sen McCaskill, Claire [D–MO]—3/8/2007; Sen McConnell, Mitch [R–KY]—3/5/2007*; Sen Menendez, Robert [D–NJ]—3/5/2007*; Sen Mikulski, Barbara A. [D–MD]—3/5/2007*; Sen Murkowski, Lisa [R–AK]—3/5/2007*; Sen Nelson, Bill [D–FL]—3/5/2007*; Sen Nelson, E. Benjamin [D–NE]—4/19/2007; Sen Obama, Barack [D–IL]—3/5/2007*; Sen Pryor, Mark L. [D–AR]—3/5/2007*; Sen Roberts, Pat [R–KS]—3/5/2007*; Sen Rockefeller, John D., IV [D–WV]—3/5/2007*; Sen Salazar, Ken [D–CO]—3/5/2007*; Sen Smith, Gordon H. [R–OR]—3/5/2007*; Sen Stabenow, Debbie [D–MI]—4/19/2007; Sen Stevens, Ted [R–AK]—3/5/2007*; Sen Voinovich, George V. [R–OH]—3/5/2007*; and Sen Warner, John [R–VA]—3/5/2007*.

---

EXHIBIT 4

THE AMERICA COMPETES ACT

SECTION-BY-SECTION ANALYSIS

*Section 1. Short Title*

Section 1 would provide that the legislation be cited as the ''America COMPETES Act.''

*Section 2. Organization of Act into Divisions; Table of Contents*

Section 2 would organize the legislation into four divisions. Division A would contain sections related to commerce and science; Division B would contain sections related to the Department of Energy; Division C would contain sections related to education; Division D would contain sections related to the National Science Foundation. This section would also provide a Table of Contents for the legislation.

**DIVISION A—COMMERCE AND SCIENCE**

*Section 1001. Short Title*

This section would provide that this division may be cited as the ''American Innovation and Competitiveness Act''

TITLE I—OFFICE OF SCIENCE AND TECHNOLOGY POLICY; GOVERNMENTWIDE SCIENCE

*Section 1101. National Science and Technology Summit*

This section would require the President to convene a National Science and Technology Summit within 180 days of enactment to evaluate the health and direction of nation's science and technology enterprise and to identify key research and technology challenges and recommendations for research and development investment over the next five years as a result of the summit.

*Section 1102. Study on Barriers to Innovation*

Section 1102 would require the Director of the Office of Science and Technology Policy to enter into a contract with the National Academy of Sciences to conduct a study to identify forms of risk that create barriers to innovation one year after enactment and four years after enactment. The study is intended to support research on the long-term value of innovation to the business community and to identify means to mitigate risks presently associated with such innovation activities.

*Section 1103. National Innovation Medal*

Section 1103 amends Section 16 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3711) to rename the ''National

Technology Medal'' as the ''National Technology and Innovation Medal.''

*Section 1104. Release of Scientific Research Results*

Section 1104 would require the Director of the Office of Science and Technology Policy (OSTP), in consultation with the Director of the Office of Management and Budget and the heads of all federal civilian agencies that conduct scientific research to develop and issue a set of principles for the communication of scientific information by government scientists, policy makers, and managers to the public within 90 days after the date of enactment of this Act. It is based upon recommendations from the National Science Board's review of the policies of federal science agencies concerning the suppression and distortion of research findings and their impact on the quality and credibility of all future government-sponsored scientific research results.

*Section 1105. Semiannual Science, Technology, Engineering, and Mathematics Days*

Section 1105 expresses a Sense of Congress that OSTP should encourage all elementary and middle schools to observe a Science, Technology, Engineering and Mathematics Day twice in every school year for the purpose of facilitating the interaction of science, technology, engineering, and mathematics mentors and grade school students. This section also expresses a Sense of Congress that OSTP should encourage involvement of federal employees, the private sector and institutions of higher learning in such days.

*Section 1106. Study on Service Science*

Section 1106 would express a Sense of Congress that the Federal Government should better understand and respond strategically to the emerging management and learning discipline known as, ''service science.''

Subsection (b) would require the Director of OSTP, through the National Academy of Sciences, to conduct a study on how the Federal Government should best support service science through research, education, and training.

TITLE II—INNOVATION PROMOTION

*Section 1201. President's Council on Innovation and Competitiveness*

Section 1201 requires the President to establish a President's Council on Innovation and Competitiveness to develop a comprehensive agenda to promote innovation in the public and private sectors. The Council, which could be constituted by designating an existing body to perform its functions, would include the Secretaries of Commerce, Defense, Education, Health and Human Services, Homeland Security, Labor, and Treasury along with the heads of the National Aeronautics and Space Administration, the Securities and Exchange Commission, the National Science Foundation, the Office of the United States Trade Representative, the Office of Management and Budget, the Office of Science and Technology Policy, the Environmental Protection Agency, and other relevant federal agencies involved in innovation. As the President's Council on Innovation and Competitiveness develops a comprehensive agenda for strengthening innovation and competitiveness it should the consult with advisors from the private sector, labor, scientific organizations, academic organizations, and other nongovernmental organizations working in the area of science or technology.

*Section 1202. Innovation Acceleration Research.*

Section 1202 would require the President, through the head of each federal research agency, to establish the ''Innovation Acceleration Research Program'' to support and promote innovation in the United States by requiring each department or agency that sponsors scientific research to set as a goal 8% of its annual research budget to be directed towards innovation acceleration research.

TITLE III—NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

*Section 1301. NASA's Contribution to Innovation*

Section 1301 would direct that NASA be regarded as a full participant in interagency activities to promote competitiveness and innovation and to enhance science, technology, engineering and mathematics education. It would identify NASA's balanced science program as an essential part of NASA's contribution to innovation in and the economic competitiveness of the United States and that funding NASA at the levels authorized in the NASA Authorization Act of 2005 (P.L. 109–155) would enable NASA's programs to contribute to U.S. innovation and competitiveness.

*Section 1302. Aeronautics Institute for Research*

Section 1302 would consolidate NASA's aeronautics research authorized under the NASA Authorization Act of 2005 (P.L. 109–155) into an Aeronautics Institute for Research within NASA. Subsection (c) would require the Institute to cooperate with relevant programs in the Department of Transportation, the Department of Defense, the Department of Commerce, and the Department of Homeland Security, including the Joint Planning and Development Office established under the VISION 100-Century of Aviation Reauthorization Act (P.L. 108–176). The Aeronautics Institute would be allowed to accept assistance, staff, and funding from other federal departments and agencies.

*Section 1303. Basic Research Enhancement*

Section 1303 would establish, within NASA, a Basic Research Executive Council to oversee the distribution and management of programs and resources engaged in support of basic research activity including the most senior agency official representing the space science, earth science, life and microgravity sciences, and aeronautical research. The duties of the Council will be to set criteria for identification of basic research, set priority of research activity, review and evaluate research activity, make recommendations regarding needed adjustments in research activities, and provide annual reports to Congress on research activities.

*Section 1304. Aging Workforce Issues Program*

Section 1304 would express a Sense of Congress that the Administrator of NASA should implement a program to address aging workforce issues in aerospace that would (1) document technical and management experiences of senior NASA employees before they leave NASA; (2) provide incentives for retirees to return to NASA to teach new NASA employees about their lessons and experiences; (3) provide for the development of an award to recognize and reward senior NASA employees for their contributions to knowledge sharing.

*Section 1305. Conforming Amendments*

Section 1305 would amend Section 101(d) of the National Aeronautics and Space Administration Authorization Act of 2005 (42 U.S.C. 16611(d)) by adding that the assessment undertaken by NASA examine the number and content of science activities which may be considered as fundamental, or basic research, whether incorporated within specific missions or conducted independently of any specific mission. In addition, this section would require NASA to assess how NASA science activities can best be structured to ensure that basic and fundamental research can be effectively maintained and coordinated in response to national goals in competitiveness and innovation.

*Section 1306. Fiscal Year 2008 Basic Science and Research Funding*

Section 1306 provides additional authorization, above the levels authorized in the National Aeronautics and Space Administration Act of 2005 (P.L. 109–155), of $160 million for the funding of basic science and research for fiscal year 2008. The availability of these funds is made contingent upon unobligated balances being available to the NASA

TITLE IV—NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

*Section 1401. Authorization of Appropriations*

Section 1401 would authorize appropriations for the National Institute of Standards and Technology (NIST) from Fiscal Year 2008 through Fiscal Year 2011, including authorizations for the Hollings Manufacturing Extension Partnership Program (MEP). The MEP authorizations would be taken from the authorizations provided for NIST. Authorization levels would be set as follows:

| | FY 2008 | FY 2009 | FY 2010 | FY 2011 |
|---|---|---|---|---|
| NIST Total | $703.611 | $773.972 | $851.369 | $936.506 |
| MEP | $115 | $120 | $125 | $130 |

All amounts are in millions.

*Section 1402. Amendments to the Stevenson-Wydler Technology Innovation Act of 1980*

Section 1402 would eliminate the Under Secretary of Commerce for Technology at the Department of Commerce and the related Technology Administration at the Department of Commerce.

*Section 1403. Innovation Acceleration*

Section 1403 would establish the Innovation Acceleration Research Program of Section 1202 at NIST, to be known as the ''Standards and Technology Acceleration Research Program'' to support and promote innovation in the United States through high-risk, high-reward research and set aside no less than 8 percent of the funds made available to the measurement laboratories at NIST each year for the program.

*Section 1404. Manufacturing Extension*

Section 1404 would amend Section 25(c)(5) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(c)(5)) by inserting a probationary program for MEP centers that have not received a satisfactory rating. If the issues of a center are not addressed in one year, the Director would be required to conduct a competition to select a new operator for the center.

Subsection (b) would allow the acceptance of funds from other. federal agencies and the private sector by the Secretary of Commerce and Director to strengthen U.S. manufacturing. Any private sector funding would not be considered a part of the federal share for the purpose of center cost-sharing. Funding accepted from other federal departments or agencies may be considered in the calculation of the federal share of capital and annual operating and maintenance costs under 15 U.S.C. 278k(c).

*Section 1405. Experimental Program to Stimulate Competitive Technology*

Section 1405 would re-establish the Experimental Program to Stimulate Competitive Technology (EPSCoT), previously managed by the Technology Administration, at NIST.

Subsection (d) would require that in making awards under this section, the Director of NIST shall ensure that the awards are awarded on a competitive basis that includes a review of the merits of the activities that are subject to the award. A special emphasis would be given to those projects which would increase the participation of women, Native

Americans (including Native Hawaiians and Alaska Natives), and other underrepresented groups in science and technology. Subsection (d)(2) would impose a matching requirement that not less than 50 percent of the cost of activities (other than planning activities) carried out by an EPSCoT award be funded by non-federal sources.

*Section 1406. Technical Amendments to the NIST Act and Other Technical Amendments*

Section 1406 would make several technical amendments to the NIST Act. Subsection (a) would lift the limitation on NIST-sponsored research fellowships under current law. Subsection (b) would clarify NIST's authority to issue grants and cooperative agreements, along with contracts, cooperative research and development agreements, and other appropriate instruments, bringing NIST authority into conformance with the Federal Grant and Cooperative Agreement Act (31 U.S.C. 6301–08). The subsection also would clarify NIST's authority to purchase memberships in scientific organizations and pay registration fees for NIST employees' attendance at conferences.

Subsection (c) would permit NIST to utilize a portion of its operating funds in the production of high priority Standard Reference Materials and ensure that, once recovered through sales, the working capital fund resources are available to maintain future supplies. In addition, this authority would permit funds transferred to NIST from other federal agencies for the production of Standard Reference Materials to be transferred to the fund.

Subsection (d) would update several measurements found in statute to be consistent with current practice and internationally recognized standards.

Subsection (e) would allow NIST to retain the depreciation surcharge that is assessed against all federal agencies and returned to the Treasury for the upkeep of public buildings.

Subsection (f) would strike NIST authority for the Non-Energy Inventions program. This program is no longer operated by NIST. Rather, it is now operated by the Department of Energy.

TITLE V—OCEAN AND ATMOSPHERIC PROGRAMS

*Section 1501. Ocean and Atmospheric Research and Development Program*

Section 1501 would require the Administrator of the National Oceanic and Atmospheric Administration (NOAA), in consultation with the Director of NSF and the Administrator of NASA, to establish a coordinated program of ocean and atmospheric research and development to promote United States leadership in ocean and atmospheric science.

*Section 1502. NOAA Ocean and Atmospheric Science Education Programs*

Section 1502 would require the Administrator of NOAA to conduct, develop, support, promote, and coordinate formal and informal educational activities at all levels to enhance public awareness and understanding of ocean, coastal, and atmospheric science and stewardship by the general public. In conducting those activities the administrator shall build upon the existing educational programs and activities of the agency.

Subsection (b) would require the Administrator of NOAA, appropriate NOAA programs, ocean and atmospheric science and education experts, and interested members of the public to develop a science education plan that would set forth education goals and strategies for NOAA, as well as programmatic actions to carry out such goals and priorities over the next 20 years. This plan would be reevaluated and updated every 5 years.

**DIVISION B—DEPARTMENT OF ENERGY**

*Section 2001. Short Title*

Section 2001 would specify that this Division may be referred to as the, ''Protecting America's Competitive Edge Act through Energy (PACE-Energy) Act.''

*Section 2002. Definitions*

Section 2002 would provide definitions for purposes of the Division.

*Section 2003. Mathematics, Science and Engineering Education at the Department of Energy*

Section 2003 would create a, ''Director of Mathematics, Science and Engineering Education Programs'' at the Department of Energy to coordinate all Mathematics, Science, and Engineering Education Departmentwide. The Director would report to the Undersecretary of Science. Section 2003 would also amend the Department of Energy Science Education Enhancement Act to establish new programs in science, mathematics, and engineering education, including:

Specialty Schools for Math and Science—This portion of Section 2003 would create a competitive grant program to assist States in establishing or expanding public, statewide specialty schools that provide comprehensive mathematics, science, and engineering education. In addition, this portion of Section 2003 would authorize scientific and engineering staff of the National Laboratories to assist in teaching courses in statewide specialty schools in mathematics and science education, and to use National Laboratory scientific equipment in the teaching of courses. This portion of Section 2003 would authorize $140 million over 4 years for these schools.

Experiential-Based Learning Opportunities—This portion of Section 2003 would establish summer internships, including internships at the National Laboratories, for middle and high school students to promote experiential, hands-on learning in math and science. This portion of Section 2003 would authorize $15 million annually for this program from Fiscal Year 2008 through Fiscal Year 2011.

National Laboratories Centers of Excellence in Mathematics and Science Education—This portion of Section 2003 would establish a program at each of the National Laboratories to support a Center of Excellence in Mathematics and Science at one public secondary school located in the region of the national laboratory. This portion of Section 2003 would also require the Secretary to consider the performance of these Centers in determining the contract award fee for the management and operations contractor of each national laboratory.

Summer Institutes—This portion of Section 2003 would establish a program of summer institutes at each of the National Laboratories, and through grants to universities and other nonprofit entities, to strengthen the math and science teaching skills of K–12 teachers. This portion of Section 2003 would authorize $190 million over 4 years for these institutes.

Nuclear Science Education—This portion of Section 2003 would create a program for competitive, merit-based grants to universities that establish or expand nuclear science and engineering degree programs. This portion of Section 2003 would authorize approximately $140 million over 4 years for these grants.

*Section 2004. Department of Energy Early Career Research Grants*

Section 2004 would authorize research grants for early-career scientists and engineers pursuing innovative, independent research. Eligible individuals must have completed a doctorate within the previous 10 years, and must show promise in a field of science or technology. Grants awarded under this section would be for 5 years at a level of up to $100,000 per year during the grant period. Section 2004 would authorize $91 million over 4 years for this program.

*Section 2005. Advanced Research Projects Authority—Energy*

Section 2005 would establish the Advanced Research Projects Authority—Energy (ARPA–E) as a new agency within the Department of Energy. The mission of ARPA–E would be to support research with the potential to overcome long-term, high-risk technological barriers in the development of applied energy technologies (including carbon neutral technologies). The Director of ARPA–E would report to the Undersecretary of Science. An external advisory board would recommend to the Director, on an annual basis, key areas of energy research to include in the ARPA–E research portfolio.

*Section 2006. Authorization of Appropriations for the Department of Energy Office of Science*

Section 2006 would authorize a doubling of Office of Science funding over ten years. This rate of increase matches that in the President's American Competitiveness Initiative. The Fiscal Year 2008 request for the Office of Science was $4.4 billion. The authorization is $4.6 billion.

*Section 2007. Discovery Science and Engineering Innovation Institutes*

Section 2007 would establish multi-disciplinary institutes centered at National Laboratories to apply fundamental science and engineering discoveries to technological innovations related to the missions of the Department and the global competitiveness of the United States. Each Institute would be authorized to receive $10 million in federal funding annually.

*Section 2008. PACE Graduate Fellowship Program*

Section 2008 would establish a competitive graduate fellowship program for up to 700 students pursuing doctoral degrees in mission areas of the Department. The section requires that students be selected for the fellowship program through a competitive merit review process (involving written and oral interviews) that will result in a wide distribution of awards throughout the United States. This section would authorize $93 million over 4 years for these fellowships.

*Section 2009. Title IX Compliance*

Section 2009 would require the Department of Energy to conduct compliance reviews of two grant recipients to determine compliance with the provisions of Title IX of the Education Amendments of 1972. Title IX of the Education Amendments of 1972 required government agencies to ensure that female students had equal access to the programs supported by federal grants.

*Section 2010. High-Risk, High-Reward Research*

Section 2010 would require the Secretary of Energy to establish a grant program to encourage the conduct of high-risk, high-reward research at the Department of Energy.

*Section 2011. Distinguished Scientists Program*

Section 2011 would establish a joint program between universities and national laboratories to support up to 100 distinguished scientists positions. These scientists would hold joint appointments at the labs and their universities, and would promote academic and scientific excellence cooperation between the two institutions. Section 2011 would authorize $290 million over 4 years for these appointments.

## DIVISION C—EDUCATION

*Section 3001. Findings*

Section 3001 presents findings that the United States needs to build on and expand the impact of existing education programs that work to ensure a well-educated populace to remain competitive in the global economy.

*Section 3002. Definitions*

Section 3002 contains definitions that are used throughout the Education Division.

### TITLE I—TEACHER ASSISTANCE

### SUBTITLE A—TEACHERS FOR A COMPETITIVE TOMORROW

*Section 3111. Purpose*

Section 3111 would provide that the purpose of this subtitle is to develop and implement undergraduate programs leading to a baccalaureate degree with concurrent teacher certification that provide integrated courses of study in mathematics, science, engineering, or critical foreign languages and teacher education, and master's degree programs in mathematics, science, or critical foreign language education for current teachers to enhance their content knowledge and pedagogical skills.

*Section 3112. Definitions*

Section 3112 contains definitions that are used in this subtitle.

Section 3113. Programs for Baccalaureate Degrees in Mathematics, Science, Engineering, or Critical Foreign Languages, with Concurrent Teacher Certification.

Section 3113 would authorize competitive grants for partnerships to develop and implement programs that integrate programs of study for undergraduate students majoring in mathematics, engineering, science or a critical foreign language with teacher education, so that students can obtain baccalaureate degrees with concurrent teacher certification. These partnerships would consist of institutions of higher education, departments of mathematics, engineering, science or critical foreign languages, teacher preparation programs and high-need local educational agencies and their schools.

*Section 3114. Programs for Master's Degrees in Mathematics, Science, or Critical Foreign Languages Education*

Section 3114 would authorize competitive grants for partnerships to develop and implement 2- or 3-year part-time master's degree programs in mathematics, science, or critical foreign language education for current teachers to improve their content knowledge and pedagogical skills. These partnerships would consist of institutions of higher education, departments of mathematics, engineering, science or critical foreign languages, teacher preparation programs and high-need local educational agencies and their schools.

*Section 3115. General Provisions*

Section 3115 contains provisions that would be applicable to both the baccalaureate and master's degree programs. Under both programs, grants would be for five years; matching funds would be required; and grant funds could be used only to supplement, not supplant, other Federal or State funds. The Secretary would be required to evaluate the programs and provide an annual report to Congress.

*Section 3116. Authorization of Appropriations*

Section 3116 would authorize to be appropriated a total for both programs of $210,000,000 for Fiscal Year 2008, and such sums as may be necessary for each of the three succeeding fiscal years, and specify the proportion of the total funding that is to be spent carrying out each of the two programs.

### SUBTITLE B—ADVANCED PLACEMENT AND INTERNATIONAL BACCALAUREATE PROGRAMS

*Section 3121. Purpose*

Section 3121 would provide that the purpose of this subtitle is to raise academic achievement through Advanced Placement (AP) and International Baccalaureate (IB) programs by increasing the number of teachers serving high-need schools who are qualified to teach AP or IB courses in mathematics, science, and critical foreign languages; increasing the availability of such courses in high-need schools, including courses that prepare students to enroll and succeed in AP and IB; and increasing the number of students attending high-need schools who take such courses and take and pass the examinations.

*Section 3122. Definitions*

Section 3121 contains definitions that are used in this subtitle.

*Section 3123. Advanced Placement and International Baccalaureate Programs*

Section 3123 would authorize competitive grants to achieve the purposes of this subtitle and would authorize to be appropriated $58,000,000 for Fiscal Year 2008, and such sums as may be necessary for each of the three succeeding fiscal years.

### TITLE II—MATH NOW

*Section 3201. Math Now for Elementary School and Middle School Students Program*

Section 3201 would authorize a grant program to improve instruction in mathematics for elementary school and middle school students, and to provide targeted help to students struggling with mathematics, to enable all students to reach or exceed grade-level academic achievement standards. Grants would be awarded to implement mathematics instructional materials and interventions, provide professional development activities, and conduct continuous progress monitoring of students in mathematics. State educational agencies would be awarded grants on a competitive basis to enable them to award grants to eligible local educational agencies. Priority would be given to applications for projects that would implement statewide strategies for improving mathematics instruction and raising the mathematics achievement of students, particularly those in grades 4 through 8. There would be a matching requirement, but the Secretary would have the authority to waive all or part of it in cases of serious hardship. The section would authorize to be appropriated $146,700,000 for Fiscal Year 2008, and such sums as may be necessary for each of the 3 succeeding fiscal years.

### TITLE III—FOREIGN LANGUAGE PARTNERSHIP PROGRAM

*Section 3301. Findings and Purpose*

Section 3301 presents findings that the United States faces a shortage of skilled professionals with higher levels of proficiency in foreign language and that the ability of students to become proficient can be addressed by starting language learning at a younger age and expanding opportunities for continuous foreign language education from elementary school through postsecondary education. The purpose of this title is to increase significantly both the opportunities to study critical foreign languages programs and the number of students who become proficient in critical foreign languages.

*Section 3302. Definitions*

Section 3302 contains definitions that are used in this title.

*Section 3303. Program Authorized*

Section 3303 would authorize a competitive grant program to enable institutions of higher education and local educational agencies working in partnership to establish articulated programs of study in critical foreign languages so that students from elementary school through postsecondary education can advance their knowledge successfully and achieve higher levels of proficiency in a critical foreign language.

*Section 3304. Authorization of Appropriations*

Section 3304 would authorize to be appropriated $22,000,000 for Fiscal Year 2008, and such sums as may be necessary for each of the three succeeding fiscal years.

### TITLE IV—ALIGNMENT OF EDUCATION PROGRAMS

*Section 3401. Alignment of Secondary School Graduation Requirements with the Demands of 21st Century Postsecondary Endeavors and Support for P–16 Education Data Systems*

Section 3401 would provide that this title would authorize competitive grants to States to promote better alignment of elementary and secondary education with the knowledge and skills needed to succeed in academic credit-bearing coursework in institutions of higher education, in the 21st century workforce and in the Armed Forces. The title would also authorize competitive grants to support the establishment or improvement of statewide P–16 education longitudinal data systems to assist States in improving the rigor and quality of content knowledge requirements and assessments, ensure that students are prepared to succeed in postsecondary endeavors, and enable States to have valid and reliable information to inform education policy and practice. The section would authorize to be appropriated $100,000,000 for Fiscal Year 2008, and such sums as may be necessary for Fiscal Year 2009.

## DIVISION D—NATIONAL SCIENCE FOUNDATION

*Section 4001. Authorization of Appropriations*

Subsection (a) would authorize appropriations for the National Science Foundation (NSF) at the following levels for 4 ears.

| | FY 2008 | FY 2009 | FY 2010 | FY 2011 |
|---|---|---|---|---|
| NSF | $6.808 | $7.433 | $8.446 | $11.200 |

All amounts are in $ billion.

Subsection (b) would require the Director of NSF to create a plan for spending this increased funding within 180 days of enactment, taking into account the priorities established by the Science Summit authorized under Section 101(c) of this Act.

*Section 4002. Strengthening of Education and Human Resources Directorate through Equitable Distribution of New Funds*

Section 4002 would provide for annual funding increases for the education and human resources programs of the National Science Foundation to ensure the continued involvement of experts at the National Science Foundation in improving science, technology, engineering and mathematics education at the elementary, secondary and postsecondary level. As appropriations for the National Science Foundation increase, funds for the education and human resources programs would increase by a proportional amount.

*Section 4003. Graduate Fellowships and Graduate Traineeships*

Section 4003 would require the Director of NSF to expand both the Graduate Research Fellowship Program and the Integrative Graduate Education and Research Traineeship Program for an additional 1,250 students each over the next 5 years. Within the amounts authorized under Section 4001,

this section would authorize appropriations at the following levels in Fiscal Years 2008 through 2011 to support the expansion of the Graduate Research Fellowship Program (GRF) and the Integrative Graduate Education and Research Traineeship Program (IGERT).

| | FY 2008 | FY 2009 | FY 2010 | FY 2011 |
|---|---|---|---|---|
| GRF | $24 | $36 | $48 | $60 |
| IGERT | $22 | $33 | $44 | $55 |

All amounts are in $ million.

*Section 4004. Professional Science Master's Degree Programs*

Section 4004 would require the Director of NSF to establish an NSF clearinghouse to share program elements used in professional science master's degree (PSMD) programs and other advanced degree programs related to science, mathematics, technology, and engineering, to help institutions of higher education establish professional science master's programs. The clearinghouse would be established in conjunction with 4-year institutions of higher education, graduate schools, industry, and federal agencies.

Subsection (b) would require the Director to award grants to 4-year institutions of higher education to facilitate the institutions' creation or improvement of professional science master's degrees programs. The program would make awards to a maximum of 200 4-year institutions of higher institutions for a 3 year period. Any grant renewals would be for a maximum of 2 additional years. The Director would be required to give preference in making awards to 4-year institutions of higher education seeking federal funding to support pilot professional science master's degree programs to applicants that secure more than ⅔ of their funding for such professional science masters degree programs from sources other than the Federal Government.

Within the amounts authorized under Section 4001, Subsection (d) would authorize appropriations at the following levels in Fiscal Years 2008 through 2011 to carry out this section.

| | FY 2008 | FY 2009 | FY 2010 | FY 2011 |
|---|---|---|---|---|
| PSMD | $15 | $18 | $20 | $20 |

All amounts are in $ million.

*Section 4005. Increased Support for Science Education through the National Science Foundation*

Within the amounts authorized under Section 4001, Section 4005 would authorize appropriations for the science, mathematics, engineering, and technology talent program established in section 8(7) of the National Science Foundation Act of 2002 (P.L. 107–368) at the following levels in Fiscal Years 2008 through 2011.

| | FY 2008 | FY 2009 | FY 2010 | 2011 |
|---|---|---|---|---|
| Tech Talent | $40 | $45 | $50 | $55 |

All amounts are in $ million.

*Section 4006. Meeting Critical National Science Needs*

Section 4006, subsection (a) would require the Director of NSF to include consideration of the degree to which NSF awards and research activities assist in meeting critical national needs in innovation, competitiveness, the physical and natural sciences, technology, engineering, and mathematics.

Subsection (b) would require the Director of NSF to give priority in the selection of awards and the allocation of NSF resources under the Research and Related Activities budgetary account to those projects that can be expected to make contributions in physical and natural sciences, technology, engineering, and mathematics, or which can be expected to enhance competitiveness or innovation in the United States.

Subsection (c) would clarify that the priority consideration required by Section 4006 does not restrict or bias the grant selection process against other areas of research consistent with the mandate of the Foundation.

*Section 4007. Reaffirmation of the Merit-Review Process of the National Science Foundation*

Section 4007 would clarify that nothing in this Act shall be interpreted to require or recommend that NSF change its (1) merit-review system or (2) peer review process. These processes should continue to be used in determining what grants NSF will fund.

*Section 4008. Experimental Program to Stimulate Competitive Research*

Section 4008 would authorize the NSF's Experimental Program to Stimulate Competitive Research (EPSCoR) at $125 million for Fiscal Year 2008, of the funds authorized in Section 4001, increasing each year from Fiscal Year 2009 to Fiscal Year 2011 by the same percentage by which NSF's overall funding increases.

*Section 4009. Encouraging Participation*

Subsection (a) would require the Director of NSF to establish a program to provide mentors for women who are interested in careers in science, technology, engineering, and mathematics by paring such women with mentors who are working in industry.

Subsection (b) would require the Director of NSF to establish a program to provide grants to community colleges to provide apprenticeships and other appropriate training to allow women to enter higher-paying technical jobs in fields related to science, technology, engineering, or mathematics.

Subsections (c) and (d) establish the requirements for application and the evaluation criteria of this program.

*Section 4010. Cyberinfrastructure*

Section 4010 would require the Director of NSF to develop and publish a plan that describes the current status of broadband access for scientific research purposes in EPSCoR-eligible jurisdictions and outlines actions that could be taken to ensure that broadband connections are available to enable participation in NSF programs that rely heavily on highspeed networking and collaborations across institutions and regions.

*Section 4011. Federal Information and Communications Technology Research*

Section 4011 would require the Director of NSF to establish a grant program for basic research in advanced information and communications technologies focused on enhancing or facilitating the availability and affordability of advanced communications services to all Americans. In developing this program, the Director shall consult with a Federal Advanced Information and Communications Technology Research Board composed of individuals with expertise in information and communications technologies, including representatives from the National Telecommunications and Information Administration, the Federal Communications Commission, the NIST, the Department of Defense, and representatives from industry and educational institutions. Within the amounts authorized by Section 4001, Section 4011 would authorize appropriations to carry out this section at the following levels in Fiscal Years 2008 through 2011

| | FY 2008 | FY 2009 | FY 2010 | FY 2011 |
|---|---|---|---|---|
| Telecommunications Basic Research | $45 | $50 | $55 | $60 |

All amounts are in $ million.

*Section 4012. Robert Noyce Teacher Scholarship Program*

Section 4012 would increase support for the Robert Noyce Scholarship Program to recruit and train individuals to become math and science teachers in high need local educational agencies. It would increase the undergraduate scholarship amount from $7,500 to $10,000 per year for a maximum of two years (in exchange for teaching service) and add a summer internship component for freshmen and sophomores interested in the program. Provisions that require repayment of scholarship or stipend by recipients who do not complete their service requirement would be amended to require repayment through a federal student loan with terms consistent with provisions in parts B and D of title IV of the Higher Education Act. Within the amounts authorized by Section 4001, Section 4012 would authorize appropriations to carry out this section at the following levels in Fiscal Years 2008 through 2011

| | FY 2008 | FY 2009 | FY 2010 | FY 2011 |
|---|---|---|---|---|
| Noyce Program | $117 | $130 | $148 | $200 |

All amounts are in $ million.

*Section 4013. Sense of the Senate Regarding the Mathematics and Science Partnership Programs of the Department of Education and The National Science Foundation*

Section 4013 would provide a sense of the Senate that mathematics and science partnership programs operated by the Department of Education and the National Science Foundation are complementary not duplicative, and the two agencies should have ongoing collaboration to ensure the two components continue to work in concert.

*Section 4014. National Science Foundation Teacher Institutes for the 21st Century*

Section 4014 would specifically authorize and increase support for the Teacher Institutes for the 21st Century summer institute program at the National Science Foundation to provide cutting-edge professional development for elementary and secondary school math and science teachers who teach in high need schools. It would provide for follow-up training and support during the academic year for participating teachers. Within the amounts authorized by Section 4001, Section 4014 would authorize appropriations to carry out this section at the following levels in Fiscal Years 2008 through 2011.

| | FY 2008 | FY 2009 | FY 2010 | FY 2011 |
|---|---|---|---|---|
| Teacher Institutes | $84 | $94 | $106 | $140 |

All amounts are in $ million.

Mr. ALEXANDER. Mr. President, I see no other Senator on the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

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

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## MOMENT OF SILENCE FOR THE VICTIMS AND FAMILIES OF THE TRAGEDY AT VIRGINIA TECH

Mr. REID. Mr. President, yesterday I spoke to Governor Kaine, Tim Kaine,

the Governor of Virginia, a wonderful man. He is a public servant for all of the right reasons. He has been burdened as Governor of the State with this terrible tragedy at Virginia Tech.

He called me and made sure that we were involved in the decisionmaking he has. He has appointed a blue ribbon panel that is going to look into this situation. It is the right thing to do. He has also asked that the people around the country, at 12 o'clock noon, stand in a moment of silence in memory of the loved and lost in that terrible tragedy in Blacksburg, VA, at Virginia Tech University.

As a memento of that, many people around the country are wearing the colors of the Virginia Tech Hokies. I am proud to do that. In just a minute, Mr. President, we will stand in silence with the rest of the country in recognition of the tragedy in Virginia.

Will the Chair advise me when the hour of 12 noon arrives?

The ACTING PRESIDENT pro tempore. The Chair will.

The noon hour has arrived.

Mr. REID. The Senate will stand in silence for 1 minute.

(Moment of silence)

Mr. President, thank you very much.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. REID. Mr. President, I now ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

There being no objection, the Senate, at 12:01 p.m., recessed subject to the call of the Chair and reassembled at 2:13 p.m., when called to order by the Acting President pro tempore (Mr. WHITEHOUSE).

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

## IRAQ

Mr. REID. Mr. President, we heard again this afternoon the same old story from President Bush about the war in Iraq. He claimed again that his new escalation strategy is working, that the signs of success are everywhere, and that victory is imminent. He also, once again, attacked those of us with the courage to ask the tough questions and tell the truth about Iraq.

In an effort to shift attention from this administration's failed policies—and I say that in the plural—the President and his allies have repeatedly questioned whether I and my fellow Democrats support our troops. No one wants us to succeed in Iraq more than Democrats. We have proven that time and time again since this war started more than 4 years ago. We take a backseat to no one in supporting our troops, and we will never abandon our troops in a time of war.

Given the White House spin machine that has been working overtime in an effort to defend its failed policies, it is important for me to repeat what I said yesterday afternoon in this Chamber: The longer we continue down the President's path, the further we will be from responsibly ending this war. I said it yesterday, I say it again: The longer we continue down the President's path, the further we will be from responsibly ending this war. But there is still a chance to change course, and we must change course.

Partisans who launched attacks on my comments are the same ones who continue to support the failed strategy that hurts our troops. Is this administration supporting the troops when it sends our brave men and women into battle without the necessary body armor; with vehicles that are not properly armored? I ask, is the administration supporting the troops when it fails to provide them the health care they have earned when they come home?

Our responsibilities end with these troops—never. They don't end when they leave Iraq. They don't end when they get back home. We have to continue to help them. That is what we have done.

Is the administration supporting the troops by threatening to delay their funding unless Congress continues to rubberstamp its failed policy?

I believe supporting our troops means giving them the funding they need and a strategy they deserve. It means stopping the partisan attacks. And it means spending time working together on a bipartisan basis to develop an effective strategy to successfully end this war.

I wish some of my detractors felt the same. An effective strategy is exactly what we are offering the President and our troops—no more, no less. Let's all understand, changing course in Iraq will increase America's security by bringing this war to a responsible end and permitting our troops to more effectively fight terror all over the world. This is precisely the strategy President Bush is vowing to veto.

We heard the same old story from the President today because his strategy calls for more of the same. It is a failed strategy for our troops in Iraq. It is a failed strategy for our security at home. It is dangerous that the President refuses to recognize the reality on the ground in Iraq.

For those who claim we are on the right path in Iraq, I ask them to look at this week's newspapers. I am only going to mention now a few things we find in this week's news.

The White House announced additional National Guard troops would be sent to Iraq; many, if not most, without the necessary training and equipment. The White House extended tours in Iraq for all active Army troops from 12 to 15 months. A week after the Iraqi Parliament was bombed in the Green Zone, which is the most secure part of Baghdad, almost 200 Iraqis lost their lives in that city on Wednesday. The bombings continue today. They will continue tomorrow. We are losing about four American troops every day this month.

I went to the White House this Wednesday with Speaker PELOSI to meet with the President and talk about a bipartisan way to craft an effective strategy in Iraq. We did so because we believe, as do the American people, that the lives of too many of our soldiers and too many Iraqis are on the line. The President refused to work with us.

How has the President responded? He has chosen to repeat his inflexible veto threats and continued to attack those who questioned his failed policies. Meanwhile, our troops and our national security are suffering.

It is painfully clear to me, the American people, bipartisan majorities in both the House and the Senate, military experts all over this country, and the Iraq Study Group, that the only way to succeed is to give our troops the strategy their sacrifices deserve. These groups all know there is no military solution in Iraq.

General Petraeus, the commander on the ground, has said so himself: 20 percent can be won militarily; 80 percent has to be won through our diplomatic efforts, politics, and economics.

I repeat, the only way to succeed lies through a comprehensive political, diplomatic, and economic strategy—so says the commander on the ground there, General Petraeus. Unfortunately, the only one to whom this is not obvious is our President.

The longer we continue down the President's path, the further we will be from success. But there is still a chance to change course, and we must change course. That is what we are offering the President in the supplemental we passed in both bodies with bipartisan support. We are offering a reasonable and attainable timeline to reduce combat missions and refocus our efforts on the real threats to our security. We are offering action, not just words.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The Senator from Florida.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, I wanted to say to my friend and

my colleague and our leader that the President of the United States, when he was Governor of Texas, had a reputation as someone who reached out as a uniter, bringing together the two parties in a bipartisan way. Since the President has been elected President and has served in that capacity, he has chosen to change, for what reason I do not know because the country yearns for bipartisanship. That was clearly one of the messages that came out of last year's election, the 2006 election, that the people of this country are tired of the partisan bickering, and they want us to come together. Yet, as the majority leader was just recounting, there has been occasion after occasion where it seems, unnecessarily, that the White House has gone out of its way to attack someone simply because they were a member of the other party.

I want to give the Senate an example. Because I had been twice before, over a 6-year period, to visit the President of Syria, immediately upon the Iraq study commission report that recommended that we open up to Syria, this Senator from Florida decided that I was going to go back, hoping that there might be some encounter in that conversation with the President of Syria that might crack the door a little bit. I did that in the week before Christmas.

The White House chose to attack me for having made that trip—however, very conveniently not attacking any Republican Senator who happened to follow, as did two Democratic Senators and one Republican Senator in a week or two after I made that trip.

So, too, it is noteworthy that the White House chose to attack Speaker NANCY PELOSI in her visit with President Assad while being mute about the congressional delegation that had just visited President Assad 4 days earlier, which included my good personal friends, the Congressman from Virginia, FRANK WOLF, and the Congressman from Pennsylvania, JOE PITTS.

When we are facing an issue of war and peace, as we are now, we have to come together. The person at the top has to set the standard and the atmosphere. These kind of attacks that become personal, as they were against Speaker PELOSI, are not going to do anybody any good.

Mr. REID. Will my friend yield?

Mr. NELSON of Florida. I will certainly yield.

Mr. REID. I certainly appreciate the Senator being here on the floor this afternoon. The Senator comes from the fourth most populous State, but soon to be the third, a State large in area with lots and lots of people moving there—thousands of people every month. It is a State that this good man has represented in so many different ways.

We first served together in the House of Representatives. If there were ever a person who served in Congress who served as a moderate, it would be the Senator from Florida. He is a person who is always looking for consensus, always trying to work things out, understanding that the art of legislation is compromise.

I so appreciate his brief statement today, and I apologize for interrupting it. I would just go back to more than 6 years ago when President Bush was elected. I, too, was so enthused about his coming here. He told me: I want to be a uniter, not a divider. I have been stunned by what has been going on. It started with Social Security; Medicare; the recent flap with the Attorney General, the Katrina situation, wiretaps, stem cells, Terry Schiavo, energy—on and on, with all these things that we, with rare exception, with a little bit of patience, with a President willing to work with us, could have done on a bipartisan basis. On the war, we have to resolve that on a bipartisan basis. This legislative body is reaching out. That is what we are doing.

I say to my friend, I appreciate very much not only his statement today but who he is, who he represents, and how he represents the people of Florida. We need more BILL NELSONs in this Congress of the United States.

Mr. NELSON of Florida. I am grateful to the leader. I believed it was necessary. Partisanship has gotten out of control around here. I was so encouraged, the day that we were sworn in when the two leaders, the Democratic leader and the Republican leader, convened us in a private meeting in the Old Senate Chamber. There was a wonderful spirit. It clearly was, in large part, as a message from the American people that they were tired of the partisan bickering. That was clearly one of the messages from the election.

We started off in this mutual camaraderie of how we can make a body like this function that cannot pass anything unless we have 60 votes out of 100 Senators in order to shut off debate. That means we have to have coming together. As the Good Book says, ''Come, let us reason together.''

It is harder and harder to do that in a poisonous, partisan atmosphere. But it has to be set at the top.

I cannot tell the White House what to do. I can sure recommend. But there is something that I can do; that is, I am responsible for myself and my actions and how I treat others, treat others in this Chamber.

There is an age-old principle, and it has to be: Treat others as you want to be treated. I will put that in the old English, which might be a little bit more familiar: Do unto others as you would have them do unto you.

If we had a little bit more of that, we could sure get some things done around here. Typically, what happens in these 51-to-49 votes, there is not that much difference that we couldn't have 10 votes on that side of the aisle or 10 votes on this side of the aisle go one way or another in reaching a mutual consensus. Yet over and over it has been avoided.

I felt compelled to say these things.

## THE NATIONAL GUARD

Mr. NELSON of Florida. Mr. President, I want to share another idea, and this has nothing to do with these weighty matters, but it certainly has to do with some weighty matters about whether the National Guard of this country has the proper equipment.

There was a General Accounting Office report from last summer that showed that the National Guard is woefully inadequate in its equipment. It pointed out in that GAO study that my State of Florida had only 53 percent of the equipment that it ought to have. It said the State of New Mexico National Guard had only 33 percent.

What is happening is what you would expect: As the National Guard units in America are activated to go over to Iraq and Afghanistan, they take their equipment with them, and so often it is worn out or it has to stay for others to use, and they come back and they do not have the equipment; or it is like the 11 helicopters of the National Guard in Florida—a year from now, they are planning to take those helicopters from the Florida Guard and send them over to the Middle East. Can you imagine if that occurs and the Florida National Guard is faced with a major hurricane and they do not have any helicopters? Hurricanes are indiscriminate in the way they come in and tear up everything over a large swath of property, so that in a big one you cannot traverse the roads because everything is suddenly on top of them. So often you have to have helicopters to get supplies and personnel in to people who are hurting.

That is one example. That is a year from now if they take the helicopters from the Florida National Guard because they need them over in the Middle East. But let me tell you the condition of it today. The Florida National Guard—and I am quoting their own figures—is short 500 humvees. They are short 600 trucks, and this is either a 5-ton truck or a deuce and a half, 2½-ton truck—600 short. They are short 500 long-haul trailers, they are short 20 wreckers, and they are short 4,400 night-vision goggles. What do all of those shortages have to do with anything? It has to do—if the big one comes and the big one is a category 4 or 5 hurricane hitting a densely urbanized part of Florida direct from the water, the Florida Guard is going to need every bit of equipment it can get to respond to that emergency.

Let me give you another example. The report 6 months ago was that Fidel Castro was going to be dead within 6 months. Looks like that may have changed, at least by the more recent reports. But what happens and what will be the political condition in Cuba when he does pass away? Is the then caretaker government going to be in sufficient control, or is chaos going to

erupt and suddenly a mass outmigration of thousands and thousands of people trying to get to the United States? That is also when you need the National Guard.

Now, I have talked with the Coast Guard and the Navy, and they have a plan whereby they have an entire sentry line of ships that they line up, which I have questions on and we will talking about on another occasion, about that plan, because they have only modeled it if 10,000 were to flee. What happens if 100,000 flee? They are not prepared for that, and everybody in authority with that plan will tell you they are not prepared for it. But whatever it is, if it occurs, which we hope and pray that it will not, the National Guard is going to be a major component of trying to restore order and keep order. Their equipment has been depleted.

Now, if we end up having the typical category 1, 2, and 3 hurricanes, which are severe hurricanes, the Florida National Guard tells me they have adequate equipment, they certainly have the personnel, and they are the best trained in the country, they know how to handle hurricanes, and they are the best of the best. But if they do not have the equipment—they tell me they do for up to a category 3—but if the big one hits, then they are going to have to rely on getting equipment from other National Guards around the country. So what is the lag time on that? And when they reach out to another Guard—for example, the Pennsylvania National Guard with which they have a compact to share equipment—is the Pennsylvania Guard going to have sufficient equipment that they can lend to Florida in an emergency?

These are serious questions which need to be answered before the hurricane season and before any kind of potential outmigration from the island of Cuba so that we have preparations, they are adequately equipped to go along with the experts and expertise of the trained personnel and all of the emergency responders who would respond to that kind of an event.

I am going to continue to sound the alarm until we get some response. I do not believe the Florida Guard has the equipment for a category 5 hurricane coming right up Tampa Bay or hitting directly from the east coast from the Atlantic, in a high urbanized area such as the Dade-Broward line. So I am going to continue to ask this question, as uncomfortable as it will make some people, until somebody will respond.

I think one potential solution is that there be an agreement which would be cut with the Active-Duty—correct that—with the Army Reserves located in Florida that have equipment that there will be an immediate lending of that equipment and/or personnel to the Florida National Guard in the case of a major, catastrophic hurricane hit.

When a hurricane hits, it is a matter of life and death. As time goes on, as expert as our emergency responders are—and they are expert because they have been through a lot and they are quite experienced and well trained—the ability over time to get those supplies in, even supplies that have been prepositioned closer to where the hurricane is going to hit, the ability to get that transported in is critical in those first days because there is no power.

You wonder, night-vision goggles—what does that have to do with it, that the Florida Guard is 4,400 pairs of night-vision goggles short? It is because, in the aftermath of a hurricane, there is no electricity. Everything is dark at night. As troops are moving through all of that debris, they have to be able to see. That is what those night-vision goggles are for.

So this Senator will continue to sound the alarm. We will get the answers. And the good Lord willing, despite the warnings from La Nina in the Pacific that this is going to be a terribly active hurricane season in the Atlantic, the good Lord willing, we will not have that active hit on the mainland of the United States, but we better be prepared.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## MORNING BUSINESS

Mr. NELSON of Florida. I ask unanimous consent that there now be a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## COVER THE UNINSURED WEEK 2007

Mr. REID. Mr. President, I rise in recognition of Cover the Uninsured Week, which is being held this year from April 23 to 29. As many of us know, this nonpartisan initiative was created to focus the Nation's attention on one of the most serious challenges facing our health care system—ensuring access to quality, affordable coverage.

Since the first annual Cover the Uninsured Week was observed 5 years ago, the health care crisis has, unfortunately, worsened. At last count, nearly 46 million Americans lacked coverage, including 400,000 in my home State of Nevada. More than 100,000 of these uninsured Nevadans are children. The context for these numbers, which are staggering in themselves, is even more troubling. For too many, premium costs are escalating faster than they can manage while benefits are deteriorating. Being a hard-working American is also no longer a ticket to health coverage, as shown by the fact that 8 out of 10 uninsured people either work or are in working families. Even when they can find good health insurance, many families must shortchange other basic needs to afford out-of-pocket expenses or forgo necessary care altogether.

Every year we update these statistics and findings about the uninsured, but the same themes still ring true. The goal should be to ensure that all Americans can access and afford the health care they need, regardless of their income, age, employment, or health status. Sadly, we as a nation continue to fall short.

Cover the Uninsured Week is an opportunity to reflect on more than just this current state of affairs. It is also a time to call for a new direction on health care in America. Whether one is a Democrat or Republican, a Member of Congress or the State legislatures, we must all work together to heed the voices of the American people who are counting on us. So in honor of this year's Cover the Uninsured Week, let us all renew our commitment to improving our health care system. I look forward to a strong debate in the Senate on these vital issues, including the next step of updating the State Children's Health Insurance Program to better meet the needs of the Nation's children and families.

## VIRGINIA TECH TRAGEDY

Mr. ALEXANDER. Mr. President, I have one other short comment I would like to make, and then I will yield the floor or note the absence of a quorum.

The Governor of Virginia has asked our country to take a moment of silence to remember the tragedy this week at Virginia Tech at noon today. It is also a good time for us to think about our responsibilities in the U.S. Congress. There is hardly any way we can express our grief to these families and to that university for what they have been through this week. It is of such a scale that it is hard to imagine. We want them to know we have been thinking about them, and we would like to do whatever we can to help them and to help make sure nothing like this happens again.

So while Virginia Tech and the Commonwealth of Virginia are reviewing their responsibilities in light of the tragedy this week at Virginia Tech, we in the Federal Government ought to be reviewing our responsibilities too. Our focus should be on whether Federal laws or regulations unwisely restrict or limit how universities are able to deal with students who have mental health problems or who otherwise exhibit behavior about which parents, authorities, or other third parties should know.

Generally, and many Americans do not know this, under Federal law universities cannot tell parents about

their child's problems or their grades without their student's consent. At least one professor at Virginia Tech who was tutoring the shooter has been quoted as saying that she felt that Federal laws prevented her from going to his parents or to others about her concerns. Therefore, I am sending a letter today to Senator KENNEDY and to Senator ENZI, the chairman and the ranking member of the Health, Education, Labor and Pensions Committee on which I serve. I am writing them to request that our committee ask the Secretary of Education, Margaret Spellings, to conduct a review of Federal laws, regulations, and relevant State laws that limit the ability of universities to tell parents or other third parties about a student's problem without the student's consent.

I would hope that Secretary Spellings could review not only the laws and the rules, but also the implementation of these rules on campus. I am a former president of a university. I understand it may very well be that faculty members, and perhaps even some administrators, are unaware of the rules, or at least uncertain about how to apply them.

My hope would be that Secretary Spellings could complete her review within 120 days, and after that our committee might hold a hearing or roundtable to determine whether there is action we need to take.

I ask unanimous consent to have printed in the RECORD at this point a copy of my letters to Senator KENNEDY and Senator ENZI and an article from the New York Times dated April 19 entitled, ''Laws Limit Options When a Student Is Mentally Ill,'' which describes very well the situation in which many university faculty members find themselves.

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

Hon. EDWARD M. KENNEDY,
*Chairman, Senate Committee on Health, Education, Labor and Pensions, Washington, DC.*

Hon. MICHAEL B. ENZI,
*Ranking Member, Senate Committee on Health, Education, Labor and Pensions, Washington, DC.*

DEAR TED AND MIKE, While Virginia Tech and the Commonwealth of Virginia are reviewing their responsibilities in light of the tragedy this week on the Virginia Tech campus, we in the federal government should be reviewing our responsibilities, too.

Our focus should be on whether federal laws or regulations unwisely restrict or limit how universities are able to deal with students who have mental health problems or who otherwise exhibit behavior about which parents, authorities or other third parties should know. Generally, under federal law, universities cannot tell parents about their children's problems without the student's consent. At least one professor at Virginia Tech who was tutoring the shooter has been quoted as saying she felt that federal laws prevented her from going to his parents or to others about her concerns.

Therefore, I am writing to request that our Committee on Health, Education, Labor and Pensions ask Secretary of Education Margaret Spellings to conduct a review of federal laws, regulations and relevant state laws that limit the ability of universities to tell parents or other third parties about a student's problems without the student's consent. I would hope that Secretary Spellings could review not only the laws and rules but also the implementation of these rules on campus.

As a former university president, I understand that it very may be that faculty members are unaware of the rules or uncertain about how to apply them. My hope would be that the Secretary could complete her review within 120 days and, after that, our committee might hold a hearing or roundtable to determine whether there is action we need to take.

Thank you very much.

Sincerely,

LAMAR ALEXANDER.

---

[From the New York Times, Apr. 19, 2007]

LAWS LIMIT OPTIONS WHEN A STUDENT IS MENTALLY ILL

(By Tamar Lewin)

Federal privacy and antidiscrimination laws restrict how universities can deal with students who have mental health problems.

For the most part, universities cannot tell parents about their children's problems without the student's consent. They cannot release any information in a student's medical record without consent. And they cannot put students on involuntary medical leave, just because they develop a serious mental illness. Nor is knowing when to worry about student behavior, and what action to take, always so clear.

''They can't really kick someone out because they're writing papers about weird topics, even if they seem withdrawn and hostile,'' said Dr. Richard Kadison, chief of mental health services at Harvard University. ''Most state laws are pretty clear: you can only bring students to hospitals if there is imminent risk to themselves or someone else, so universities are in a bit of a bind that way.'' But, he said, some schools do mandate limited amounts of treatment in certain circumstances.

''At the University of Missouri, if someone makes a suicide attempt, they mandate four counseling sessions, for example,'' said Dr. Kadison, an author of ''College of the Overwhelmed: The Campus Mental Health Crisis and What To Do About It.''

Universities can find themselves in a double bind. On the one hand, they may be liable if they fail to prevent a suicide or murder. After the death in 2000 of Elizabeth H. Shin, a student at the Massachusetts Institute of Technology who had written several suicide notes and used the university counseling service before setting herself on fire, the Massachusetts Superior Court allowed her parents, who had not been told of her deterioration, to sue administrators for $27.7 million. The case was settled for an undisclosed amount.

On the other hand, universities may be held liable if they do take action to remove a potentially suicidal student. In August, the City University of New York agreed to pay $65,000 to a student who sued after being barred from her dormitory room at Hunter College because she was hospitalized after a suicide attempt.

Also last year, George Washington University reached a confidential settlement in a case charging that it had violated antidiscrimination laws by suspending Jordan Nott, a student who had sought hospitalization for depression.

''This is a very, very difficult and gray area, when you take action to remove the student from the campus environment, versus when you encourage the student to use the resources available on campus,'' said Ada Meloy, director of legal and regulatory affairs at the American Council on Education. ''In an emergency, you can share certain information, but it's not clear what's an emergency.''

Ms. Meloy estimated that situations complicated enough to involve a university's lawyers arise, on average, about twice a semester at large universities.

While shootings like the one at Virginia Tech are extremely rare, suicides, threats and serious mental-health problems are not. Last year, the American College Health Association's National College Health Assessment, covering nearly 95,000 students at 117 campuses, found that 9 percent of students had seriously considered suicide in the previous year, and 1 in 100 had attempted it.

So mental health experts emphasize that, whatever a college's concerns about liability, the goal of campus policies should be to maximize the likelihood that those who need mental-health treatment will get it.

''What we really need to do is encourage students to seek mental health treatment if they need it, to remove any barriers to their getting help, destigmatize it, and make it safe, so they know there won't be negative consequences,'' said Karen Bower, a lawyer at the Bazelon Center for Mental Health Law in Washington, who represented Mr. Nott.

With the Virginia Tech killings, many universities are planning to remind faculty members of their protocols. ''We're actually going to go ahead and have the counseling service here do a session for all our instructors and faculty on what to look for, what the procedures are, and what the counseling center can do,'' said Shannon Miller, chairwoman of the English department at Temple University.

At Harvard, Dr. Kadison said, dormitory resident assistants watch for signs of trouble, and are usually the first to become aware of worrisome behavior—and to call a dean.

''The dean might insist that they get an evaluation to make sure they're healthy enough to live in a dorm,'' he said. ''If it's not thought that they're in any immediate danger, they can take or not take the recommendation.''

Last month, Virginia passed a law, the first in the nation, prohibiting public colleges and universities from expelling or punishing students solely for attempting suicide or seeking mental-health treatment for suicidal thoughts.

''In one sense, the new law doesn't cover new territory, because discrimination against people with mental health problems is already prohibited,'' said Dana L. Fleming, a lawyer in Manchester, N.H., who is an expert on education law. ''But in another sense, it's groundbreaking since it's the first time we've seen states focus on student suicides and come up with some code of conduct for schools.''

College counseling services nationwide are seeing more use. ''We're seeing more students in our service consistently every year,'' said Alejandro Martinez, director for counseling and psychological services at Stanford University, which sees about 10 percent of the student body each year. ''Certainly more students are experiencing mental illness, including depression. But there's also been a cultural shift,'' Mr. Martinez said, ''in that more students are willing to get help.''

College officials say that a growing number of students arrive on campus with a history of mental-health problems and a prescription for psychotropic drugs. But screening for such problems would be illegal, admissions officers say.

''We're restricted by the disabilities act from asking,'' said Rick Shaw, Stanford's admissions director. ''We do ask a question, as most institutions do, about whether a student has been suspended or expelled from school, and if they have been, we ask them to write an explanation of it.''

Federal laws also restrict what universities can reveal. Generally, the Family Educational Rights and Privacy Act, FERPA, passed in 1974, makes it illegal to disclose a student's records to family members without the student's authorization.

''Colleges can disclose a student's private records if they believe there's a health and safety emergency, but that health and safety exception hasn't been much tested in the courts, so it's left to be figured out case by case,'' Ms. Fleming said.

And the Health Insurance Portability and Accountability Act prohibits the release of medical records. ''The interaction of all these laws does not make things easy,'' she said.

Mr. LEVIN. Mr. President, on Monday America was devastated by the deadliest shooting rampage in our Nation's history. A gunman using two semi-automatic handguns, shot and killed 32 students and teachers and injured several dozen others before turning one of his guns on himself. Witnesses described scenes of chaos and grief, with students jumping from second-story windows to escape gunfire, while others heroically blocked their classroom doors to shield them from the gunman.

Many of us watched this tragedy unfold on the news, finding it difficult to grasp the true magnitude of it. Parents and grandparents across America were thinking about the horror of one's child being caught in the middle of such chaos. There is little that could be worse for a parent than sending a child off to college, only to lose them to a senseless act of gun violence.

I express condolences to the family, friends, and community touched by the tragedy at Virginia Tech. I know I reflect the feelings of the people of Michigan when I say that our thoughts and prayers are with them in this hour of pain and grief.

Mr. ISAKSON. Mr. President, today I express my sympathy and I know the sympathy of all of the Members of the Senate and the people of the United States of America on the tragic losses this week at Virginia Tech.

None of us can understand what happened in Blacksburg, VA, but all of us recognize the profound tragedy and the loss of youth in its prime.

I learned this week that one of those losses was a Georgian by the name of Christopher James ''Jamie'' Bishop, and I, from the floor of the Senate, send to Pine Mountain, GA, my sympathy on the tragic loss of Jamie.

Jamie, who was passionate about his art and an avid amateur photographer, grew up in Pine Mountain, GA, and was valedictorian of Harris County High School. He received his bachelor's degree in German from my alma mater, the University of Georgia, and was a Fulbright scholar at Christian-Albrechts-University in Kiel, Germany. He returned to the University of Georgia to earn his master's degree in German linguistics.

Jamie, who was known for wearing his hair in a ponytail, had been a German instructor at Virginia Tech since 2005. His wife, Stefanie Hofer, is an assistant professor of German there. By all accounts, Jamie was an intelligent, clever and passionate individual.

I am very proud as a Georgian to have known of his accomplishments, and I send his wife Stefanie and his parents Michael and Jeri my prayers and my hopes that they will accept our sympathy as they endure the heartbreak of the loss of Jamie.

To the families of all of those professors, employees, and students who lost their lives or were hurt in Blacksburg, VA, I extend my sympathy and my deepest prayers that we will find reconciliations out of tragedy.

## ARMY AVIATION ASSOCIATION OF AMERICA

Mr. CHAMBLISS. Mr. President, I take great pride in recognizing the Army Aviation Association of America's, AAAA, 50th anniversary and in honoring their countless historic and noble contributions to the growth and strength of our Nation. Army aviation members play a critical role in every combat theater worldwide, and AAAA has proven to be a means of unwavering support. This unique organization has been the mechanism for increased communication and professional development among Army aviators throughout the history of organic Army aviation and the Army Aviation Branch. This contribution has led to vast leaps in battlefield mobility, lethality, and flexibility for the U.S. Army. AAAA and its members have distinguished themselves with thousands of volunteer hours and dollars providing direct support and scholarships to Army aviation soldiers and their family members. I can say with certainty that AAAA has truly lived its mission of ''Supporting the U.S. Army Aviation Soldier and Family'' since its inception in 1957. I am pleased to publicly recognize this longstanding commitment to our military personnel and congratulate the Army Aviation Association of America on 50 years of service.

## RULES OF PROCEDURE OF THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mrs. FEINSTEIN. Mr. President, on April 18, 2007, the Joint Committee of Congress on the Library met and adopted the rules of procedure for the 110th Congress. I ask unanimous consent that pursuant to paragraph 2 of rule XXVI of the Standing Rules of the Senate that the rules of procedure of the Joint Committee of Congress for the Library be printed in the RECORD.

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

RULES OF PROCEDURE OF THE JOINT COMMITTEE OF CONGRESS ON IHE LIBRARY, 110TH CONGRESS

TITLE I—MEETINGS OF THE COMMITTEE

1. Regular meetings may be called by the chairman, with the concurrence of the vice-chairman, as may be deemed necessary or pursuant to the provision of paragraph 3 of rule XXVI of the Standing Rules of the Senate.

2. Meetings of the committee, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by the committee on the same subject for a period of no more that 14 calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in subparagraphs (A) through (F) would require the meeting to be closed followed immediately by a recorded vote in open session by a majority of the members of the committee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(A) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(B) will relate solely to matters of the committee staff personal or internal staff management or procedures;

(C) will tend to charge an individual with a crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of privacy of an individual;

(D) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interest of effective law enforcement;

(E) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(1) an Act of Congress requires the information to kept confidential by Government officers and employees; or

(2) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(F) may divulge matters required to kept confidential under the provisions of law or Government regulation. (Paragraph 5(b) of rule XXVI of the Standing Rules of the Senate.)

3. Written notices of committee meetings will normally be sent by the committee's staff director to all members at least 3 days in advance. In addition, the committee staff will email or telephone reminders of committee meetings to all members of the committee or to the appropriate staff assistants in their offices.

4. A copy of the committee's intended agenda enumerating separate items of committee business will normally be sent to all members of the committee by the staff director at least 1 day in advance of all meetings. This does not preclude any member of the committee from raising appropriate non-agenda topics.

5. Any witness who is to appear before the committee in any hearing shall file with the clerk of the committee at least 3 business days before the date of his or her appearance, a written statement of his or her proposed

testimony and an executive summary thereof, in such form as the chairman may direct, unless the chairman waived such a requirement for good cause.

TITLE II—QUORUMS

1. Pursuant to paragraph 7(a)(1) of rule XXVI of the Standing Rules, 4 members of the committee shall constitute a quorum.

2. Pursuant to paragraph 7(a)(2) of rule XXVI of the Standing Rules, 2 members of the committee shall constitute a quorum for the purpose of taking testimony; provided, however, once a quorum is established, anyone member can continue to take such testimony.

3. Under no circumstance may proxies be considered for the establishment of a quorum.

TITLE III—VOTING

1. Voting in the committee on any issue will normally be by voice vote.

2. If a third of the members present so demand, a recorded vote will be taken on any question by rollcall.

3. The results of the rollcall votes taken in any meeting upon a measure, or any amendment thereto, shall be stated in the committee report on that measure unless previously announced by the committee, and such report or announcement shall include a tabulation of the votes cast in favor and the votes cast in opposition to each measure and amendment by each member of the committee. (Paragraph 7(b) and (c) of rule XXVI of the Standing Rules.)

4. Proxy voting shall be allowed on all measures and matters before the committee. However, the vote of the committee to report a measure or matters shall require the concurrence of a majority of the members of the committee who are physically present at the time of the vote. Proxies will be allowed in such cases solely for the purpose of recording a member's position on the question and then only in those instances when the absentee committee member has been informed of the question and has affirmatively requested that he be recorded. (Paragraph 7(a)(3) of rule XXVI of the Standing Rules.)

TITLE IV—DELEGATION AND AUTHORITY TO THE CHAIRMAN AND VICE CHAIRMAN

1. The chairman and vice chairman are authorized to sign all necessary vouchers and routine papers for which the committee's approval is required and to decide in the committee's behalf on all routine business.

2. The chairman is authorized to engage commercial reporters for the preparation of transcripts of committee meetings and hearings.

3. The chairman is authorized to issue, on behalf of the committee, regulations normally promulgated by the committee at the beginning of each session.

## COMMEMORATING WORLD HEALTH DAY

Mr. AKAKA. Mr. President, I wish to make a few remarks regarding commemoration of World Health Day by the World Health Organization, WHO. On Saturday, April 7, 2007, WHO again commemorated its 1948 founding with the annual World Health Day. This year's theme is international health security.

In the words of WHO, ''Threats to health know no borders.''

Globalization, characterized by increased mobility of populations and the emergence of new, highly contagious diseases, make us increasingly vulnerable to pandemics and other health crises. Diseases such as highly pathogenic avian influenza, or ''bird flu,'' severe acute respiratory syndrome, or ''SARS,'' have entered our public health and security vocabulary. They are worthy of serious study, focus, and action. The spread of these and other virulent diseases and the potentially cataclysmic impact of a pandemic on countries around the world and here in the United States reminds us all of the critical need for adequate preparedness and continued awareness of threats to the health and well-being of Americans and people around the world.

We need a strategy to handle a pandemic flu outbreak, one that includes a multilayered and multinational approach to detecting and isolating viruses before they can spread. At my request, the Government Accountability Office has undertaken several investigations into how best to prepare for a possible pandemic flu outbreak. The first line of protection should be to deploy overseas public health specialists and veterinarians to detect a virus in its early stages. We need to provide more international assistance to countries least able to defend themselves. At the same time, DHS should develop sophisticated response plans to maintain critical services, such as water, power, transportation, and medical and financial services, in the event a pandemic forces the Nation to adopt a quarantine strategy.

The U.S. Centers for Disease Control, CDC, has established a global disease protection program, and DHS has created a new Office of Health Affairs that will bring together medical readiness and biological defense activities, including BioWatch. However, I remain concerned about the level of coordination between these and other domestic actors regarding pandemic planning. As chairman of the Subcommittee on Government Management, the Federal Workforce and the District of Columbia under the Committee on Homeland Security and Government Affairs, I hope to address this and other issues related to pandemic planning and response so that the United States is prepared for any natural or manmade attack, including a pandemic flu.

The mutation of avian influenza, a zoonotic disease that originated in birds but has since been transmitted to humans, is a high-profile reminder that we cannot cease our efforts to prepare for and respond to health crises. Since the H5N1 strain of bird flu was first detected in 1997, the threat has not abated. Of the 291 confirmed cases of bird flu reported to the WHO since that time, more than half, 171, have resulted in death. While these numbers may not seem large or significant, they are a warning signal that avian flu has mutated and continues to spread. As it does, it adapts and can become even more deadly. In our interdependent and highly mobile world, we are never immune and, as such, we cannot be complacent.

For example, my home State of Hawaii lies at the crossroads between Asia and the continental United States. Nearly 2 million people visit Hawaii every year from Asia. Given the large number of confirmed cases of avian influenza in Asia, it is easy to understand why Hawaii continues to take bird flu and pandemic planning very seriously. Unfortunately, this disease shows no signs of abating. According to the World Health Organization, just this month, the Cambodian Ministry of Health confirmed the country's seventh case of human infection with the H5N1 avian influenza virus. It is the first case to be confirmed in humans in Cambodia in 2007. On April 7, avian flu claimed the life of a 74th victim in Indonesia, while on April 11, Egypt confirmed the death of a 15-year-old girl in Cairo, its 14th victim from avian flu.

But we must also remember that pandemic flu is not the only risk to human health. To coincide with World Health Day 2007, the WHO released a report entitled ''Invest in Health, Build a Safer Future.'' In it, the WHO lists eight key issues linked to international health security. Highly contagious diseases is certainly one of those issues, but also included are the threat of chemical, radioactive, and biological terror threats, the threat of public health dangers on economic stability, and building health security, to include a framework for collaboration laid out by the International Health Regulations, IHRs, and a number of surveillance networks that can provide an early-warning and response system.

I commend the WHO for its ongoing efforts to raise awareness of the need to work toward international health security and to continue to address the threat of highly contagious disease, chemical, biological, and radiological terrorism, and the economic impact of pandemic disease. Global health is no longer just a matter of ensuring the vitality, economic stability, and environments of the United States and countries around the world. It is about security. It is about homeland security. In commemorating World Health Day 2007, WHO Director General Margaret Chan put a fine point on this notion by stating that, ''A foreign agent that invades a sovereign territory, evades detection, kills civilians and disrupts the economy is a security threat by most definitions . . . . The best defense against emerging and epidemic-prone diseases is not passive barriers at borders, airports and seaports. It is proactive risk management that seeks to detect an outbreak early and stop it at its source.'' Through a continuing focus on an all-hazards approach, a more comprehensive approach to defending our homeland, we can help mitigate the universal vulnerability the United States and other countries face against large-scale health catastrophes.

## ADDITIONAL STATEMENTS

### WINNING THE MASTERS

ZACH JOHNSON'S TRIUMPH

• Mr. HARKIN. Mr. President, recently, in a magnificent display of talent, skill, and old-fashioned Iowa grit, Zach Johnson won the Master's Golf Tournament in Augusta, GA.

The new Master's champ had this to say: ''I'm Zach Johnson and I'm from Cedar Rapids, IA. I'm a normal guy.''

Well, Zach Johnson may be a normal guy. But he clearly has an extraordinary ability to play the game of golf.

You might say that Zach Johnson is an overnight success that was a lifetime in the making. His golfing career has progressed steadily from his childhood on courses in Cedar Rapids, to college play at Drake University in Des Moines, followed by professional play in the Prairie Gold Tour, the Nationwide Tour, the PGA Tour, the U.S. Ryder Cup team, and, now, champion of Master's.

Obviously, there are many qualities that go into winning such a challenging tournament against the world's top players. It takes talent and skill. But it also takes intelligence and character. Zach Johnson is abundantly endowed in all of these departments.

Of course, Iowans are ecstatic about Zach's victory. And more than one Iowan has noted that his performance reflected the values we hold dear in the Hawkeye State. He was persistent and relentless. He didn't go for a flashy style of play; it was just steady-as-she-goes, day after day, tee after tee. He refused to yield. He met every challenge. Oh, and his strong putting skills didn't hurt, either.

For the record, I would note that Zach Johnson won not only one of the most difficult golf tournaments in the world, but also quite possibly one of the most difficult of all Master's tournaments in history. He braved gusting winds and bitterly cold weather. His winning score of one-over-par 289 tied the highest winning score in Master's history.

Zach Johnson has done Iowa proud. He is the first Iowan to win a major professional golf tournament since Jack Fleck upset Ben Hogan at the 1955 U.S. Open. I salute his great achievement at Augusta. And I wish him continued success in tournaments, and years, to come.•

## MESSAGES FROM THE HOUSE

At 11:45 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1905. An act to provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives, and for other purposes.

The message also announced that the House disagrees to the amendment of the Senate to the bill (H.R. 1591) making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes; and agrees to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and appoints the following as managers of the conference on the part of the House: Mr. OBEY, Ms. DELAURO, Mr. MURTHA, Mr. VISCLOSKY, Mrs. LOWEY, Mr. PRICE of North Carolina, Mr. DICKS, Mr. EDWARDS, Mr. MOLLOHAN, Mr. OLVER, Mr. SERRANO, MS. WASSERRMAN SCHULTZ, Mr. CLYBURN, MR. LEWIS of California, Mr. YOUNG of Florida, Mr. ROGERS of Kentucky, Mr. WOLF, Mr. WALSH, Mr. HOBSON, Mr. KNOLLENBERG, Mr. KINGSTON, Mr. FRELINGHUYSEN, and Mr. WICKER.

## ENROLLED BILLS SIGNED

At 1:25 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 137. An act to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

H.R. 727. An act to amend the Public Health Service Act to add requirements regarding trauma care, and for other purposes.

H.R. 753. An act to redesignate the Federal building located at 167 North Main Street in Memphis, Tennessee, as the ''Clifford Davis and Odell Horton Federal Building''.

## MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1905. An act to provide for the treatment of the District of Columbia as a Congressional district for purposes of representation in the House of Representatives, and for other purposes; to the Committee on Finance.

## 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 Mr. AKAKA (for himself, Mr. DURBIN, Mr. LEAHY, and Mr. SCHUMER):

S. 1176. A bill to require enhanced disclosure to consumers regarding the consequences of making only minimum required payments in the repayment of credit card debt, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARPER (for himself, Mr. SUNUNU, Mr. GREGG, Mr. DODD, Mrs. FEINSTEIN, Mrs. LINCOLN, Mr. LIEBERMAN, and Ms. COLLINS):

S. 1177. A bill to amend the Clean Air Act to establish a national uniform multiple air pollutant regulatory program for the electric generating sector; to the Committee on Environment and Public Works.

By Mr. INOUYE (for himself, Mr. STEVENS, Mr. PRYOR, and Mr. SMITH):

S. 1178. A bill to strengthen data protection and safeguards, require data breach notification, and further prevent identity theft; to the Committee on Commerce, Science, and Transportation.

By Mr. CASEY:

S. 1179. A bill to amend the Internal Revenue Code of 1986 to extend the financing for Superfund for purposes of cleanup activities with respect to those Superfund sites for which removal and remedial action is estimated to cost more than $50,000,000, and for other purposes; to the Committee on Finance.

By Ms. LANDRIEU:

S. 1180. A bill to amend the Internal Revenue Code of 1986 to extend the placed-in-service date requirement for low-income housing credit buildings in the Gulf Opportunity Zone, and for other purposes; to the Committee on Finance.

By Mr. OBAMA:

S. 1181. A bill to amend the Securities Exchange Act of 1934 to provide shareholders with an advisory vote on executive compensation; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. DODD (for himself, Mr. LIEBERMAN, Mr. KERRY, and Mr. KENNEDY):

S. 1182. A bill to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to increase the authorization of appropriations and modify the date on which the authority of the Secretary of the Interior terminates under the Act; to the Committee on Energy and Natural Resources.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. LEAHY (for himself, Mr. SPECTER, Mr. BIDEN, Mr. GRASSLEY, Mr. CORNYN, Ms. STABENOW, Mr. REID, Mr. DURBIN, and Mr. MENENDEZ):

S. Res. 162. A resolution commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers; to the Committee on the Judiciary.

By Mr. DODD (for himself, Mr. ALEXANDER, Mrs. BOXER, Mr. DURBIN, Ms. CANTWELL, Mr. COLEMAN, Mr. LEVIN, Mr. BAYH, Mr. BENNETT, Mr. SCHUMER, Mr. DOMENICI, Mrs. CLINTON, Mr. HATCH, Mr. SALAZAR, and Mr. LIEBERMAN):

S. Res. 163. A resolution designating the third week of April 2007 as ''National Shaken Baby Syndrome Awareness Week''; considered and agreed to.

By Mr. SALAZAR (for himself, Mr. ALEXANDER, Mr. DODD, Mr. BURR, Mr. LEVIN, Mr. COLEMAN, Mr. COCHRAN, Ms. COLLINS, Mrs. CLINTON, Mr. CORKER, Mrs. MURRAY, Mr. AKAKA, Mr. CONRAD, and Mrs. LINCOLN):

S. Res. 164. A resolution designating the week beginning April 22, 2007, as ''Week of the Young Child''; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 21

At the request of Mr. REID, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 21, a bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce abortions, and improve access to women's health care.

S. 24

At the request of Mrs. BOXER, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 24, a bill to amend the Safe Drinking Water Act to require a health advisory and monitoring of drinking water for perchlorate.

S. 98

At the request of Mr. KERRY, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 98, a bill to foster the development of minority-owned small businesses.

S. 185

At the request of Mr. SPECTER, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 185, a bill to restore habeas corpus for those detained by the United States.

S. 206

At the request of Mrs. FEINSTEIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 206, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 326

At the request of Mrs. LINCOLN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 326, a bill to amend the Internal Revenue Code of 1986 to provide a special period of limitation when uniformed services retirement pay is reduced as result of award of disability compensation.

S. 380

At the request of Mr. WYDEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 380, a bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes.

S. 392

At the request of Mr. BIDEN, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. 392, a bill to ensure payment of United States assessments for United Nations peacekeeping operations for the 2005 through 2008 time period.

S. 573

At the request of Ms. STABENOW, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 573, a bill to amend the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 638

At the request of Mr. ROBERTS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 638, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 761

At the request of Mr. REID, the names of the Senator from Iowa (Mr. HARKIN), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of S. 761, a bill to invest in innovation and education to improve the competitiveness of the United States in the global economy.

S. 773

At the request of Mr. WARNER, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 773, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 777

At the request of Mr. CRAIG, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 777, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 803

At the request of Mr. ROCKEFELLER, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 803, a bill to repeal a provision enacted to end Federal matching of State spending of child support incentive payments.

S. 831

At the request of Mr. DURBIN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 831, a bill to authorize States and local governments to prohibit the investment of State assets in any company that has a qualifying business relationship with Sudan.

S. 860

At the request of Mrs. CLINTON, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 860, 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. 871

At the request of Mr. LIEBERMAN, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 871, a bill to establish and provide for the treatment of Individual Development Accounts, and for other purposes.

S. 935

At the request of Mr. NELSON of Florida, the names of the Senator from California (Mrs. BOXER) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 935, a bill to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 970

At the request of Mr. SMITH, the name of the Senator from Hawaii (Mr. INOUYE) was added as a cosponsor of S. 970, a bill to impose sanctions on Iran and on other countries for assisting Iran in developing a nuclear program, and for other purposes.

S. 991

At the request of Mr. DURBIN, the names of the Senator from Florida (Mr. MARTINEZ) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 991, a bill to establish the Senator Paul Simon Study Abroad Foundation under the authorities of the Mutual Educational and Cultural Exchange Act of 1961.

S. 992

At the request of Mrs. BOXER, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 992, a bill to achieve emission reductions and cost savings through accelerated use of cost-effective lighting technologies in public buildings, and for other purposes.

S. 1017

At the request of Mr. ENZI, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1017, a bill to amend the Packers and Stockyards Act, 1921, to prohibit the use of certain anti-competitive forward contracts.

S. 1038

At the request of Mr. CORNYN, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 1038, a bill to amend the Internal Revenue Code of 1986 to expand workplace health incentives by equalizing the tax consequences of employee athletic facility use.

S. 1042

At the request of Mr. ENZI, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1042, a bill to amend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 1128

At the request of Mr. DODD, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1128, a bill to amend the National and Community Service Act of 1990 to establish a Summer of Service State grant program, a Summer of Service national direct grant program, and related national activities, and for other purposes.

S. 1154

At the request of Mr. NELSON of Nebraska, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1154, a bill to promote biogas production, and for other purposes.

S. 1155

At the request of Mr. DORGAN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1155, a bill to treat payments under the Conservation Reserve Program as rentals from real estate.

S. 1156

At the request of Mr. DODD, the name of the Senator from Rhode Island (Mr.

REED) was added as a cosponsor of S. 1156, a bill to amend the Federal Food, Drug, and Cosmetic Act to reauthorize the Best Pharmaceuticals for Children program.

S. 1160

At the request of Ms. STABENOW, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1160, a bill to ensure an abundant and affordable supply of highly nutritious fruits, vegetables, and other specialty crops for American consumers and international markets by enhancing the competitiveness of United States-grown specialty crops.

S. 1168

At the request of Mr. ALEXANDER, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1168, a bill to amend the Clean Air Act to establish a regulatory program for sulfur dioxide, nitrogen oxides, mercury, and carbon dioxide emissions from the electric generating sector.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. AKAKA (for himself, Mr. DURBIN, Mr. LEAHY, and Mr. SCHUMER):

S. 1176. A bill to require enhanced disclosure to consumers regarding the consequences of making only minimum required payments in the repayment of credit card debt, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. AKAKA. Mr. President, today, I am introducing the Credit Card Minimum Payment Warning Act. I thank Senators DURBIN, LEAHY, and SCHUMER for cosponsoring this legislation.

Too many consumers in our country are burdened by significant credit card debt. Revolving debt, mostly comprised of credit card debt, has risen from $54 billion in 1980 to more than $883 billion in 2007.

We must make consumers more aware of the long-term effects of their financial decisions, particularly in managing credit card debt. While it is relatively easy to obtain credit, especially on college campuses, not enough is being done to ensure that credit is properly managed. Currently, credit card statements fail to include vital information that would allow individuals to make fully informed financial decisions. Additional disclosure is needed to ensure that consumers completely understand the implications of their credit card use and the costs of only making the minimum payments.

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 included a requirement that credit card issuers provide information to consumers about the consequences of only making the minimum monthly payment. However, this requirement fails to provide the detailed information on billing statements that consumers need to know to make informed decisions. The bankruptcy law allows credit card issuers a choice between disclosure statements. The first option included in the bankruptcy bill would require a standard ''Minimum Payment Warning.'' The generic warning would state that it would take 88 months to pay off a balance of $1,000 for bank card holders or 24 months to pay off a balance of $300 for retail card holders. This first option also includes a requirement that a toll-free number be established that would provide an estimate of the time it would take to pay off the customer's balance. The Federal Reserve Board is required to establish the table that would estimate the approximate number of months it would take to pay off a variety of account balances.

There is a second option that the law permits. The second option allows the credit card issuer to provide a general minimum payment warning and provide a toll-free number that consumers could call for the actual number of months to repay the outstanding balance.

The options available under the Bankruptcy Reform law are woefully inadequate. They do not require issuers to provide their customers with the total amount they would pay in interest and principal if they chose to pay off their balance at the minimum rate. Since the average household with debt carries a balance of approximately $10,000 to $12,000 in revolving debt, a warning based on a balance of $1,000 will not be helpful. The minimum payment warning included in the first option underestimates the costs of paying a balance off at the minimum payment. If a family has a credit card debt of $10,000, and the interest rate is a modest 12.4 percent, it would take more than ten and a half years to pay off the balance while making minimum monthly payments of four percent.

My legislation would make it very clear what costs consumers will incur if they make only the minimum payments on their credit cards. If the Credit Card Minimum Payment Warning Act is enacted, the personalized information consumers would receive for their accounts would help them make informed choices about their payments toward reducing outstanding debt.

My bill requires a minimum payment warning notification on monthly statements stating that making the minimum payment will increase the amount of interest that will be paid and extend the amount of time it will take to repay the outstanding balance. The legislation also requires companies to inform consumers of how many years and months it will take to repay their entire balance if they make only minimum payments. In addition, the total cost in interest and principal, if the consumer pays only the minimum payment, would have to be disclosed. These provisions will make individuals much more aware of the true costs of their credit card debt. The bill also requires that credit card companies provide useful information so that people can develop strategies to free themselves of credit card debt. Consumers would have to be provided with the amount they need to pay to eliminate their outstanding balance within 36 months.

Finally, the legislation requires that creditors establish a toll-free number so that consumers can access trustworthy credit counselors. In order to ensure that consumers are referred only to trustworthy credit counseling organizations, these agencies would have to be approved by the Federal Trade Commission and the Federal Reserve Board as having met comprehensive quality standards. These standards are necessary because certain credit counseling agencies have abused their nonprofit, tax-exempt status and taken advantage of people seeking assistance in managing their debt.

In a report on customized minimum payment disclosures released in April 2006, the Government Accountability Office (GAO) found that consumers who typically carry credit balances found customized disclosures very useful and would prefer to receive them in their billing statements.

We must provide consumers with detailed personalized information to assist them in making better informed choices about their credit card use and repayment. Our bill makes clear the adverse consequences of uninformed choices, such as making only minimum payments, and provides opportunities to locate assistance to better manage credit card debt.

My bill is necessary to improve credit card disclosures so that consumers are provided relevant and useful information that hopefully will bring about positive behavior change among consumers. Consumers with lower debt levels will be better able to purchase a home, pay for their child's education, or retire comfortably on their own terms.

I will ask that a letter of support from the Consumer Federation of America, the Center for Responsible Lending, Consumer Action, Consumers Union, Demos, the National Association of Consumer Advocates, U.S. Public Interest Research Group, the National Council of La Raza, and the National Consumer Law Center be printed in the RECORD.

I will also ask that the text of the Credit Card Minimum Payment Warning Act be printed in the RECORD.

I urge my colleagues to support this important legislation that will empower consumers by providing them with detailed personalized information to assist them in making informed choices about their credit card use and repayment. This bill makes clear the adverse consequences of uninformed choices such as making only minimum payments and provides opportunities to locate assistance to reduce credit card debt.

Mr. President, I ask unanimous consent that the aforementioned materials be printed in the RECORD.

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

APRIL 17, 2007.

Hon. DANIEL K. AKAKA,
*U.S. Senate,*
*Washington, D.C. 20510*

DEAR SENATOR AKAKA: The undersigned national consumer and civil rights organizations write to strongly support the Credit Card Minimum Payment Warning Act. The Act would require credit card issuers to disclose more information to consumers about the costs associated with paying their bills at ever-declining minimum payment rates. The Act provides a personalized ''price tag'' so consumers can understand the real costs of credit card debt and avoid financial problems in the future.

Undisputed evidence links the rise in bankruptcy in recent years to the increase in consumer credit outstanding. These numbers have moved in lockstep for more than 20 years. Revolving credit, for example (most of which is credit card debt) ballooned from $214 billion in January 1990 to $873 billion currently. As family debt increases, debt service payments on items such as interest and late fees take an ever-increasing piece of their budget. For some families, this contributes to the collapse of their budget. Bankruptcy becomes the only way out.

Credit card issuers have exacerbated the financial problems that many families have faced by lowering minimum payment amounts. This decline in the typical minimum payment is a significant reason for the rise in consumer bankruptcies in recent years. A low minimum payment often barely covers interest obligations. It convinces many borrowers that they are financially sound as long as they can meet all of their minimum payment obligations. However, those who cannot afford to make these payments often carry so much debt that bankruptcy is usually the only viable option.

This bill will provide consumers several crucial pieces of information on their monthly credit card statement: A ''minimum payment warning'' that paying at the minimum rate will increase the amount of interest that is owed and the time it will take to repay the balance; The number of years and months that it will take the consumer to pay off the balance at the minimum rate; The total costs in interest and principal if the consumer pays at the minimum rate; The monthly payment that would be required to pay the balance off in 3 years.

The bill also requires that credit card companies provide a toll-free number that consumers can call to receive information about credit counseling and debt management assistance. In order to assure that consumers are referred to honest, legitimate non-profit credit counselors, the bill requires the Federal Reserve to screen these agencies to ensure that they meet rigorous quality standards.

Our groups commend you for offering this very important and long-overdue piece of legislation. It provides the kind of personalized, timely disclosure information that will help debt-choked families make informed decisions and, with the help of additional protections against abusive credit card lending, start to work their way back to financial health.

For more information, please contact Travis Plunkett at the Consumer Federation of America at 202–387–6121.

Sincerely,

Travis B. Plunkett, Legislative Director, Consumer Federation of America; Gail Hillebrand, Senior Attorney, Consumers Union; Cindy Zeldin, Federal Affairs Coordinator, Economic Opportunity Program, Demos: A Network for Ideas & Action; Kim Warden, Vice President, Federal Affairs, Center for Responsible Lending; Alys Cohen, Staff Attorney, National Consumer Law Center; Edmund Mierzwinski, Consumer Programs Director, U.S. Public Interest Research Group; Linda Sherry, Director, National Priorities, Consumer Action; Ira Rheingold, Executive Director, National Association of Consumer Advocates; Beatriz Ibarra, Assets Policy Analyst, National Council of La Raza.

---

S. 1176

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Credit Card Minimum Payment Warning Act of 2007''.

**SEC. 2. ENHANCED CONSUMER DISCLOSURES REGARDING MINIMUM PAYMENTS.**

Section 127(b) of the Truth in Lending Act (15 U.S.C. 1637(b)) is amended by adding at the end the following:

''(11)(A) Information regarding repayment of the outstanding balance of the consumer under the account, appearing in conspicuous type on the front of the first page of each such billing statement, and accompanied by an appropriate explanation, containing—

''(i) the words 'Minimum Payment Warning: Making only the minimum payment will increase the amount of interest that you pay and the time it will take to repay your outstanding balance.';

''(ii) the number of years and months (rounded to the nearest month) that it would take for the consumer to pay the entire amount of that balance, if the consumer pays only the required minimum monthly payments;

''(iii) the total cost to the consumer, shown as the sum of all principal and interest payments, and a breakdown of the total costs in interest and principal, of paying that balance in full if the consumer pays only the required minimum monthly payments, and if no further advances are made;

''(iv) the monthly payment amount that would be required for the consumer to eliminate the outstanding balance in 36 months if no further advances are made; and

''(v) a toll-free telephone number at which the consumer may receive information about accessing credit counseling and debt management services.

''(B)(i) Subject to clause (ii), in making the disclosures under subparagraph (A) the creditor shall apply the interest rate in effect on the date on which the disclosure is made.

''(ii) If the interest rate in effect on the date on which the disclosure is made is a temporary rate that will change under a contractual provision specifying a subsequent interest rate or applying an index or formula for subsequent interest rate adjustment, the creditor shall apply the interest rate in effect on the date on which the disclosure is made for as long as that interest rate will apply under that contractual provision, and then shall apply the adjusted interest rate, as specified in the contract. If the contract applies a formula that uses an index that varies over time, the value of such index on the date on which the disclosure is made shall be used in the application of the formula.''.

**SEC. 3. ACCESS TO CREDIT COUNSELING AND DEBT MANAGEMENT INFORMATION.**

(a) GUIDELINES REQUIRED.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Board of Governors of the Federal Reserve System and the Federal Trade Commission (in this section referred to as the ''Board'' and the ''Commission'', respectively) shall jointly, by rule, regulation, or order, issue guidelines for the establishment and maintenance by creditors of a toll-free telephone number for purposes of the disclosures required under section 127(b)(11) of the Truth in Lending Act, as added by this Act.

(2) APPROVED AGENCIES.—Guidelines issued under this subsection shall ensure that referrals provided by the toll-free number include only those agencies approved by the Board and the Commission as meeting the criteria under this section.

(b) CRITERIA.—The Board and the Commission shall only approve a nonprofit budget and credit counseling agency for purposes of this section that—

(1) demonstrates that it will provide qualified counselors, maintain adequate provision for safekeeping and payment of client funds, provide adequate counseling with respect to client credit problems, and deal responsibly and effectively with other matters relating to the quality, effectiveness, and financial security of the services it provides;

(2) at a minimum—

(A) is registered as a nonprofit entity under section 501(c) of the Internal Revenue Code of 1986;

(B) has a board of directors, the majority of the members of which—

(i) are not employed by such agency; and

(ii) will not directly or indirectly benefit financially from the outcome of the counseling services provided by such agency;

(C) if a fee is charged for counseling services, charges a reasonable and fair fee, and provides services without regard to ability to pay the fee;

(D) provides for safekeeping and payment of client funds, including an annual audit of the trust accounts and appropriate employee bonding;

(E) provides full disclosures to clients, including funding sources, counselor qualifications, possible impact on credit reports, any costs of such program that will be paid by the client, and how such costs will be paid;

(F) provides adequate counseling with respect to the credit problems of the client, including an analysis of the current financial condition of the client, factors that caused such financial condition, and how such client can develop a plan to respond to the problems without incurring negative amortization of debt;

(G) provides trained counselors who—

(i) receive no commissions or bonuses based on the outcome of the counseling services provided;

(ii) have adequate experience; and

(iii) have been adequately trained to provide counseling services to individuals in financial difficulty, including the matters described in subparagraph (F);

(H) demonstrates adequate experience and background in providing credit counseling;

(I) has adequate financial resources to provide continuing support services for budgeting plans over the life of any repayment plan; and

(J) is accredited by an independent, nationally recognized accrediting organization.

---

By Mr. INOUYE (for himself, Mr. STEVENS, Mr. PRYOR, and Mr. SMITH):

S. 1178. A bill to strengthen data protection and safeguards, require data breach notification, and further prevent identity theft; to the Committee on Commerce, Science, and Transportation.

Mr. INOUYE. Mr. President, I rise today to introduce the Identity Theft

Prevention Act of 2007 with my colleagues Senator STEVENS and Senator PRYOR to protect Americans from identity theft.

The recent breaches of security that led to the loss of sensitive personal information remind all of us how vulnerable we are to thieves stealing our identity for criminal purposes. Identity theft is a growing threat to our personal security that must be met with new tactics and new laws in the information age.

We in the Congress and every consumer in America have seen the evolution of identity theft. The moment of greatest awareness was in February 2005 when ChoicePoint notified more than 145,000 people that their personal data had been accessed by unauthorized persons who used some of the information for identity theft. ChoicePoint was required to make these contacts under the California notification law, but this incident had nationwide effects. Since then, a number of data brokers, banks, universities and other entities that hold personal information have notified individuals that their personal information may have been compromised. The last major breach was made public in January 2007, when T.J. Maxx announced it had discovered a breach in the security of its customer payment data. As a result of hacker activity starting in 2005, information on more than 45 million credit and debit cards had been stolen.

The need to address this problem is long overdue. Every business that collects and stores sensitive personal information must ensure that the information is safeguarded. If a security breach occurs and the information could be used for identity theft, every affected consumer needs to be notified as soon as possible so they can best protect themselves and their families. The Identity Theft Prevention Act provides the Federal Trade Commission new enforcement tools to ensure businesses that hold a consumer's sensitive personal information use vigorous safeguards to prevent breaches from happening. The Act also requires businesses to appropriately notify consumers if their information is improperly released and could lead to identity theft. In addition, the Identity Theft Prevention Act provides consumers the ability to place a security freeze on their credit reports, so if they choose, they can eliminate the worry and the impact of an identity thief opening new lines of credit from stolen information.

Americans have demanded better protection for their sensitive personal information, and it is imperative that we respond to these demands effectively and expeditiously. I look forward to working with the other Members of the Senate to move this legislation forward.

---

By Mr. CASEY:

S. 1179. A bill to amend the Internal Revenue Code of 1986 to extend the financing for Superfund for purposes of cleanup activities with respect to those Superfund sites for which removal and remedial action is estimated to cost more than $50,000,000, and for other purposes; to the Committee on Finance.

Mr. CASEY. Mr. President, this Sunday we will celebrate Earth Day, a day when we should reaffirm our commitment to a clean, safe, and healthy environment for our children and future generations.

We have made a considerable amount of progress since Senator Gaylord Nelson established the first Earth Day thirty-seven years ago. We implemented the Clean Water Act and the Clean Air Act, both landmark bills that have made our beautiful country a cleaner place to live. We no longer have rivers so massively polluted they actually catch fire and burn. We no longer have unchecked amounts of toxic pollutants being pumped into the air we breathe. We should be proud of these accomplishments because they show us that we can pass meaningful and effective laws to protect the environment and public health without sacrificing our economy and economic productivity.

We still have serious threats to the safety and health of our environment. Obviously global climate change tops that list of threats. No other single issue has the potential to devastate our future and change the entire world so completely. We have an opportunity, if we get smart and take serious actions, to stop the cataclysmic changes that are just around the corner for this planet. The time to act is now. And I mean right now. Every year that we delay enacting a strong bill that forces us to make mandatory reductions to our carbon emissions the cost goes up. We simply cannot afford to wait. We cannot afford the cost of tackling an ever increasing carbon problem in future years. And we certainly cannot afford the long-term implications of climate change like rising sea levels that will displace large centers of population, droughts that will dramatically reduce fresh drinking water, and major storms like those that have hit the Gulf Coast and Atlantic seaboard over the past few years.

Climate change is certainly the most pressing environmental issue facing us today. But we should not forget about other important issues facing our constituents. Reducing mercury and other air pollutants, reducing pollution of our rivers and streams, preserving open space and stopping urban sprawl, increasing investments in renewable and alternative energy sources, establishing higher fuel efficiency standards, and reducing the number of unremediated Superfund sites continue to be top priorities for me.

For this reason and in honor of Earth Day, today I am introducing the Superfund Equity and Megasite Remediation Act of 2007. This legislation reinstates the polluter-pays tax that funds clean up of Superfund sites. In addition, my bill ramps up the tax for limited 5-year period in order to create a fund to clean up megasites, which cost more than $50 million each to remediate.

I know that Senator BOXER, the Chairman of the Environment and Public Works Committee, has been a longtime advocate for reinstating the polluter-pays principle in federal hazardous waste cleanup law. I look forward to working with her and all of my colleagues on the Environment Committee and the Finance Committee to make sure that we have a Superfund program that cleans up the polluted sites that blight our communities and prevent development and reuse, and does so in a way that polluters foot the bill, and not taxpayers. I urge all of my colleagues to join me in support of this bill, and do the right thing for our local towns on Earth Day.

---

By Ms. LANDRIEU:

S. 1180. A bill to amend the Internal Revenue Code of 1986 to extend the placed-in-service date requirement for low-income housing credit buildings in the Gulf Opportunity Zone, and for other purposes; to the Committee on Finance.

Ms. LANDRIEU. Mr. President, as the gulf coast recovers from Katrina and Rita, rebuilding our housing remains the key to our recovery. I have talked about this issue on this floor before. We need housing so that our citizens have a place to live while they rebuild our businesses, restore our infrastructure, and renew our communities. Congress and the President responded by making billions of dollars available to us and we are grateful for this assistance.

I am proud to say that this assistance is working. Every time I go home I see signs of improvement. They are often small: a gas station or a store reopening on a corner; children playing on a street where no one lived only a few months before. I wish I could say that these signs are everywhere, but they are not. Some parts of New Orleans are doing well, some are not. We knew from the start that recovery would take longer in some areas than in others; and we all knew that nothing would happen overnight.

America has never rebuilt a city of 500,000 people before. Our experience in Louisiana and in the Gulf has taught us some valuable lessons about postcatastrophe rebuilding and recovery. We have learned about the shortcomings of government programs at FEMA, the Small Business Administration, and other agencies. In responding to Katrina they used the systems that worked great for smaller disasters, but were woefully inadequate for larger ones. For future megacatastrophes we now understand that it may take government programs several months to ramp up before they are in a position to distribute assistance.

One of the key lessons we have learned from this catastrophe has been the affect of such massive destruction

and displacement on the supply and the costs of labor and building materials, and the impact these have on how long it takes to rebuild. New Orleans, for example, is about half the population it used to be. We do not have enough workers in building and contracting to meet the huge demand we have for this work. As a result, it may take several months to get building started. Developers are also having difficulty getting insurance and the infrastructure in many areas is still heavily damaged.

This timing delay means that Congress will have to reexamine the policies that we have enacted to help rebuild the Gulf region in order to ensure that they are meeting the new kinds of disaster recovery challenges Katrina and Rita have posed. The Gulf Opportunity Zone Act of 2005 was one of the major pieces of legislation that we passed. The GO Zone Act provided important tax incentives to encourage investment in businesses and housing in the Gulf.

To help ensure that we can rebuild our housing, GO Zone Act increased the state's allocation of Low Income Housing Tax Credits, LIHTC. These credits finance affordable and mixed income housing. Under the GO Zone Act, any housing developed with these tax credits must be built and operating by December 31, 2008. The statute refers to this as the ''placed in service'' date. This date is consistent with the normal LIHTC program guidelines that require tax credit housing developments to be placed in service within 2 years of allocation.

The Louisiana Housing Finance Agency, LHFA, reports that there was a great demand for these GO Zone credits. For the credits allocated in 2006, the LHFA received 266 applications from developers for more than $253 million. But it only funded 102 projects with $56.9 million in tax credits.

For 2007 and 2008, however, the State received far fewer applications. The reason for this is because of the placed-in-service date. Because of the labor shortage, increased costs, and lack of insurance that we are facing in the Gulf, developers are not sure whether they can get their projects placed in service by the end of 2008. Yet there is still a huge need for the housing that these credits will fund.

The placed-in-service date is also raising new concerns. I have heard from a number of organizations that already received tax credit allocations before 2006 who are concerned that they will not be able to get their developments placed in service by the end of 2008. The LHFA estimates that 65 percent of the affordable housing units under development in New Orleans, roughly 11,050 units, will not make the deadline to be available for rent by the end of 2008. In the surrounding parishes, home sales prices have literally hit the roof meaning working and middle-income families cannot reasonably justify living in the area that they still call home, 19 months since the storm. Again, the culprit is the shortages and increased costs that I mentioned before. Some developers have even told me that they face losing credits that had been allocated to them before the storm because building has been delayed in the region. Since Katrina, rental prices have increased by 39 percent.

Today, I am introducing legislation that will help to ensure that these housing tax credits are available so that we can continue the road to recovery. The Workforce Housing for the GO Zone Act of 2007 will extend the placed-in-service date for the GO Zone Low Income Housing Tax Credit by an additional 2 years. This will allow developers to make full use of the credits that are available to build affordable housing in the Gulf Coast.

Another critical provision lets GO Zone low-income housing projects receive additional federally subsidized loans without losing tax credits. The Low Income Housing Tax Credit provisions included in this bill further assist our people to return home. These credits are competitively awarded to qualified developers and subject to constant oversight by the State housing authority to make sure that only quality affordable housing is being constructed. The citizens of the gulf coast are ready to go back home, and this legislation helps get them there.

I ask unanimous consent that a copy of the legislation be printed in the RECORD.

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

S. 1180

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Workforce Housing Construction for the GO Zone Act of 2007''.

**SEC. 2. EXTENSION OF PLACED-IN-SERVICE DATE REQUIREMENT FOR LOW-INCOME HOUSING CREDIT BUILDINGS IN GULF OPPORTUNITY ZONE.**

Section 1400N(c) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''or 2008'' in paragraph (3)(A) and inserting ''2008, 2009, or 2010'',

(2) by striking ''during such period'' in paragraph (3)(B)(ii) and inserting ''during the period described in subparagraph (A)'', and

(3) by striking ''or 2008'' in paragraph (4)(A) and inserting ''2008, 2009, or 2010''.

**SEC. 3. PRESERVATION OF PREVIOUS LOW-INCOME HOUSING CREDIT BUILDINGS IN GULF OPPORTUNITY ZONE.**

(a) IN GENERAL.—If an owner of a qualified low-income building (as defined in section 42(c)(2) of the Internal Revenue Code of 1986) located in the GO Zone (as defined in section 1400M(1) of such Code) in the second taxable year or later of the credit period (as defined in section 42(f)(1) of such Code) for such building—

(1) suffers a reduction in the qualified basis (as determined under section 42(b)(1) of such Code) of such building (hereinafter referred to as the ''lost qualified basis'') as a result of a disaster that caused the President to issue a major disaster declaration as a result of Hurricanes Katrina and Rita, but under subsection (j)(4)(E) of section 42 of such Code avoids recapture or loss of low-income housing credits previously allowed under such section with respect to such building (hereinafter referred to as the ''existing credits'') by restoring the lost qualified basis by reconstruction, replacement, or rehabilitation within a reasonable period established by the Secretary of the Treasury, and

(2) obtains an allocation of additional low-income housing credits under such section to fund, in whole or in part, the reconstruction, replacement, or rehabilitation of such building (hereinafter referred to as the ''new credits''),

then the qualified basis of such building for purposes of determining the new credits shall equal the excess (if any) of such building's qualified basis as of the close of the first taxable year of the credit period (as so defined) with respect to the new credits (assuming such reconstruction, replacement, or rehabilitation expenditures meet the requirements for treatment as a separate new building), over such building's qualified basis with respect to the existing credits as determined immediately prior to the disaster referred to in paragraph (1).

(b) SPECIAL RULE FOR TIME FOR MAKING ALLOCATIONS OF CREDITS.—For purposes of section 42(h)(1)(E)(ii) of the Internal Revenue Code of 1986, buildings described in subsection (a) shall be deemed to be qualified buildings.

(c) AVOIDANCE OF RECAPTURE OF CREDIT.—For purposes of section 42(j)(4)(E) of the Internal Revenue Code of 1986, qualified low-income housing projects (as defined in section 42(g)(1) of such Code) suffering casualty as a result of a disaster that caused the President to issue a major disaster declaration for the Go Zone (as defined in section 1400M(1))shall be deemed to have restored any casualty loss by reconstruction or replacement within a reasonable period if such loss is restored before January 1, 2011.

**SEC. 4. CREDIT ALLOWABLE FOR CERTAIN BUILDINGS ACQUIRED DURING 10-YEAR PERIOD IN THE KATRINA, RITA, AND WILMA DISASTER AREAS.**

Section 1400N(c) of the Internal Revenue Code of 1986 is amended by redesignating paragraph (5) as paragraph (6) and by inserting after paragraph (4) the following new paragraph:

''(5) CREDIT ALLOWABLE FOR BUILDINGS ACQUIRED DURING 10-YEAR PERIOD.—A waiver may be granted under section 42(d)(6)(A) (without regard to any clause thereof) with respect to any building in the Gulf Opportunity Zone, the Rita GO Zone, or the Wilma GO Zone.''.

**SEC. 5. INCLUSION OF BASIS OF PROPERTY FOR MIXED INCOME HOUSING IN KATRINA, RITA, AND WILMA DISASTER AREAS.**

Section 1400N(c) of the Internal Revenue Code of 1986, as amended by this Act, is amended by redesignating paragraph (6) as paragraph (7) and by inserting after paragraph (5) the following new paragraph:

''(6) INCREASE IN APPLICABLE FRACTION FOR MIXED INCOME PROJECTS.—

''(A) IN GENERAL.—In the case of any qualified low-income housing project under section 42(g) which is located in the Gulf Opportunity Zone, the Rita GO Zone, or the Wilma GO Zone and in which the applicable fraction for any building of such qualified low-income housing project is not less than 20 percent and not more than 60 percent but for the provisions of this subparagraph, the numerator of the applicable fraction under section 42(c)(1)(B) shall be increased by—

''(i) one or 5 percent of the total number of units (whichever adjustment provides the largest unit fraction) for each building in the qualified low income housing project in the case of the unit fraction under section 42(c)(1)(C), and

''(ii) five percent of the total floor space in the case of the floor space fraction under section 42(c)(1)(D).

''(B) APPLICATION.—Subparagraph (A) shall apply to—

''(i) housing credit dollar amounts allocated after December 31, 2007, and

''(ii) buildings placed in service after such date to the extent paragraph (1) of section 42(h) does not apply to any building by reason of paragraph (4) thereof, but only with respect to bonds issued after such date.''.

**SEC. 6. OVER INCOME LOANS FOR KATRINA, RITA, AND WILMA DISASTER AREAS.**

(a) IN GENERAL.—Section 1400N(a)(5)(B) of the Internal Revenue Code of 1986 is amended by adding ''and'' at the end of clause (ii), by striking clause (iii), and by redesignating clause (iv) as clause (iii).

(b) MORTGAGE REVENUE BONDS.—Section 1400T(a) of the Internal Revenue Code of 1986 is amended by adding ''and'' at the end of paragraph (1), by striking paragraph (2), and by redesignating paragraph (3) as paragraph (2).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to bonds issued after the date of the enactment of this Act.

**SEC. 7. COMMUNITY DEVELOPMENT BLOCK GRANTS NOT TAKEN INTO ACCOUNT IN DETERMINING IF BUILDINGS ARE FEDERALLY SUBSIDIZED.**

Section 1400N(c) of the Internal Revenue Code of 1986, as amended by this Act, is amended by redesignating paragraph (7) as paragraph (8) and by inserting after paragraph (6) the following new paragraph:

''(7) COMMUNITY DEVELOPMENT BLOCK GRANTS NOT TAKEN INTO ACCOUNT IN DETERMINING IF BUILDINGS ARE FEDERALLY SUBSIDIZED.—For purpose of applying section 42(i)(2)(D) to any building which is placed in service in the Gulf Opportunity Zone, the Rita GO Zone, or the Wilma GO Zone during the period beginning on January 1, 2006, and ending on December 31, 2010, a loan shall not be treated as a below market Federal loan solely by reason of any assistance provided under section 106, 107, or 108 of the Housing and Community Development Act of 1974 by reason of section 122 of such Act or any provision of the Department of Defense Appropriations Act, 2006, or the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006.''.

**SEC. 8. APPLICATION OF THE DEFINITIONS AND SPECIAL RULES UNDER SECTION 42(I) OF THE INTERNAL REVENUE CODE OF 1986 FOR BOND-FINANCED PROJECTS.**

(a) IN GENERAL.—For purposes of qualifying as a qualified residential rental project under section 142(d)(1) of the Internal Revenue Code of 1986 [in the Gulf Opportunity Zone, the Rita GO Zone, or the Wilma GO Zone], the special definitions and special rules for low-income units in section 42(i)(3) of such Code shall apply.

(b) EFFECTIVE DATE.—This section shall take apply to bonds issued after the date of the enactment of this Act.

**SEC. 9. SPECIAL TAX-EXEMPT BOND FINANCING RULE FOR REPAIRS AND RECONSTRUCTIONS OF RESIDENCES IN THE GO ZONES.**

Section 1400N(a) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(7) SPECIAL RULE FOR REPAIRS AND RECONSTRUCTIONS.—

''(A) IN GENERAL.—For purposes of section 143 and this subsection, any qualified GO Zone repair or reconstruction shall be treated as a qualified rehabilitation.

''(B) QUALIFIED GO ZONE REPAIR OR RECONSTRUCTION.—For purposes of subparagraph (A), the term 'qualified GO Zone repair or reconstruction' means any repair of damage caused by Hurricane Katrina, Hurricane Rita, or Hurricane Wilma to a building located in the Gulf Opportunity Zone, the Rita GO Zone, or the Wilma GO Zone (or reconstruction of such building in the case of damage constituting destruction) if the expenditures for such repair or reconstruction are 25 percent or more of the mortgagor's adjusted basis in the residence. For purposes of the preceding sentence, the mortgagor's adjusted basis shall be determined as of the completion of the repair or reconstruction or, if later, the date on which the mortgagor acquires the residence.

''(C) TERMINATION.—This paragraph shall apply only to owner-financing provided after the date of the enactment of this paragraph and before January 1, 2011.''.

---

By Mr. DODD (for himself, Mr. LIEBERMAN, Mr. KERRY, and Mr. KENNEDY):

S. 1182. A bill to amend the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Act of 1994 to increase the authorization of appropriations and modify the date on which the authority of the Secretary of the Interior terminates under the Act; to the Committee on Energy and Natural Resources.

Mr. DODD. Mr. President, today I join with my colleagues, Senators LIEBERMAN, KERRY, and KENNEDY, to introduce the Quinebaug and Shetucket Rivers Valley National Heritage Corridor Amendments Act of 2007. Representatives COURTNEY and NEAL have introduced a companion bill in the House.

The Quinebaug and Shetucket Rivers Valley National Heritage Corridor, or QSHC, was established in 1994 as the fifth National Heritage Corridor. National Heritage Areas are designated by Congress to preserve distinctive landscapes of historic, cultural, natural, and recreational resources. The QSHC is commonly known as ''The Last Green Valley,'' a rare rural landscape in the populous Northeast. In fact, the Valley stands out in night images from space for its absence of lights. It contains aboriginal and colonial archaeological sites, mills and mill villages that preserve the history of the early industrial revolution, and traditional farming communities. The QSHC non-profit management entity has restored architecturally and historically important buildings, developed interpretive projects, and developed conservation and open space plans. It has consistently leveraged an average of $19 for every $1 of appropriated Federal money.

The QSHC has developed a plan to become a self-sustaining entity by 2015, as laid out in ''The Trail to 2015: A Sustainability Plan for the Last Green Valley.'' The plan calls for replacing Federal funds with fees for services, private and corporate support, and income from a permanent fund. In the interim, Federal funds are necessary for capacity-building, awareness programs, and ongoing education of land-use decision-makers.

The Quinebaug and Shetucket Rivers Valley National Heritage Corridor has created a collaboration of 35 municipalities dedicated to preserving a unique slice of our American heritage. With an extension of its authorization, this preserve can exist in perpetuity. I urge my colleagues to support reauthorization of the QSHC.

---

## SUBMITTED RESOLUTIONS

---

### SENATE RESOLUTION 162—COMMEMORATING AND ACKNOWLEDGING THE DEDICATION AND SACRIFICE MADE BY THE MEN AND WOMEN WHO HAVE LOST THEIR LIVES WHILE SERVING AS LAW ENFORCEMENT OFFICERS

Mr. LEAHY (for himself, Mr. SPECTER, Mr. BIDEN, Mr. GRASSLEY, Mr. CORNYN, Ms. STABENOW, Mr. REID, Mr. DURBIN, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 162

Whereas the well-being of all citizens of the United States is preserved and enhanced as a direct result of the vigilance and dedication of law enforcement personnel;

Whereas more than 900,000 men and women, at great risk to their personal safety, presently serve their fellow citizens as guardians of the peace;

Whereas peace officers are on the front lines in preserving the right of the children of the United States to receive an education in a crime-free environment, a right that is all too often threatened by the insidious fear caused by violence in schools;

Whereas 147 peace officers across the United States were killed in the line of duty during 2006, which is below the decade-long annual average of 167 deaths;

Whereas a number of factors contributed to this reduction in deaths, including—

(1) better equipment and increased use of bullet-resistant vests;

(2) improved training;

(3) longer prison terms for violent offenders; and

(4) advanced emergency medical care;

Whereas every other day, 1 out of every 16 peace officers is assaulted, 1 out of every 56 peace officers is injured, and 1 out of every 5,500 peace officers is killed in the line of duty somewhere in the United States; and

Whereas on May 15, 2007, more than 20,000 peace officers are expected to gather in Washington, D.C., to join with the families of their recently fallen comrades to honor those comrades and all others who went before them: Now, therefore, be it

*Resolved,* That the Senate—

(1) recognizes May 15, 2007, as ''Peace Officers Memorial Day'', in honor of the Federal, State, and local officers that have been killed or disabled in the line of duty; and

(2) calls on the people of the United States to observe that day with appropriate ceremonies and respect.

Mr. LEAHY. Mr. President, I am proud to submit today a bipartisan resolution to designate May 15, 2007, as National Peace Officers Memorial Day. Joining me in the submission of this resolution are Senators SPECTER, REID, BIDEN, GRASSLEY, CORNYN, and STABENOW. I thank them for their leadership in recognizing the sacrifices

that law enforcement officers make each day for the American people.

This is now the eleventh year running that I have been involved in the submission of this resolution to keep alive in the memory of all Americans the sacrifice and commitment of those law enforcement officers who lost their lives serving their communities. For many years I submitted this worthy resolution with my old friend and our former colleague Senator Campbell, a former deputy sheriff who was a true leader on this issue. Both Senator Campbell, and I, as a former prosecutor, witnessed firsthand the risks faced by law enforcement officers every day while they serve and protect our communities.

I also want to thank each of our Nation's law enforcement officers for their commitment to the safety and protection of their fellow citizens. They are the real-life heroes; too many of whom too often make the ultimate sacrifice. It is important to support and respect our State and local police officers and all of our first responders, and to recognize their role in upholding the rule of law and keeping our Nation's citizens safe and secure.

Currently, more than 870,000 men and women who guard our communities do so at great risk. After the hijacked planes hit the World Trade Center in New York City on September 11, 2001, 72 peace officers died while trying to ensure that their fellow citizens in those buildings got to safety. That act of terrorism resulted in the highest number of peace officers ever killed in a single incident in the history of our country, and is a tragic reminder of how important it is for the Congress to provide all of the resources necessary to protect officers in the line of duty.

Since the first recorded police death in 1792, there have been more than 17,900 law enforcement officers who have made the ultimate sacrifice. We are fortunate in Vermont that we rank as the State with the fewest officer deaths in history, with 19 recorded; however, that is 19 deaths too many. In 2006, 147 law enforcement officers died while serving in the line of duty, well below the decade-long average of 165 deaths annually, and a drop from 2005 when 156 officers were killed. A number of factors contributed to this reduction, including better equipment and the increased use of bullet-resistant vests, improved training and advanced emergency medical care. I hope as the 110th Congress moves forward that all Senators can work together to ensure that all of our law enforcement officers have the full support and resources of the Federal Government.

I am proud of the work I have been involved in to help make it safer on the beat for our officers. Back in 1998, Senator Campbell and I authored the Bulletproof Vest Grant Partnership Act in response to the tragic Carl Drega shootout on the Vermont-New Hampshire border, in which two state troopers who lacked bulletproof vests were killed. Since then, we have successfully reauthorized this program three more times: in the Bulletproof Vest Partnership Grant Act of 2000, in the State Justice Institute Reauthorization Act of 2004, and most recently as part of the Violence Against Women and Department of Justice Reauthorization Act of 2005. It is now authorized at $50 million per year through fiscal year 2009 to help State, tribal and local jurisdictions purchase armor vests for use by law enforcement officers. I have already begun to work with my colleagues to make sure that the Bulletproof Vest Partnership grant program is fully funded this year. Bulletproof vests have saved the lives of thousands of officers and are a fundamental line of defense that no officer should be without. I know I am not alone in calling for the Senate to fully fund the Bulletproof Vest Partnership program and I truly hope my colleagues will agree that it is critical that we provide the funding authorized for this program. Hundreds of thousands of police officers are counting on us.

I am also pleased to join with Senator REED and others to introduce the Equity in Law Enforcement Act, which will provide parity in Federal benefits for law enforcement officers working in private educational institutions and for our Nation's rail carriers. Among these benefits are access to grants under the Bulletproof Vest Partnership, and survivor benefits. All of the men and women who serve our society as law enforcement officers should be equally entitled to all of the benefits the Federal Government provides, no matter where they serve.

National Peace Officers Memorial Day will provide the people of the United States, in their communities, in their State Capitals, and in the Nation's Capitol, with the opportunity to honor and reflect on the extraordinary service and sacrifice given year after year by our police forces. During the week of May 8-15, more than 20,000 peace officers are expected to gather in Washington to join with the families of their fallen comrades. I hope all Senators will join me in honoring their service by passing this important bipartisan resolution.

## SENATE RESOLUTION 163—DESIGNATING THE THIRD WEEK OF APRIL 2007, AS ''NATIONAL SHAKEN BABY SYNDROME AWARENESS WEEK''

Mr. DODD (for himself, Mr. ALEXANDER, Mrs. BOXER, Mr. DURBIN, Ms. CANTWELL, Mr. COLEMAN, Mr. LEVIN, Mr. BAYH, Mr. BENNETT, Mr. SCHUMER, Mr. DOMENICI, Mrs. CLINTON, Mr. HATCH, Mr. SALAZAR, and Mr. LIEBERMAN) submitted the following resolution; which was considered and agreed to:

S. RES. 163

Whereas the month of April has been designated ''National Child Abuse Prevention Month'' as an annual tradition that was initiated in 1979 by former President Jimmy Carter;

Whereas the most recent National Child Abuse and Neglect Data System figures reveal that almost 900,000 children were victims of abuse and neglect in the United States in 2005, causing unspeakable pain and suffering to our most vulnerable citizens;

Whereas among the children who are victims of abuse and neglect, more than 4 children die in the United States each day;

Whereas children aged 1 year or younger accounted for approximately 42 percent of all child abuse and neglect fatalities in 2005, and children aged 3 years or younger accounted for approximately 77 percent of all child abuse and neglect fatalities in 2005;

Whereas abusive head trauma, including the trauma known as ''Shaken Baby Syndrome'', is recognized as the leading cause of death of physically abused children;

Whereas Shaken Baby Syndrome can result in loss of vision, brain damage, paralysis, seizures, or death;

Whereas a 2003 report in the Journal of the American Medical Association estimated that, in the United States, an average of 300 children will die each year, and 600 to 1,200 more will be injured, of whom ⅔ will be babies or infants under 1 year in age, as a result of Shaken Baby Syndrome, with many cases resulting in severe and permanent disabilities;

Whereas medical professionals believe that thousands of additional cases of Shaken Baby Syndrome and other forms of abusive head trauma are being misdiagnosed or are not detected;

Whereas Shaken Baby Syndrome often results in permanent, irreparable brain damage or death to an infant and may result in extraordinary costs for the provision of medical care to the infant in just the first few years of life of the infant;

Whereas the most effective solution for ending Shaken Baby Syndrome is to prevent the abuse, and it is clear that the minimal costs of education and prevention programs may prevent enormous medical and disability costs and immeasurable amounts of grief for many families;

Whereas prevention programs have demonstrated that educating new parents about the danger of shaking young children and how they can help protect their child from injury can bring about a significant reduction in the number of cases of Shaken Baby Syndrome;

Whereas education programs have been shown to raise awareness and provide critically important information about Shaken Baby Syndrome to parents, caregivers, daycare workers, child protection employees, law enforcement personnel, health care professionals, and legal representatives;

Whereas ''National Shaken Baby Syndrome Awareness Week'' and efforts to prevent child abuse, including Shaken Baby Syndrome, are supported by groups across the United States, including those formed by parents and relatives of children who have been killed or injured by shaking, whose mission is to educate the general public and professionals about Shaken Baby Syndrome and to increase support for victims and the families of the victims in the health care and criminal justice systems;

Whereas Congress previously designated the third week of April 2001 as ''National Shaken Baby Syndrome Awareness Week 2001''; and

Whereas Congress strongly supports efforts to protect children from abuse and neglect: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the third week of April 2007 as ''National Shaken Baby Syndrome Awareness Week'';

(2) commends those hospitals, child care councils, schools, community groups, and other organizations that are—

(A) working to increase awareness of the danger of shaking young children; and

(B) educating parents and caregivers on how they can help protect children from injuries caused by abusive shaking; and

(C) helping families cope effectively with the challenges of child-rearing and other stresses in their lives; and

(3) encourages the citizens of the United States to—

(A) remember the victims of Shaken Baby Syndrome; and

(B) participate in educational programs to help prevent Shaken Baby Syndrome.

## SENATE RESOLUTION 164—DESIGNATING THE WEEK BEGINNING APRIL 22, 2007, AS ''WEEK OF THE YOUNG CHILD''

Mr. SALAZAR (for himself, Mr. ALEXANDER, Mr. DODD, Mr. BURR, Mr. LEVIN, Mr. COLEMAN, Mr. COCHRAN, Ms. COLLINS, Mrs. CLINTON, Mr. CORKER, Mrs. MURRAY, Mr. AKAKA, Mr. CONRAD, and Mrs. LINCOLN) submitted the following resolution; which was considered and agreed to:

S. RES. 164

Whereas there are 20,000,000 children under the age of 5 in the United States;

Whereas numerous studies, including the Abecedarian Study, the Study of the Chicago Child-Parent Center, and the High/Scope Perry Preschool Study, indicate that low income children who have enrolled in quality, comprehensive early childhood education programs—

(1) improve their cognitive, language, physical, social, and emotional development; and

(2) are less likely to—

(A) be placed in special education;

(B) drop out of school; or

(C) engage in juvenile delinquency;

Whereas the enrollment rates of children under the age of 5 in early childhood education programs have steadily increased since 1965 with—

(1) the creation of the Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.);

(2) the establishment of the Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.); and

(3) the enactment of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.);

Whereas many children eligible for, and in need of, quality early childhood education services are not served;

Whereas only about one-half of all preschoolers who are eligible to participate in Head Start programs have the opportunity to do so;

Whereas less than 5 percent of all eligible babies and toddlers in the United States receive the opportunity to participate in Early Head Start;

Whereas only about 1 out of every 7 eligible children receives assistance under section 658C of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858a) to—

(1) enable the parents of the child to continue working; and

(2) provide the child with safe and nurturing early childhood care and education;

Whereas, although State and local governments have responded to the numerous benefits of early childhood education by making significant investments in programs and classrooms, there remains—

(1) a large unmet need for those services; and

(2) a need to improve the quality of those programs;

Whereas, according to numerous studies on the impact of investments in high-quality early childhood education, the programs reduce—

(1) the occurrence of students failing to complete secondary school; and

(2) future costs relating to special education and juvenile crime; and

Whereas economist and Nobel Laureate, James Heckman, and Chairman of the Board of Governors of the Federal Reserve System, Ben S. Bernanke, have stated that investment in childhood education is of critical importance to the future of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning April 22, 2007, as ''Week of the Young Child'';

(2) encourages the citizens of the United States to celebrate—

(A) young children; and

(B) the citizens who provide care and early childhood education to the young children of the United States; and

(3) urges the citizens of the United States to recognize the importance of—

(A) quality, comprehensive early childhood education programs; and

(B) the value of those services for preparing children to—

(i) appreciate future educational experiences; and

(ii) enjoy lifelong success.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 902. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table.

## TEXT OF AMENDMENTS

**SA 902.** Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table; as follows:

At the end of division A, add the following new title:

### TITLE VI—SKIL ACT OF 2007

**SEC. 1601 SHORT TITLE.**

This title may be cited as the ''Securing Knowledge, Innovation, and Leadership Act of 2007'' or the ''SKIL Act of 2007''.

### Subtitle A—Access to High Skilled Foreign Workers

**SEC. 1611. H–1B VISA HOLDERS.**

(a) IN GENERAL.—Section 214(g)(5) of the Immigration and Nationality Act (8 U.S.C. 1184(g)(5)) is amended—

(1) in subparagraph (B)—

(A) by striking ''nonprofit research'' and inserting ''nonprofit'';

(B) by inserting ''Federal, State, or local'' before ''governmental''; and

(C) by striking ''or'' at the end;

(2) in subparagraph (C)—

(A) by striking ''a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))),'' and inserting ''an institution of higher education in a foreign country,''; and

(B) by striking the period at the end and inserting a semicolon;

(3) by adding at the end, the following new subparagraphs:

''(D) has earned a master's or higher degree from a United States institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

''(E) has been awarded medical specialty certification based on post-doctoral training and experience in the United States.''.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply to any petition or visa application pending on the date of enactment of this Act and any petition or visa application filed on or after such date.

**SEC. 1612. MARKET-BASED VISA LIMITS.**

Section 214(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''(beginning with fiscal year 1992)''; and

(B) in subparagraph (A)—

(i) in clause (vi) by striking ''and'';

(ii) in clause (vii), by striking ''each succeeding fiscal year; or'' and inserting ''each of fiscal years 2004, 2005, 2006, and 2007;''; and

(iii) by adding after clause (vii) the following:

''(viii) 115,000 in the first fiscal year beginning after the date of the enactment of the Securing Knowledge, Innovation, and Leadership Act of 2007; and

''(ix) the number calculated under paragraph (9) in each fiscal year after the fiscal year described in clause (viii); or'';

(2) in paragraph (5), as amended by section 101(a), in the matter preceding subparagraph (A), by inserting ''101(a)(15)(H)(i)(b1) or section'' after ''under section'';

(3) in paragraph (8), by striking subparagraphs (B)(iv) and (D);

(4) by redesignating paragraphs (9), (10), and (11) as paragraphs (10), (11), and (12), respectively; and

(5) by inserting after paragraph (8) the following:

''(9) If the numerical limitation in paragraph (1)(A)—

''(A) is reached during the previous fiscal year, the numerical limitation under paragraph (1)(A)(ix) for the subsequent fiscal year shall be equal to 120 percent of the numerical limitation of the previous fiscal year; or

''(B) is not reached during the previous fiscal year, the numerical limitation under paragraph (1)(A)(ix) for the subsequent fiscal year shall be equal to the numerical limitation of the previous fiscal year.''.

### Subtitle B—Retaining Foreign Workers Educated in the United States

**SEC. 1621. UNITED STATES EDUCATED IMMIGRANTS.**

(a) IN GENERAL.—Section 201(b)(1) of the Immigration and Nationality Act (8 U.S.C. 1151(b)(1)) is amended by adding at the end the following:

''(F) Aliens who have earned a master's or higher degree from an accredited United States university.

''(G) Aliens who have been awarded medical specialty certification based on post-doctoral training and experience in the United States preceding their application for an immigrant visa under section 203(b).

''(H) Aliens who will perform labor in shortage occupations designated by the Secretary of Labor for blanket certification under section 212(a)(5)(A) as lacking sufficient United States workers able, willing, qualified, and available for such occupations and for which the employment of aliens will not adversely affect the terms and conditions of similarly employed United States workers.

''(I) Aliens who have earned a master's degree or higher in science, technology, engineering, or math and have been working in a related field in the United States in a nonimmigrant status during the 3-year period preceding their application for an immigrant visa under section 203(b).

''(J) Aliens described in subparagraph (A) or (B) of section 203(b)(1) or who have received a national interest waiver under section 203(b)(2)(B).

''(K) The spouse and minor children of an alien who is admitted as an employment-based immigrant under section 203(b).''.

(b) LABOR CERTIFICATIONS.—Section 212(a)(5)(A)(ii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5)(A)(ii)) is amended—

(1) in subclause (I), by striking ''or'' at the end;

(2) in subclause (II), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(III) is a member of the professions and has a master's degree or higher from an accredited United States university or has been awarded medical specialty certification based on post-doctoral training and experience in the United States.''.

**SEC. 1622. IMMIGRANT VISA BACKLOG REDUCTION.**

Section 201(d) of the Immigration and Nationality Act (8 U.S.C. 1151(d)) is amended to read as follows:

''(d) WORLDWIDE LEVEL OF EMPLOYMENT-BASED IMMIGRANTS.—The worldwide level of employment-based immigrants under this subsection for a fiscal year is equal to the sum of—

''(1) 290,000;

''(2) the difference between—

''(A) the maximum number of visas authorized to be issued under this subsection during the previous fiscal year; and

''(B) the number of such visas issued during the previous fiscal year; and

''(3) the difference between—

''(A) the maximum number of visas authorized to be issued under this subsection during fiscal years 2001 through 2005 and the number of visa numbers issued under this subsection during such fiscal years; and

''(B) the number of visas calculated under subparagraph (A) that were issued after fiscal year 2005.''.

**SEC. 1623. STUDENT VISA REFORM.**

(a) IN GENERAL.—Section 101(a)(15)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(F)) is amended to read as follows:

''(F) an alien—

''(i) who—

''(I) is a bona fide student qualified to pursue a full course of study in mathematics, engineering, technology, or the sciences leading to a bachelors or graduate degree and who seeks to enter the United States for the purpose of pursuing such a course of study consistent with section 214(m) at an institution of higher education (as defined by section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))) in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security, after consultation with the Secretary of Education, which institution or place of study shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn; or

''(II) is engaged in temporary employment for optional practical training related to such alien's area of study following completion of the course of study described in subclause (I) for a period or periods of not more than 24 months;

''(ii) who—

''(I) has a residence in a foreign country which the alien has no intention of abandoning, who is a bona fide student qualified to pursue a full course of study, and who seeks to enter the United States temporarily and solely for the purpose of pursuing such a course of study consistent with section 214(m) at an established college, university, seminary, conservatory, academic high school, elementary school, or other academic institution or in a language training program in the United States, particularly designated by the alien and approved by the Secretary of Homeland Security, after consultation with the Secretary of Education, which institution or place of study shall have agreed to report to the Secretary of Homeland Security the termination of attendance of each nonimmigrant student, and if any such institution of learning or place of study fails to make reports promptly the approval shall be withdrawn; or

''(II) is engaged in temporary employment for optional practical training related to such alien's area of study following completion of the course of study described in subclause (I) for a period or periods of not more than 24 months;

''(iii) who is the spouse or minor child of an alien described in clause (i) or (ii) if accompanying or following to join such an alien; or

''(iv) who—

''(I) is a national of Canada or Mexico, who maintains actual residence and place of abode in the country of nationality, who is described in clause (i) or (ii) except that the alien's qualifications for and actual course of study may be full or part-time, and who commutes to the United States institution or place of study from Canada or Mexico; or

''(II) is engaged in temporary employment for optional practical training related to such alien's area of study following completion of the course of study described in subclause (I) for a period or periods of not more than 24 months;''.

(b) ADMISSION.—Section 214(b) of the Immigration and Nationality Act (8 U.S.C. 1184(b)) is amended by inserting ''(F)(i),'' before ''(L) or (V)''.

(c) CONFORMING AMENDMENT.—Section 214(m)(1) of the Immigration and Nationality Act (8 U.S.C. 1184(m)(1)) is amended, in the matter preceding subparagraph (A), by striking ''(i) or (iii)'' and inserting ''(i), (ii), or (iv)''.

**SEC. 1624. L–1 VISA HOLDERS SUBJECT TO VISA BACKLOG.**

Section 214(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1184(c)(2)) is amended by adding at the end the following new subparagraph:

''(G) The limitations contained in subparagraph (D) with respect to the duration of authorized stay shall not apply to any nonimmigrant alien previously issued a visa or otherwise provided nonimmigrant status under section 101(a)(15)(L) on whose behalf a petition under section 204(b) to accord the alien immigrant status under section 203(b), or an application for labor certification (if such certification is required for the alien to obtain status under such section 203(b)) has been filed, if 365 days or more have elapsed since such filing. The Secretary of Homeland Security shall extend the stay of an alien who qualifies for an exemption under this subparagraph until such time as a final decision is made on the alien's lawful permanent residence.''.

**SEC. 1625. RETAINING WORKERS SUBJECT TO GREEN CARD BACKLOG.**

(a) ADJUSTMENT OF STATUS.—

(1) IN GENERAL.—Section 245(a) of the Immigration and Nationality Act (8 U.S.C. 1255(a)) is amended to read as follows:

''(a) ELIGIBILITY.—

''(1) IN GENERAL.—The status of an alien who was inspected and admitted or paroled into the United States or the status of any other alien having an approved petition for classification under subparagraph (A)(iii), (A)(iv), (B)(ii), or (B)(iii) of section 204(a)(1) may be adjusted by the Secretary of Homeland Security or the Attorney General, in the discretion of the Secretary or the Attorney General under such regulations as the Secretary or Attorney General may prescribe, to that of an alien lawfully admitted for permanent residence if—

''(A) the alien makes an application for such adjustment;

''(B) the alien is eligible to receive an immigrant visa and is admissible to the United States for permanent residence; and

''(C) an immigrant visa is immediately available to the alien at the time the application is filed.

''(2) SUPPLEMENTAL FEE.—An application under paragraph (1) that is based on a petition approved or approvable under subparagraph (E) or (F) of section 204(a)(1) may be filed without regard to the limitation set forth in paragraph (1)(C) if a supplemental fee of $500 is paid by the principal alien at the time the application is filed. A supplemental fee may not be required for any dependent alien accompanying or following to join the principal alien.

''(3) VISA AVAILABILITY.—An application for adjustment filed under this paragraph may not be approved until such time as an immigrant visa become available.''.

(b) USE OF FEES.—Section 286(v)(1) (8 U.S.C. 1356(v)(1)) is amended by inserting before the period at the end ''and the fees collected under section 245(a)(2).''.

## Subtitle C—Business Facilitation Through Immigration Reform

**SEC. 1631. STREAMLINING THE ADJUDICATION PROCESS FOR ESTABLISHED EMPLOYERS.**

Section 214(c) of the Immigration and Nationality Act (8. U.S.C. 1184) is amended by adding at the end the following new paragraph:

''(15) Not later than 180 days after the date of the enactment of the Securing Knowledge, Innovation, and Leadership Act of 2007, the Secretary of Homeland Security shall establish a pre-certification procedure for employers who file multiple petitions described in this subsection or section 203(b). Such precertification procedure shall enable an employer to avoid repeatedly submitting documentation that is common to multiple petitions and establish through a single filing criteria relating to the employer and the offered employment opportunity.''.

**SEC. 1632. PROVIDING PREMIUM PROCESSING OF EMPLOYMENT-BASED VISA PETITIONS.**

(a) IN GENERAL.—Pursuant to section 286(u) of the Immigration and Nationality Act (8 U.S.C. 1356(u)), the Secretary of Homeland Security shall establish and collect a fee for premium processing of employment-based immigrant petitions.

(b) APPEALS.—Pursuant to such section 286(u), the Secretary of Homeland Security shall establish and collect a fee for premium processing of an administrative appeal of any decision on a permanent employment-based immigrant petition.

**SEC. 1633. ELIMINATING PROCEDURAL DELAYS IN LABOR CERTIFICATION PROCESS.**

(a) PREVAILING WAGE RATE.—

(1) REQUIREMENT TO PROVIDE.—The Secretary of Labor shall provide prevailing wage determinations to employers seeking a labor

certification for aliens pursuant to part 656 of title 20, Code of Federal Regulation (or any successor regulation). The Secretary may not delegate this function to any agency of a State.

(2) SCHEDULE FOR DETERMINATION.—Except as provided in paragraph (3), the Secretary of Labor shall provide a response to an employer's request for a prevailing wage determination in no more than 20 calendar days from the date of receipt of such request. If the Secretary fails to reply during such 20-day period, then the wage proposed by the employer shall be the valid prevailing wage rate.

(3) USE OF SURVEYS.—The Secretary of Labor shall accept an alternative wage survey provided by the employer unless the Secretary determines that the wage component of the Occupational Employment Statistics Survey is more accurate for the occupation in the labor market area.

(b) PLACEMENT OF JOB ORDER.—The Secretary of Labor shall maintain a website with links to the official website of each workforce agency of a State, and such official website shall contain instructions on the filing of a job order in order to satisfy the job order requirements of section 656.17(e)(1) of title 20, Code of Federal Regulation (or any successor regulation).

(c) TECHNICAL CORRECTIONS.—The Secretary of Labor shall establish a process by which employers seeking certification under section 212(a)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(5)), as amended by section 1621(b), may make technical corrections to applications in order to avoid requiring employers to conduct additional recruitment to correct an initial technical error. A technical error shall include any error that would not have a material effect on the validity of the employer's recruitment of able, willing, and qualified United States workers.

(d) ADMINISTRATIVE APPEALS.—Motions to reconsider, and administrative appeals of, a denial of a permanent labor certification application, shall be decided by the Secretary of Labor not later than 60 days after the date of the filing of such motion or such appeal.

(e) APPLICATIONS UNDER PREVIOUS SYSTEM.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Labor shall process and issue decisions on all applications for permanent alien labor certification that were filed prior to March 28, 2005.

(f) EFFECTIVE DATE.—The provisions of this section shall take effect 90 days after the date of enactment of this Act, regardless of whether the Secretary of Labor has amended the regulations at part 656 of title 20, Code of Federal Regulation to implement such changes.

**Subtitle D—Miscellaneous**

**SEC. 1641. COMPLETION OF BACKGROUND AND SECURITY CHECKS.**

Section 103 of the Immigration and Nationality Act (8 U.S.C. 1103) is amended by adding at the end the following new subsection:

''(i) REQUIREMENT FOR BACKGROUND CHECKS.—Notwithstanding any other provision of law, until appropriate background and security checks, as determined by the Secretary of Homeland Security, have been completed, and the information provided to and assessed by the official with jurisdiction to grant or issue the benefit or documentation, on an in camera basis as may be necessary with respect to classified, law enforcement, or other information that cannot be disclosed publicly, the Secretary of Homeland Security, the Attorney General, or any court may not—

''(1) grant or order the grant of adjustment of status of an alien to that of an alien lawfully admitted for permanent residence;

''(2) grant or order the grant of any other status, relief, protection from removal, or other benefit under the immigration laws; or

''(3) issue any documentation evidencing or related to such grant by the Secretary, the Attorney General, or any court.

''(j) REQUIREMENT TO RESOLVE FRAUD ALLEGATIONS.—Notwithstanding any other provision of law, until any suspected or alleged fraud relating to the granting of any status (including the granting of adjustment of status), relief, protection from removal, or other benefit under this Act has been investigated and resolved, the Secretary of Homeland Security and the Attorney General may not be required to—

''(1) grant or order the grant of adjustment of status of an alien to that of an alien lawfully admitted for permanent residence;

''(2) grant or order the grant of any other status, relief, protection from removal, or other benefit under the immigration laws; or

''(3) issue any documentation evidencing or related to such grant by the Secretary, the Attorney General, or any court.

''(k) PROHIBITION OF JUDICIAL ENFORCEMENT.—Notwithstanding any other provision of law, no court may require any act described in subsection (i) or (j) to be completed by a certain time or award any relief for the failure to complete such acts.''.

**SEC. 1642. VISA REVALIDATION.**

(a) IN GENERAL.—Section 222 of the Immigration and Nationality Act (8 U.S.C. 1202) is amended by adding at the end the following:

''(i) VISA REVALIDATION.—The Secretary of State shall permit an alien granted a nonimmigrant visa under subparagraph E, H, I, L, O, or P of section 101(a)(15) to apply for a renewal of such visa within the United States if—

''(1) such visa expired during the 12-month period ending on the date of such application;

''(2) the alien is seeking a nonimmigrant visa under the same subparagraph under which the alien had previously received a visa; and

''(3) the alien has complied with the immigration laws and regulations of the United States.''.

(b) CONFORMING AMENDMENT.—Section 222(h) of such Act is amended, in the matter preceding subparagraph (1), by inserting ''and except as provided under subsection (i),'' after ''Act''.

**SEC. 1643. SEVERABILITY.**

If any provision of this title, any amendment by this title, or the application of such provision or amendment to any person or circumstance is held to be invalid for any reason, the remainder of this title, the amendments made by this title, and the applications of such to any other person or circumstance shall not be affected by such holding.

## PRIVILEGES OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent that Dr. Melanie Roberts, who is a fellow in my office; Mr. Kevin Eckerle, a fellow in the Commerce Committee; Dr. Steve Leherman, a fellow in Senator PRYOR's office; and Mr. CRAIG Robinson, a fellow in Senator LIEBERMAN's office, all be granted the privilege of the floor during the pendency of S. 761 and any votes that occur on this bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Jack Wells, a fellow on my staff, be granted floor privileges for the duration of the debate on S. 761, the America COMPETES Act.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the nominations placed on the Secretary's desk; that the nominations be confirmed, the motions to reconsider be laid on the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

NOMINATIONS PLACED ON THE SECRETARY'S DESK

PUBLIC HEALTH SERVICE

PN388 PUBLIC HEALTH SERVICE nominations (2) beginning Sunee R. Danielson, and ending Mary E. Evans, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of March 22, 2007.

PN428 PUBLIC HEALTH SERVICE nominations (281) beginning Arturo H. Castro, and ending David J. Lusche, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 11, 2007.

PN429 PUBLIC HEALTH SERVICE nominations (806) beginning David G. Addiss, and ending Allyson M. Alvarado, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 11, 2007.

PN430 PUBLIC HEALTH SERVICE nominations (337) beginning Daniel S. Miller, and ending Darin S. Wiegers, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD of April 11, 2007.

## LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume legislative session.

## APPOINTMENTS

THE ACTING PRESIDENT pro tempore. The Chair, on behalf of the President pro tempore, pursuant to Public Law 96–388, as amended by Public Law 97–84 and Public Law 106–292, appoints the following Senators to the United States Holocaust Memorial Council for the 110th Congress: the Senator from Utah (Mr. HATCH) and the Senator from Minnesota (Mr. COLEMAN).

The Chair announces, on behalf of the Republican leader, pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105–275, further amended by S. Res. 75 (adopted March 25, 1999), amended by S. Res. 383 (adopted October 27, 2000), and amended by S. Res. 355 (adopted November 13, 2002), and further amended by S. Res. 480 (adopted

November 20, 2004), the appointment of the following Senators to serve as members of the Senate National Security Working Group for the 110th Congress: Senator THAD COCHRAN of Mississippi (Co-Chairman); Senator JON KYL of Arizona (Administrative Co-Chairman); Senator MITCH MCCONNELL of Kentucky (Co-Chairman); and Senator TRENT LOTT of Mississippi (Co-Chairman).

## NATIONAL SHAKEN BABY SYNDROME AWARENESS WEEK

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 163, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 163) designating the third week of April 2007 as ''National Shaken Baby Syndrome Awareness Week''.

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

Mr. DODD. Mr. President, along with Senators ALEXANDER, BAYH, BENNETT, BOXER, CANTWELL, CLINTON, COLEMAN, DOMENICI, DURBIN, HATCH, LEVIN, LIEBERMAN, SALAZAR, and SCHUMER, I am in support of our resolution to proclaim the third week of April of 2007 as ''National Shaken Baby Syndrome Awareness Week.'' The Senate has passed similar resolutions each year since 2001, and we strongly support continued awareness of one of the most devastating forms of child abuse in this country, abuse that results in the severe injury, lifelong disability, or death of hundreds of children each year.

In recognition of the need to eliminate child abuse and to raise awareness about the issue, the month of April has again been designated ''National Child Abuse Prevention Month,'' an annual tradition that was initiated in 1979 by former President Jimmy Carter. As we focus on child abuse prevention this month, awareness and prevention of Shaken Baby Syndrome is an important component of these efforts.

I would like to recognize the many groups, including those formed by parents and relatives who have been killed or injured by shaking, who support this effort to increase awareness of one of the most devastating forms of child abuse. These supporters include the American Academy of Pediatrics, the American Association of Neurological Surgeons, the American Psychological Association, The Arc of the United States, the Association of Maternal and Child Health Programs, the Association of University Centers on Disabilities, the Brain Injury Association of America, the Center for Child Protection and Family Support, the Child Welfare League of America, Children's Healthcare is a Legal Duty, the Congress of Neurological Surgeons, the Cynthia Gibbs Foundation, Don't Shake Jake, Easter Seals, Epilepsy Foundation of America, Family Voices, the Hannah Rose Foundation, the Kierra Harrison Foundation, the National Association of Children's Hospitals, the National Association of Child Care Resource & Referral Agencies, the National Center for Learning Disabilities, the National Child Abuse Coalition, the National Crime Prevention Council, the National Exchange Club Foundation, the National Family Partnership, the National Respite Coalition, the National Shaken Baby Coalition, Parents Anonymous, Prevent Child Abuse, the Shaken Baby Alliance, the Shaken Baby Association, Shaken Baby Prevention Inc., Shaken Baby Syndrome Prevention Plus, the SKIPPER Initiative, United Cerebral Palsy, A Voice for Gabbi, and many other groups.

I urge the Senate to adopt this resolution designating the third week of April 2007 as ''National Shaken Baby Syndrome Awareness Week,'' and to take part in the many local and national activities and events recognizing the month of April as National Child Abuse Prevention Month.

Mr. NELSON of Florida. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 163) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 163

Whereas the month of April has been designated ''National Child Abuse Prevention Month'' as an annual tradition that was initiated in 1979 by former President Jimmy Carter;

Whereas the most recent National Child Abuse and Neglect Data System figures reveal that almost 900,000 children were victims of abuse and neglect in the United States in 2005, causing unspeakable pain and suffering to our most vulnerable citizens;

Whereas among the children who are victims of abuse and neglect, more than 4 children die in the United States each day;

Whereas children aged 1 year or younger accounted for approximately 42 percent of all child abuse and neglect fatalities in 2005, and children aged 3 years or younger accounted for approximately 77 percent of all child abuse and neglect fatalities in 2005;

Whereas abusive head trauma, including the trauma known as ''Shaken Baby Syndrome'', is recognized as the leading cause of death of physically abused children;

Whereas Shaken Baby Syndrome can result in loss of vision, brain damage, paralysis, seizures, or death;

Whereas a 2003 report in the Journal of the American Medical Association estimated that, in the United States, an average of 300 children will die each year, and 600 to 1,200 more will be injured, of whom ⅔ will be babies or infants under 1 year in age, as a result of Shaken Baby Syndrome, with many cases resulting in severe and permanent disabilities;

Whereas medical professionals believe that thousands of additional cases of Shaken Baby Syndrome and other forms of abusive head trauma are being misdiagnosed or are not detected;

Whereas Shaken Baby Syndrome often results in permanent, irreparable brain damage or death to an infant and may result in extraordinary costs for the provision of medical care to the infant in just the first few years of life of the infant;

Whereas the most effective solution for ending Shaken Baby Syndrome is to prevent the abuse, and it is clear that the minimal costs of education and prevention programs may prevent enormous medical and disability costs and immeasurable amounts of grief for many families;

Whereas prevention programs have demonstrated that educating new parents about the danger of shaking young children and how they can help protect their child from injury can bring about a significant reduction in the number of cases of Shaken Baby Syndrome;

Whereas education programs have been shown to raise awareness and provide critically important information about Shaken Baby Syndrome to parents, caregivers, daycare workers, child protection employees, law enforcement personnel, health care professionals, and legal representatives;

Whereas ''National Shaken Baby Syndrome Awareness Week'' and efforts to prevent child abuse, including Shaken Baby Syndrome, are supported by groups across the United States, including those formed by parents and relatives of children who have been killed or injured by shaking, whose mission is to educate the general public and professionals about Shaken Baby Syndrome and to increase support for victims and the families of the victims in the health care and criminal justice systems;

Whereas Congress previously designated the third week of April 2001 as ''National Shaken Baby Syndrome Awareness Week 2001''; and

Whereas Congress strongly supports efforts to protect children from abuse and neglect: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the third week of April 2007 as ''National Shaken Baby Syndrome Awareness Week'';

(2) commends those hospitals, child care councils, schools, community groups, and other organizations that are—

(A) working to increase awareness of the danger of shaking young children; and

(B) educating parents and caregivers on how they can help protect children from injuries caused by abusive shaking; and

(C) helping families cope effectively with the challenges of child-rearing and other stresses in their lives; and

(3) encourages the citizens of the United States to—

(A) remember the victims of Shaken Baby Syndrome; and

(B) participate in educational programs to help prevent Shaken Baby Syndrome.

## WEEK OF THE YOUNG CHILD

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 164, submitted earlier today.

The ACTING PRESIDENT pro tempore. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 164) designating the week beginning April 22, 2007, as ''Week of the Young Child.''

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

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD, without intervening action or debate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 164) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 164

Whereas there are 20,000,000 children under the age of 5 in the United States;

Whereas numerous studies, including the Abecedarian Study, the Study of the Chicago Child-Parent Center, and the High/Scope Perry Preschool Study, indicate that low income children who have enrolled in quality, comprehensive early childhood education programs—

(1) improve their cognitive, language, physical, social, and emotional development; and

(2) are less likely to—

(A) be placed in special education;

(B) drop out of school; or

(C) engage in juvenile delinquency;

Whereas the enrollment rates of children under the age of 5 in early childhood education programs have steadily increased since 1965 with—

(1) the creation of the Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.);

(2) the establishment of the Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.); and

(3) the enactment of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.);

Whereas many children eligible for, and in need of, quality early childhood education services are not served;

Whereas only about one-half of all preschoolers who are eligible to participate in Head Start programs have the opportunity to do so;

Whereas less than 5 percent of all eligible babies and toddlers in the United States receive the opportunity to participate in Early Head Start;

Whereas only about 1 out of every 7 eligible children receives assistance under section 658C of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858a) to—

(1) enable the parents of the child to continue working; and

(2) provide the child with safe and nurturing early childhood care and education;

Whereas, although State and local governments have responded to the numerous benefits of early childhood education by making significant investments in programs and classrooms, there remains—

(1) a large unmet need for those services; and

(2) a need to improve the quality of those programs;

Whereas, according to numerous studies on the impact of investments in high-quality early childhood education, the programs reduce—

(1) the occurrence of students failing to complete secondary school; and

(2) future costs relating to special education and juvenile crime; and

Whereas economist and Nobel Laureate, James Heckman, and Chairman of the Board of Governors of the Federal Reserve System, Ben S. Bernanke, have stated that investment in childhood education is of critical importance to the future of the United States: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week beginning April 22, 2007, as ''Week of the Young Child'';

(2) encourages the citizens of the United States to celebrate—

(A) young children; and

(B) the citizens who provide care and early childhood education to the young children of the United States; and

(3) urges the citizens of the United States to recognize the importance of—

(A) quality, comprehensive early childhood education programs; and

(B) the value of those services for preparing children to—

(i) appreciate future educational experiences; and

(ii) enjoy lifelong success.

## ORDERS FOR MONDAY, APRIL 23, 2007

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 2 p.m., Monday, April 23; that on Monday, following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that there then be a period of morning business until 2:45 p.m., with Senators permitted to speak therein, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the second half controlled by the Republicans; that at 2:45 p.m., the Senate resume consideration of S. 761, the America COMPETES Act.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## ADJOURNMENT UNTIL MONDAY, APRIL 23, 2007, AT 2 P.M.

Mr. NELSON of Florida. Mr. President, if there is no further business, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 2:45 p.m., adjourned until Monday, April 23, 2007, at 2 p.m.

## CONFIRMATIONS

Executive nominations confirmed by the Senate Friday, April 20, 2007:

PUBLIC HEALTH SERVICE

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH SUNEE R. DANIELSON AND ENDING WITH MARY E. EVANS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 22, 2007.

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH ARTURO H. CASTRO AND ENDING WITH DAVID J. LUSCHE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2007.

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH DAVID G. ADDISS AND ENDING WITH ALLYSON M. ALVARADO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2007.

PUBLIC HEALTH SERVICE NOMINATIONS BEGINNING WITH DANIEL S. MILLER AND ENDING WITH DARIN S. WIEGERS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 11, 2007.