ground ambulance services under the Medicare program.

S. 1323

At the request of Mr. MCCONNELL, the names of the Senator from Nebraska (Mr. NELSON), the Senator from Kansas (Mr. ROBERTS) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 1323, a bill to prevent legislative and regulatory functions from being usurped by civil liability actions brought or continued against food manufacturers, marketers, distributors, advertisers, sellers, and trade associations for claims of injury relating to a person's weight gain, obesity, or any health condition associated with weight gain or obesity.

S. 1334

At the request of Mr. DODD, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 1334, a bill to amend section 2306 of title 38, United States Code, to make permanent authority to furnish government headstones and markers for graves of veterans at private cemeteries, and for other purposes.

S. 1349

At the request of Mr. DURBIN, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 1349, a bill to ensure that the Department of Defense and the Department of Veterans Affairs provide to members of the Armed Forces and veterans with traumatic brain injury the services that best meet their individual needs, and for other purposes.

S. RES. 192

At the request of Mr. DURBIN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. Res. 192, a resolution recognizing National Nurses Week on May 6 through May 12, 2007.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. STEVENS (for himself and Ms. MURKOWSKI):

S. 1368. A bill to amend the Denali Commission Act of 1998 to modify the authority of the Commission; to the Committee on Environment and Public Works.

Mr. STEVENS. Mr. President, I have come to the floor to introduce S. 1368, a bill to reauthorize a Federal-State partnership known as the Denali Commission. This Commission plays a crucial role in the development of basic infrastructure for communities in rural Alaska.

The Denali Commission was originally established by Congress in 1998. The unique structure of the Commission ensures the most efficient allocation of Federal funds, as it caps administrative expenses at 5 percent and capitalizes on the use of strategic partnerships. Over the course of the past decade, the Commission has partnered with Federal and State agencies, tribal organizations, and local communities to address the unique challenges associated with living in Alaska. In just a short period of time, the Commission has improved the living conditions of rural Alaska by providing job training, teacher housing and funds to improve options for handling solid waste. The bulk fuel projects undertaken by the Commission have reduced the costs of rural energy. The health clinics have increased the availability of health services to rural villages that are isolated from metropolitan areas. There are 240 Alaska Native Villages, and over 100 communities have been served by the Denali Commission.

Although the Denali Commission has made tremendous strides to ensure rural Alaska has basic living conditions, there still is work to be done. Many of the rural communities have no roads and their transportation infrastructure is deteriorating. Numerous villages can only be accessed by water, and the docks in the communities are in desperate need of repair. The projects conducted by the Denali Commission not only keep communities connected to mainstream Alaska, projects also foster economic growth. The unemployment rates in many villages remain above 50 percent. The high cost of basic needs, such as milk and oil, coupled with public infrastructure that is comparable to developing nations create difficult circumstance in rural Alaska. The Denali Commission is our best hope for properly addressing these issues and meeting the needs of Alaskans.

The continuation of the Denali Commission's presence in rural Alaska is of critical importance to the future of rural Alaska. The bill I introduce today would reauthorize the Denali Commission for 5 years, through fiscal year 2014.

Other provisions of this bill would also amend the Denali Commission Act of 1998 to make the Commission stronger and more efficient.

Senator MURKOWSKI is an original cosponsor of this legislation, and it is our hope the Senate will act quickly to reauthorize the Denali Commission.

By Ms. COLLINS (for herself, Mr. KYL, and Mr. LIEBERMAN):

S. 1369. A bill to grant immunity from civil liability to any person who voluntarily notifies appropriate security personnel of suspicious activity believed to threaten transportation safety or security or takes reasonable action to mitigate such activity; to the Committee on the Judiciary.

Ms. COLLINS. Mr. President, I rise to introduce legislation that would provide immunity to individuals who report suspicious activities that may reflect terrorist threats to our transportation system. I am very honored that Senators KYL and LIEBERMAN have joined me in introducing this important bill.

The recent arrest in New Jersey of six men charged with conspiring to murder American soldiers at Fort Dix underscores the need for this bill. Law enforcement officials have noted that their investigation was triggered by the report of an alert store clerk who said a customer had brought in a video that showed men firing weapons and shouting in Arabic. This reminded the store clerk of the 9/11 terrorists.

But for the report of this store clerk, it is unlikely this potential plot against Fort Dix—a plot that if executed would have caused the loss of lives—would have been uncovered. That store clerk's action may have saved literally hundreds of lives and represents a core truth of the dangerous times in which we live. Our safety depends on more than just police officers, intelligence analysts, and soldiers. It also depends on the alertness and civil responsibility of ordinary American citizens, including the peaceful and tolerant people who form the vast majority of America's Muslim communities.

We must encourage average citizens to be watchful and report behavior that appears to be suspicious or threatening. That imperative is especially strong in the area of mass transportation, where there is the potential for mass casualties, where vehicles and aircraft can be used as weapons, and where there is often only a brief period of time for assessing and reacting to alarming behavior. That is why the slogan ''See something, say something,'' is used in the New York subway.

Unfortunately, we have seen that plaintiffs can misuse our legal system to chill the willingness of average citizens to come forward and report possible dangers. As was widely reported last fall, six Islamic clerics were removed from a USAirways flight after other passengers expressed concerns that some of the clerics had moved out of their assigned seats and had requested, but apparently were not using, seatbelt extenders that could possibly double as weapons.

As a result of that incident, what happened? Well, the USAirways officials decided to remove these individuals from the plane so they could further investigate. What happened to the individuals who courageously came forward and reported this suspicious behavior? Unbelievably, they were sued for voicing their fears that the clerics could be rehearsing or preparing to execute a hijacking. These honestly concerned passengers found themselves as defendants in lawsuits that were filed in March.

The existence of this lawsuit clearly illustrates how unfair it is to allow private citizens to possibly be intimidated into silence by the threat of litigation. Would that alert clerk in the store have come forward if he thought there was a chance he was going to be sued? Would the passengers have spoken up if they had anticipated there would be a lawsuit filed against them? Even if such suits fail, they can expose citizens to heavy costs in time and legal fees.

Our bill would provide civil immunity in American courts for citizens

acting in good faith who report threats to our transportation systems.

The bill would encourage people to pass on information to appropriate transportation system officials and employees, to law enforcement or transportation security officials, or to the Departments of Homeland Security, Justice, or Transportation, without fear of being sued just for doing their civic duty.

Only disclosures made to those responsible officials and employees would be protected by the legislation's grant of immunity. Once a report is received, those officials would be responsible for assessing its reasonableness and determining whether further action is required. If these officials take reasonable action to mitigate the reported threat, they, too, would be protected from lawsuits. Just as we should not discourage reporting suspicious incidents, we also should not discourage reasonable responses to them.

Let me make very clear this bill does not offer any protection whatsoever if an individual makes a statement that he or she knows to be false. No one will be able to use this bill, should it become law, as I hope it will, as a cover for mischievous, vengeful, or biased falsehoods.

Our laws and legal system must not be hijacked to intimidate people into silence or to prevent our officials from responding to terrorist threats. Protecting citizens who make good-faith reports—and that is an important qualification in this bill—protecting citizens who make good-faith reports of potentially lethal activities is essential to maintaining our homeland security.

Our bill offers protection in a measured way, that discourages abuses from either side. I urge my colleagues to support it.

Senator LIEBERMAN and I have been holding a series of hearings, starting last year, in the Homeland Security Committee, to look at the threat of home-grown terrorists, domestic radicalization. We have learned a lot in the past 6 months. What we have learned has only strengthened my determination to push ahead with this bill.

The fact is, each of us has an important responsibility. The fight against domestic terrorism—or, indeed, any kind of terrorism—requires the active involvement of the citizenry of this country. It is not a fight that can be left simply to law enforcement. We simply could never have a sufficient number of law enforcement or intelligence officials to take care of every threat. Indeed, the foiled threat at Fort Dix shows us how important citizen involvement is.

I think this is a reasonable bill. It requires this immunity would be granted only for reports made in good faith. This would help encourage passengers on airlines and on trains to report suspicious activities. I think that is a necessary protection in this day and age.

By Ms. CANTWELL (for herself, Mr. SMITH, and Mr. KERRY):

S. 1370. A bill to amend the Internal Revenue Code of 1986 to ensure more investment and innovation in clean energy technologies; to the Committee on Finance.

Ms. CANTWELL. Mr. President, I rise today to introduce legislation that I believe is an important component of comprehensive energy policy. In order to transition away from an overreliance on fossil fuels, we must promote investments in clean energy generation using renewable resources and reduce the growth in demand for energy by stressing efficiency.

I think every Member of the Senate recognizes that while there is no single technological silver bullet for our energy problems, there are many emerging technologies that if adopted and deployed could go a long way in meeting our vexing energy security and climate challenges.

We also know that Government can play a key role setting technology standards and clean energy goals, but shifting our Nation's and the world's energy system to clean energy alternatives will take substantial private sector investment. Here, too, the Government can play a key role by enabling the market conditions that will take the technology from the laboratory and turn it into fully operational energy producing facilities.

A number of reports have suggested that private investment in energy technologies is on the rise. While estimates vary widely, New Energy Finance has reported that 1,246 private equity funds put more than $70 billion into clean energy technologies in 2006—a 43-percent increase relative to 2005. Similarly, a survey conducted late last year by the National Venture Capital Association found that more than 90 percent of respondents expect to increase investment in the energy sector in 2007.

This is a unique time. There is growing consensus that our Nation's energy demands need to be better and more smartly managed and, more importantly, consensus that those growing energy demands should be met using clean, renewable energy resources.

The Clean Energy Investment Assurance Act of 2007, which I introduce along with my colleagues, Senators GORDON SMITH and JOHN KERRY, responds to the clear message that was delivered to both the Senate Energy and Senate Finance Committees by businesses that are on the cutting edge in this area. What we heard from the renewable energy community and the investment community is that what they need most is some certainty in the Tax Code.

This type of Federal assistance will support the needed long-term investments that ultimately will drive down the costs of electricity from renewable sources. Once the market for these new technologies is up and running, such facilities will be economically self-sustaining and profitable.

Our legislation adheres to the following principles:

Certainty. We put the existing tax incentives in place long enough to drive investment dollars so these new technologies can be commercialized. The core of this bill is a 5-year extension and modification of the production tax credit. This tax credit is designed to help businesses and utilities diversify their sources of energy and promote energy production using biomass, wind power, hydropower, geothermal power, and other clean, renewable resources. In addition, we extend for 8 years the investment tax credit that is so important in encouraging the large upfront outlay of capital that is required for solar and fuel cell power plants.

Technological neutrality. This bill levels the playing field by providing an incentive to both thermal energy production and electricity production that use renewable resources. It also modifies the tax credits to increase the incentive effect for all renewable technologies that can produce energy with zero carbon emissions.

Parity between investor-owned utilities and consumer-owned public power utilities. The bill provides a powerful, complementary incentive through the Clean Renewable Energy Bond Program so that public power and consumer-owned utilities that cannot benefit from tax credits are not financially disadvantaged when they invest in renewable facilities. Public power utilities are required to meet State renewable portfolio standards in the same way as investor-owned utilities, and Government should provide comparable financial incentives so that ultimately the cost of electricity can be reduced for all customers.

Importance of efficiency. This bill includes provisions that better utilize the incentives in the Tax Code to promote energy efficiency in manufacturing, construction of ''green buildings,'' and more efficient homes. These tax incentives help defray the additional costs associated with using new energy-efficient technologies, systems, and materials to construct and retrofit factories, commercial buildings, and houses in order to reduce energy demand. I know Senator SNOWE has done a great deal of work in this area, and I look forward to working with her on these important provisions.

Another key component in this regard is an inducement for customers and utilities to upgrade to ''smart meters.'' A ''smart meter'' is a device with an electronic circuit board containing computer chips and a digital communications device. It allows a customer to interact with a utility in real time. This interaction allows the utility to better forecast and manage energy load and the customer can manage his energy use to lower the cost.

The electromechanical meter, the device that measures energy use with the little wheels turning inside it that is hooked up to almost every home and business in America, is almost the

same as when it was invented in the 1930s, when FDR was President.

Inefficient use of energy forces utilities to invest millions in building plants that operate only when energy demand peaks. As a result, the power these plants generate costs far more than power from other sources. This means more expensive power when demand is high.

Our bill would allow a faster recovery period for the costs of installing these new ''smart meters,'' which will make it easier for consumers to reduce energy use during these peak periods and shift their energy use to low-demand, low-cost times of the day.

We know that we don't have an unlimited pool of Federal resources, and I believe strongly that the Finance Committee should redirect subsidies that historically have propped up the oil and gas industry to now support this new direction in energy policy.

Our tax policy here should be driven by our energy policy goals. We cannot make a long-term difference with start-and-stop tax policy. But we must be mindful that after a reasonable period all tax incentives should be reexamined to see whether we have gotten the results we anticipated and whether the marketplace is ready to function on its own.

We should focus tax incentives where they will have the greatest impact in helping meet those goals. While this bill seeks to address renewable power and efficiency, I plan to continue working on legislation to effectively align the other incentives in the Tax Code that are designed to promote alternative fuels and vehicles.

We all witnessed how innovation in information technologies served as a forceful driver of productivity and economic growth in the recent past.

Energy technology innovations now have similar potential to fuel a new wave of economic growth and job creation.

I would like to note that this bill has already received the support of the following organizations: American Forest Resource Council; American Public Power Association; Biomass Investment Group; Energy Northwest; Large Public Power Council; Northwest Public Power Association; Southern California Public Power Authority; Solar Energy Industries Association; USA Biomass Power Producers Alliance; Chelan County PUD, Snohomish County PUD, Tacoma Power, and Seattle City Light; Washington Public Utility Districts Association; Simpson Investment Company, Tacoma; National Hydropower Association; Seattle Steam; and TechNet.

We have a tremendous opportunity in this Congress to set a new course in energy, environmental, and economic policy for the 21st century, and I hope we aggressively move forward and meet this challenge.

I ask unanimous consent that a section-by-section summary of the Clean Energy Investment Assurance Act of 2007 be printed in the RECORD.

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

THE CLEAN ENERGY INVESTMENT ASSURANCE ACT OF 2007

A bill to provide reliable Federal tax incentives to help ensure more private sector led investment an innovation in clean energy technologies.

SECTION-BY-SECTION SUMMARY

Sec. 1 Short Title.

Sec. 2. Expansion and modification of renewable electricity production credit (IRC Section 45).

Under current law, a qualified facility must be placed in service by December 31, 2008, in order to claim a tax credit for electricity that is produced. The bill extends the placed in service date until December 31, 2013, in order to provide an adequate incentive to have more facilities placed in service. Investors willing to bear the risks of new energy technologies should not be subject to the economic risks of start-and-stop tax policy.

The tax credit would be expanded to allow a credit for either the production of thermal energy—heat, in the form hot water or steam, or cooling in the form of chilled water, ice or other media—or the production of electricity. This would provide an incentive to invest in facilities that use renewable energy sources to create useful and valuable thermal energy, without generating electricity. Such district energy facilities can provide significant efficiency gains for heating and cooling buildings, displacing peak electricity demands on the local grid and enhancing fuel flexibility.

All qualifying facilities would be eligible to receive the full rate of credit, as adjusted for inflation. Current law reduces the credit by half for open-loop biomass, small irrigation power, landfill gas, trash combustion, and hydropower facilities.

New and existing facilities would be able to claim the credit for a period of 10 years, beginning on the date the facility is placed in service.

The goal of the credit is to encourage deployment of facilities that can produce energy from renewable sources. In order to enable new and emerging technologies to benefit from the credit, the bill grants authority to the Treasury Department to allow a facility placed in service before January 1, 2014, to qualify for the Section 45 credit even though it produces thermal energy or electricity using a renewable resource that is not enumerated in Section 45 provided that the facility produces energy with zero carbon emissions. The determination of whether a facility meets the zero carbon emissions requirement would be made in consultation with the Energy Department. New and emerging technologies that achieve the underlying goal of the incentive will not be disadvantaged by having to come through the lengthy legislative process in order to qualify.

The bill attempts to clarify existing Treasury guidance in order to facilitate electricity purchased by a co-located host facility (e.g. lumber mill) even in the case that both facilities are owned by the same taxpayer. Treasury/IRS Notice 2006–88 includes the concept of ''simultaneous sale and purchase'' that is being viewed as an impediment for some open-loop biomass facilities to claim the section 45 credit. This broad concept appears to require netting of electricity sold to, and purchased from, unrelated parties in order for a facility to qualify. Our proposal seeks to reverse the effect of this netting rule to allow qualified biomass facilities to obtain the PTC for gross electricity sold to the grid without any requirement to ''net'' electricity sold to and purchased from an unrelated party.

The bill modifies the definition of closed-loop biomass in Section 45(c)(2) to indicate that power producers that use part or the dedicated crop to produce some other type of renewable energy, for example: ethanol, etc., in addition to making electricity, are not disqualified from obtaining the closed-loop tax biomass tax credit for the electricity. Under current law, if any part of the dedicated energy material is used for any purpose other than producing electricity, the electricity produced is not eligible for the closed loop credit. Advances in energy science have led scientists and investors toward the creation of ''energy plantations'' that grow a dedicated crop for electricity production that also can provide a source of cellulosic ethanol. The bill would remove a disincentive to bringing such multiuse green facilities online.

Under current law, for only closed-loop biomass facilities modified to co-fire with coal, to co-fire with other biomass, or to co-fire with coal and other biomass, there is no reduction in credit by reason of grants, tax-exempt bonds, subsidized energy financing, and other credits while there is a reduction in the credit of up to 50 percent for other qualified facilities in cases where a facility benefited from grants, used proceeds from tax-exempt bonds, or was subsidized under a Federal, State or local program. Our proposal would equalize the treatment of all types of facilities by repealing this limitation in current law Section 45B(3). This will encourage States and localities to partner with private industry as part of a multi-faceted energy and environmental strategy.

Clarifies the statute to reflect additional work that may be needed to retrofit potential non-hydropower dams and make a technical correction related to incremental hydropower.

Sec. 3. Extension and expansion of credit to holders of clean renewable energy bonds (IRC Sec. 54).

Under current law, the full financial incentives provided under the tax credits are not available to certain entities such as consumer-owned utilities, yet these utilities also need to increase their investments in renewable energy sources to meet their growing demands. The Clean Renewable Energy Bond, CREB, program, enacted as part of the Energy Policy Act of 2005, was crafted to provide a comparable financial incentive for consumer-owned utilities to invest in new renewable electricity generation facilities. CREBs provide public power systems with interest free borrowing for qualified projects. State and local governments, U.S. territories and possessions, the District of Columbia, Indian tribal governments, CoBank, the National Rural Utilities Cooperative Finance Corporation, mutual or cooperative electric companies described in Internal Revenue Code Section 501 (c)(12) or 1381 (a)(2)(c), and a not-for-profit electric utility that has received a loan or loan guarantee under the Rural Electrification Act are all eligible to issue CREBs. Unfortunately, the 2-year authorization, the cumulative volume limit, and the smallest-to-largest project allocation of this limited authority have made it difficult for these bonds to be an effective large-scale investment incentive. Our proposal would extend the program to December 31, 2013 and convert the cumulative volume cap into an annual cap. Thus, the limitation in bonds issued would be $5 billion in each calendar year. It is intended that the higher volume cap will encourage broader allocation of the bonds to large-scale projects.

Sec. 4. Extension and modification of residential energy efficient property credit (Section 25D)

The bill extends until 2017 a 30 percent investment tax credit for the purchase of residential solar water heating and fuel cell property. In addition, the solar credit would be based on system power rather than cost and would provide $1,500 for each half-kilowatt of capacity for solar PV equipment and $1,000 for each kilowatt of capacity for fuel cells. Credits would be permitted against the alternative minimum tax to expand the incentive effect of the tax credit.

The bill allows the same credit for purchases of ''qualified energy storage air conditioner property,'' which increases the value of intermittent energy sources, such as wind and solar, by creating, storing, and supplying cooling energy.

Sec. 5. Extension and modification of energy credit (Section 48).

The bill extends until 2017 a 30 percent business credit, for the purchase of fuel cell power plants, solar energy property, and fiber optic property used to illuminate the inside of a structure. The bill changes the maximum credit to $1,500 for each half-kilowatt of capacity for solar PV equipment and eliminates the cap on fuel cell power plant property. The bill allows credits to be taken against the alternative minimum tax.

The bill also allows the credit for purchases of ''qualified energy storage air conditioner property,'' which increases the value of intermittent energy sources, such as wind and solar, by creating, storing, and supplying cooling energy.

Sec. 6. Extension and modification of nonbusiness energy property credit (Section 25C).

The bill extends would extend through 2012 the 10 percent investment tax credit for expenditures with respect to building envelopes using qualified energy efficient property, including qualified advanced main air circulating fans, natural gas, propane, oil furnaces or hot water boilers. The bill also would expand the deduction by removing the lifetime limit and modifies the law so that the incentives are based on performance rather than cost.

Sec. 7. Extension of new energy efficient home credit (Section 45L).

Our proposal would extend through the end of 2012 the tax credit to eligible contractors for the construction of qualified new energy-efficient homes.

Sec. 8. Extension and modification of energy efficient commercial buildings deduction (Section 179D).

Our proposal would extend through 2013 the deduction for investments in commercial buildings that reduce annual energy and power consumption. The bill also increases the amount of the deduction to $2.25 per square foot, and modifies the measurement of energy savings under the law.

Sec. 9. Five-year applicable recovery period for depreciation of qualified energy management devices (Section 168(e)).

The bill would treat qualified ''smart meters'' as qualified technological property eligible for 5 year cost recovery; This will ease the financial burdens that are hampering the deployment of this energy efficient technology and reflect the more appropriate tax treatment of this next generation meter technology. Under current law, smart meters are treated the same ways as electromagnetic meters with a 20 year cost recovery period. This has been a serious disincentive for taxpayers to upgrade their meters and realize the energy savings that will result.

By Mr. CASEY:

S. 1374. A bill to assist States in making voluntary high quality full-day prekindergarten programs available and economically affordable for the families of all children for at least 1 year preceding kindergarten; to the Committee on Health, Education, Labor, and Pensions.

Mr. CASEY. Mr. President, I rise today to offer my Prepare All Kids Act of 2007, a bill that represents one of my highest priorities, high quality prekindergarten education for all children, and particularly those from low income families for whom the cost of prekindergarten may be prohibitive. Investing in high quality early childhood development programs should be a national priority for our country. I look forward to speaking at length on the floor early next week about what my bill will accomplish for children and working families. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1374

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 ''Prepare All Kids Act of 2007''.

SEC. 2. HIGH QUALITY FULL-DAY PREKINDERGARTEN PROGRAMS.

Chapter 8 of subtitle A of title VI of the Omnibus Budget Reconciliation Act of 1981 (Public Law 97–35; 95 Stat. 357) is amended by inserting after subchapter C the following:

''Subchapter D—High Quality Full-Day Prekindergarten Programs

''SEC. 661. FINDINGS AND PURPOSE.

''(a) FINDINGS.—Congress makes the following findings:

''(1) Investments in children and early education should be a national priority.

''(2) The cost of high quality preschool is prohibitive for poor families and is a significant financial strain for many working- and middle-class families.

''(3) State-funded preschool is the most rapidly expanding segment of the United States educational system, but in many States a lack of stable funding poses an enormous threat to the provision or continuation of high quality preschool.

''(4) The provision of high quality prekindergarten is a cost-effective investment for children and for the Nation. Research shows that for every $1 invested in high quality early childhood programs, taxpayers save more than $17 in crime, welfare, education, and other costs.

''(5) Fewer than half the Nation's poor preschool-age children attend preschool. The result is a significant preparation gap between poor and middle-class children and between minority and white children.

''(6) High quality early education increases academic success for schoolchildren who received that education by—

''(A) increasing high school graduation rates;

''(B) improving children's performance on standardized tests;

''(C) reducing grade repetition; and

''(D) reducing the number of children placed in special education.

''(7) High quality early education promotes responsible behavior by teens and adults who received that education by—

''(A) reducing crime, delinquency, and unhealthy behaviors such as smoking and drug use;

''(B) lowering rates of teen pregnancy;

''(C) leading to greater employment and higher wages for adults; and

''(D) contributing to more stable families.

''(b) PURPOSE.—The purpose of this Act is to assist States in—

''(1) making voluntary high quality full-day prekindergarten programs available and economically affordable for the families of all children for at least 1 year preceding kindergarten; and

''(2) making the prekindergarten programs available to a target population of children from families with incomes at or below 200 percent of the poverty line, for whom the prekindergarten programs will be free of charge.

''SEC. 662. DEFINITIONS.

''(a) In this Act:

''(1) FULL-DAY.—The term 'full-day', used with respect to a program, means a program with a minimum of a 6-hour schedule per day.

''(2) POVERTY LINE.—The term 'poverty line' has the meaning given the term in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)) and includes any revision required by that section.

''(3) PREKINDERGARTEN.—The term 'prekindergarten' means a program that—

''(A) serves children who are ages 3 through 5;

''(B) supports children's cognitive, social, emotional, and physical development and approaches to learning; and

''(C) helps prepare children for a successful transition to kindergarten.

''(4) PREKINDERGARTEN TEACHER.—The term 'prekindergarten teacher' means an individual who

''(A) has a bachelor of arts degree with a specialization in early childhood education or early childhood development; or

''(B) during the 6-year period following the first date on which the individual is employed as such a teacher under this Act, is working toward that degree.

''(5) QUALIFIED PREKINDERGARTEN PROVIDER.—The term 'qualified prekindergarten provider' includes a provider of a prekindergarten program, a Head Start agency, a provider of a child care program, a school, and a for-profit or nonprofit organization that—

''(A) is in existence on the date of the qualification determination; and

''(B) has met applicable requirements under State or local law that are designed to protect the health and safety of children and that are applicable to child care providers.

''(6) SECRETARY.—The term 'Secretary' means the Secretary of Health and Human Services.

''SEC. 663. PROGRAM AUTHORIZATION.

''(a) PREKINDERGARTEN INCENTIVE FUND.—The Secretary, in collaboration and consultation with the Secretary of Education, shall create a Prekindergarten Incentive Fund, to be administered by the Secretary of Health and Human Services.

''(b) GRANTS.—In administering the Fund, the Secretary shall award grants to eligible States, to pay for the Federal share of the cost of awarding subgrants to qualified prekindergarten providers to establish, expand, or enhance voluntary high quality full-day prekindergarten programs.

''SEC. 664. STATE APPLICATIONS AND REQUIREMENTS.

''(a) DESIGNATED STATE AGENCY.—To be eligible to receive a grant under this Act, a State shall designate a State agency to administer the State program of assistance for prekindergarten programs funded through the grant, including receiving and administering funds and monitoring the programs.

''(b) STATE APPLICATION.—In order for a State to be eligible to receive a grant under this Act, the designated State agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, including—

''(1) an assurance that, for prekindergarten programs funded through the grant, the State will ensure that the qualified prekindergarten providers target children from families with incomes at or below 200 percent of the poverty line, and provide prekindergarten programs to children from those families free of charge;

''(2) an assurance that the State will award subgrants for prekindergarten programs that are sufficient to provide a high quality prekindergarten experience;

''(3) an assurance that not less than 25 percent of the qualified prekindergarten providers receiving such subgrants will be providers of community-based programs;

''(4) a description of the number of children in the State who are eligible for the prekindergarten programs and the needs that will be served through the prekindergarten programs;

''(5) a description of how the State will ensure that the subgrants are awarded to a wide range of types of qualified prekindergarten providers;

''(6) a description of how the designated State agency will collaborate and coordinate activities with State-funded providers of prekindergarten programs, providers of federally funded programs such as Head Start agencies, local educational agencies, and child care providers;

''(7) a description of how the State will ensure, through a monitoring process, that qualified prekindergarten providers receiving the subgrants continue to place priority on the target population of children described in paragraph (1), provide programs that meet the standards of high quality early education, and use funds appropriately;

''(8) a description of how the State will meet the needs of working parents; and

''(9) a description of how the State will assist in providing professional development assistance to prekindergarten teachers and teacher aides.

''(c) FEDERAL SHARE.—The Federal share of the cost described in section 663(b) shall be 50 percent. The State shall provide the non-Federal share of the cost in cash.

''(d) SUPPLEMENTARY FEDERAL FUNDING.—Funds made available under this Act may be used only to supplement and not supplant other Federal, State, local, or private funds that would, in the absence of the funds made available under this Act, be made available for early childhood programs.

''(e) MAINTENANCE OF EFFORT.—A State that receives a grant under this Act for a fiscal year shall maintain the expenditures of the State for early childhood programs at a level not less than the level of such expenditures of the State for the preceding fiscal year.

''SEC. 665. STATE SET ASIDES AND EXPENDITURES.

''(a) INFANT AND TODDLER SET ASIDE.—Notwithstanding sections 662 and 663, a State shall set aside not less than 10 percent of the funds made available through a grant awarded under this Act for the purpose of funding high quality early childhood development programs for children who are ages 0 through 3. Funds made available under this subsection may also be used for professional development for teachers and teacher aides in classrooms for children who are ages 0 through 3.

''(b) EXTENDED DAY AND EXTENDED YEAR SET ASIDE.—Notwithstanding section 663, a State shall set aside not less than 10 percent of the funds made available through a grant awarded under this Act for the purpose of extending the hours of early childhood programs to create extended day and extended year programs.

''(c) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the funds made available through such a grant may be used for administrative expenses, including monitoring.

''SEC. 666. LOCAL APPLICATIONS.

''To be eligible to receive a subgrant under this Act, a qualified prekindergarten provider shall submit an application to the designated State agency at such time, in such manner, and containing such information as the agency may reasonably require, including—

''(1) a description of how the qualified prekindergarten provider will meet the diverse needs of children in the community to be served, including children with disabilities, whose native language is not English, or with other special needs, children in the State foster care system, and homeless children;

''(2) a description of how the qualified prekindergarten provider will serve eligible children who are not served through similar services or programs;

''(3) a description of a plan for involving families in the prekindergarten program;

''(4) a description of how children in the prekindergarten program, and their parents and families, will receive assistance through supportive services provided within the community;

''(5) a description of how the qualified prekindergarten provider collaborates with providers of other programs serving children and families, including Head Start agencies, providers of child care programs, and local educational agencies, to meet the needs of children, families, and working families, as appropriate; and

''(6) a description of how the qualified prekindergarten provider will collaborate with local educational agencies to ensure a smooth transition for participating students from the prekindergarten program to kindergarten and early elementary education.

''SEC. 667. LOCAL PREKINDERGARTEN PROGRAM REQUIREMENTS.

''(a) MANDATORY USES OF FUNDS.—A qualified prekindergarten provider that receives a subgrant under this Act shall use funds received through the grant to establish, expand, or enhance prekindergarten programs for children who are ages 3 through 5, including—

''(1) providing a prekindergarten program that supports children's cognitive, social, emotional, and physical development and approaches to learning, and helps prepare children for a successful transition to kindergarten;

''(2) purchasing educational equipment, including educational materials, necessary to provide a high quality prekindergarten program; and

''(3) extending part-day prekindergarten programs to full-day prekindergarten programs.

''(b) PERMISSIBLE USE OF FUNDS.—A qualified prekindergarten provider that receives a subgrant under this Act may use funds received through the grant to—

''(1) pay for transporting students to and from a prekindergarten program; and

''(2) provide professional development assistance to prekindergarten teachers and teacher aides.

''(c) PROGRAM REQUIREMENTS.—A qualified prekindergarten provider that receives a subgrant under this Act shall carry out a high quality prekindergarten program by—

''(1) maintaining a maximum class size of 20 children, with at least 1 prekindergarten teacher per classroom;

''(2) ensuring that the ratio of children to prekindergarten teachers and teacher aides shall not exceed 10 to 1;

''(3) utilizing a prekindergarten curriculum that is research- and evidence-based, developmentally appropriate, and designed to support children's cognitive, social, emotional, and physical development, and approaches to learning;

''(4) providing a program with a minimum of a 6-hour schedule per day; and

''(5) ensuring that prekindergarten teachers meet the requirements of this Act.

''SEC. 668. REPORTING.

''(a) QUALIFIED PREKINDERGARTEN PROVIDER REPORTS.—Each qualified prekindergarten provider that receives a subgrant from a State under this Act shall submit an annual report, to the designated State agency, that reviews the effectiveness of the prekindergarten program provided. Such annual report shall include—

''(1) data specifying the number and ages of enrolled children, and the family income, race, gender, disability, and native language of such children;

''(2) a description of—

''(A) the curriculum used by the program;

''(B) how the curriculum supports children's cognitive, social, emotional, and physical development and approaches to learning; and

''(C) how the curriculum is appropriate for children of the culture, language, and ages of the children served; and

''(3) a statement of all sources of funding received by the program, including Federal, State, local, and private funds.

''(b) STATE REPORTS.—Each State that receives a grant under this Act shall submit an annual report to the Secretary detailing the effectiveness of all prekindergarten programs funded under this Act in the State.

''(c) REPORT TO CONGRESS.—The Secretary shall submit an annual report to Congress that describes the State programs of assistance for prekindergarten programs funded under this Act.

''SEC. 669. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this Act—

''(1) $5,000,000,000 for fiscal year 2008;

''(2) $6,000,000,000 for fiscal year 2009;

''(3) $7,000,000,000 for fiscal year 2010;

''(4) $8,000,000,000 for fiscal year 2011; and

''(5) $9,000,000,000 for fiscal year 2012.''.

By Mr. MENENDEZ (for himself, Mr. DURBIN, Ms. SNOWE, Mr. BROWN, Mr. DODD, and Mr. LAUTENBERG):

S. 1375. A bill to ensure that new mothers and their families are educated about postpartum depression, screened for symptoms, and provided with essential services, and to increase research at the National Institutes of Health on postpartum depression; to the Committee on Health, Education, Labor, and Pensions.

Mr. MENENDEZ. Mr. President, I rise today with my friends Senators DURBIN and SNOWE to reintroduce the Mom's Opportunity to Access Help, Education, Research, and Support for Postpartum Depression, MOTHERS, Act.

Senator DURBIN has been and continues to be a leader on this issue and I am grateful for the opportunity to work with him on this important legislation. I would also like to recognize Representative RUSH, who has been a champion for women battling

postpartum depression, PPD, in the House for many years. I am proud to say that his bill, The Melanie Stokes Postpartum Depression Research and Care Act, shares the same goals as the MOTHERS Act.

Mr. President, in the United States, 10 to 20 percent of women suffer from a disabling and often undiagnosed condition known as postpartum depression. Unfortunately, many women are unaware of this condition and often do not receive the treatment they need. That is why I am introducing the MOTHERS Act, so that women no longer have to suffer in silence and feel alone when faced with this difficult condition.

Last year, the great State of New Jersey passed a first of its kind law requiring doctors and nurses to educate expectant mothers and their families about postpartum depression. This bill was introduced in the State legislature by State Senate President Richard Codey. The attention of Senator Codey and his wife, Mary Jo Codey, who personally battled postpartum depression, have brought to the issue is remarkable. Brooke Shields, a graduate of Princeton University, has also shared her struggle with postpartum depression publicly and should be commended for her efforts to bring awareness to this condition. Postpartum depression affects women all across the country, not just in New Jersey, and that is why I believe the MOTHERS Act is so important.

In America, 80 percent of women experience some level of depression after childbirth. This is what people often refer to as the ''baby blues.'' However, each year, there are between 400,000 and 800,000 women across America who suffer from postpartum depression, a much more serious condition. These mothers often experience signs of depression and may lose interest in friends and family, feel overwhelming sadness or even have thoughts of harming their baby or harming themselves. People often assume that these feelings are simply the ''baby blues'', but the reality is much worse. Postpartum depression is a serious and disabling condition and new mothers deserve to be given information and resources on this condition so, if needed, they can get the appropriate help.

The good news is that treatment is available. Many women have successfully recovered from postpartum depression with the help of therapy, medication, and support groups. However, mothers and their families must be educated so that they understand what might occur after the birth of their child and when to get help. This legislation will require doctors and nurses to educate every new mother and their families about postpartum depression before they leave the hospital and offer the opportunity for new mothers to be screened for postpartum depression symptoms during the first year of postnatal check up visits. It also provides social services to new mothers and their families who are suffering and struggling with postpartum depression. By increasing education and early treatment of postpartum depression, mothers, husbands, and families, will be able to recognize the symptoms of this condition and help new mothers get the treatment they need and deserve.

The MOTHERS Act has another important component. While we continue to educate and help the mothers of today, we must also be prepared to help future moms. By increasing funding for research on postpartum conditions at the National Institutes of Health, we can begin to unravel the mystery behind this difficult to understand illness. The more we know about the causes and etiology of postpartum depression, the more tools we have to treat and prevent this heartbreaking condition.

We must attack postpartum depression on all fronts with education, screening, support, and research so that new moms can feel supported and safe rather than scared and alone. Many new mothers sacrifice anything and everything to provide feelings of security and safety to their innocent, newborn child. It is our duty to provide the same level of security, safety and support to new mothers in need.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 194—COMMEMORATING THE 40TH ANNIVERSARY OF THE LANDMARK CASE IN RE GAULT, ET. AL., IN WHICH THE SUPREME COURT HELD THAT ALL CHILDREN ACCUSED OF DELINQUENT ACTS AND FACING A PROCEEDING IN WHICH THEIR FREEDOM MAY BE CURTAILED HAVE A RIGHT TO COUNSEL IN THE PROCEEDINGS AGAINST THEM

Mr. KENNEDY (for himself and Mr. SMITH) submitted the following resolution; which was considered and agreed to:

S. RES. 194

Whereas, on May 15, 1967, the Supreme Court recognized in In re Gault, et al., 387 U.S. 1 (1967) that all children accused of delinquent acts and facing a proceeding in which their freedom may be curtailed have a right to counsel in the proceedings against them;

Whereas the Supreme Court held that proceedings against juveniles must meet the essential requirements of the due process clause of the 14th amendment to the Constitution;

Whereas the Gault decision recognized that the constitutional protections of due process extend to juveniles the right to fundamental procedural safeguards in juvenile courts, including the right to advance notice of the charges against them, the right to counsel, the privilege against self-incrimination, and the right to confront and cross-examine witnesses; and

Whereas, 40 years after the Gault decision, some children appear in court with no legal counsel at all: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and honors the 40th anniversary of the decision in In re Gault, et al., 387 U.S. 1 (1967);

(2) encourages all people of the United States to recognize and honor the 40th anniversary of the Gault decision;

(3) supports strategies to improve the juvenile justice system that appreciate the unique nature of childhood and adolescence; and

(4) pledges to acknowledge and address the modern day disparities that remain for children after the Gault decision.

SENATE RESOLUTION 195—COMMENDING THE OREGON STATE UNIVERSITY COLLEGE OF FORESTRY ON THE OCCASION OF ITS CENTENNIAL

Mr. SMITH (for himself and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 195

Whereas educational programs in forestry were established at the Oregon Agricultural College in 1906 and have evolved for 100 years, forming the foundation for today's Oregon State University College of Forestry;

Whereas the centennial year of the College of Forestry began in May 2006 and culminates with a celebration in May 2007, providing for year-long recognition of exceptional education, research, outreach, and service programs, and outstanding faculty, staff, and students;

Whereas the College of Forestry aspires to be the world's premier academic institution in forestry and to serve the people of Oregon, the Nation, and the world;

Whereas the College of Forestry is committed to providing the knowledge and graduates needed to sustain forests and the functions, products, and values forests provide for current and future generations;

Whereas the College of Forestry addresses complex forest resource challenges through collaboration across disciplines, institutions, and perspectives;

Whereas the College of Forestry has fostered teaching and learning about forests through its forest engineering, forest resources, forest science, and wood science and engineering educational programs;

Whereas the College of Forestry actively encourages students to engage in distinctive problem solving and to conduct fundamental research on the nature and use of forests, and to share discoveries with others;

Whereas the College of Forestry conducts research on a wide range of topics, in the disciplines of biology, botany, ecology, engineering, forest management, manufacturing and marketing of wood products, the social sciences, wood chemistry, and physiology, that affect virtually all Oregonians because of the importance of forests to the people of Oregon and the State's economic health;

Whereas the College of Forestry recognizes strength in diversity of faculty, staff, students, and ideas, and nurtures the community through communication and respect;

Whereas the College of Forestry operates 14,000 acres of forests, which serve as a living laboratory where active forest management provides teaching, research, and demonstration opportunities for all Oregonians; and

Whereas the College of Forestry has been recognized by peers as the premier forestry research college in North America: Now, therefore, be it

Resolved, That the Senate commends the Oregon State University College of Forestry on the occasion of its centennial.