

veterans' benefits, and for other purposes." The Department of Veterans Affairs (VA) requests that the bill be referred to the appropriate committee for prompt consideration and enactment.

VA's draft bill contains four titles that address improvements to education, health care, and other benefits, as well as other miscellaneous matters. Enclosed please find a section-by-section analysis, which includes cost estimates.

The provisions of title I dealing with education matters would eliminate the requirement that certain institutions report to VA any credit granted a student for prior training, modify the waiting period before affirmation of enrollment in a program pursued exclusively by correspondence, eliminate the requirement that an individual report to VA for approval a second change of program pursued while enrolled at the same institution, and eliminate the wage-earning requirement for self-employment on-job training.

Title II of the draft bill deals with miscellaneous provisions that would permit VA to stay temporarily its adjudication of claims while awaiting pending court decisions, clarify that the Board of Veterans' Appeals may decide certain cases out of docket-number order, permit VA to furnish a memorial headstone or marker for certain deceased surviving spouses of veterans, make permanent VA authority to contract for medical disability examinations, modify servicemembers' group life insurance coverage, permit VA to provide Temporary Residence Assistance grants to certain active-duty servicemembers, and designate the office required to be established by the Small Business Act (15 U.S.C. §644(k)) as the Office of Small Business Programs.

Title III addresses a number of significant health care matters. One of the major provisions would authorize the Secretary to require that recipients of, and applicants for, medical care and services provide their health-plan contract information and social security numbers upon request. This would allow VA to enhance revenue collection from health insurance carriers and ensure the accurate identification of medical care applicants by a single unique identifier, thus facilitating VA medical care eligibility determinations.

Other key provisions of title III would provide for several needed program extensions, including the Department's mandate to provide nursing home care to veterans with service-connected disabilities of 70 percent or greater and to those who need such care for the treatment of a service-connected disability. Another provision of title III would allow VA to establish additional nonprofit research corporations. There is also a measure to extend VA's authority to conduct its audit-recovery program, which assists in identifying erroneous payments or overpayments made under fee-basis contracts or other medical services contracts. The audit program has achieved notable success in the amounts recovered. All of these are important authorities that should not be allowed to lapse.

We also propose to amend 38 U.S.C. §7332 to allow VA providers to disclose information related to a patient's treatment of drug abuse, alcoholism and alcohol abuse, infection with the human immunodeficiency virus, and sickle cell anemia to that patient's authorized surrogate when the patient lacks decision-making capacity but has not expressly authorized the release of that information to that surrogate. The terms of the provision are very narrowly drawn to permit disclosure of this information only when clinically relevant to the treatment decision that the surrogate is being asked to make and are consistent with widely-accept-

ed ethical standards for informed consent. In its report, *Disclosing Patients' Protected Health Information to Surrogates* (February 2005), VHA's National Ethics Committee concluded that, in light of significant legal protections now in place regarding employment discrimination based on personal health status and the confidentiality of personal health information, the current section 7332 prohibition against the disclosure of clinically-relevant medical information to surrogate decision makers is no longer justifiable. Moreover, the Committee concluded that 38 U.S.C. §7332 places clinicians in the ethically untenable position of being required to obtain informed consent from the surrogate decision maker on behalf of a patient who lacks decision-making capacity, while being unable to disclose to the surrogate this significant clinical information without which there can be no full and informed consent.

Key provisions of Title IV of the draft bill would make long-needed improvements to VA's Security and Law Enforcement Program, and enable our police officers to more fully perform all of the duties required of their law enforcement positions.

The Office of Management and Budget advises that transmission of this legislative package is in accord with the President's program.

An identical letter has been sent to the President of the Senate.

Sincerely yours,

JAMES B. PEAKE.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 551—CELEBRATING 75 YEARS OF SUCCESSFUL STATE-BASED ALCOHOL REGULATION

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

S. RES. 551

Whereas, throughout the history of the United States, alcohol has been consumed by the people of the United States and has been regulated by government;

Whereas, before the passage of the 18th amendment to the Constitution of the United States (commonly known as "National Prohibition"), abuses and insufficient regulation resulted in irresponsible overconsumption of alcohol;

Whereas the passage of the 18th amendment, which prohibited "the manufacture, sale, or transportation of intoxicating liquors" in the United States, resulted in a dramatic increase in illegal activity, including unsafe black market alcohol production, a growth in organized crime, and increasing noncompliance with alcohol laws;

Whereas the platforms of the 2 major political parties in the 1932 presidential campaign advocated ending National Prohibition by repealing the 18th amendment;

Whereas, on February 20, 1933, the second session of the 72nd Congress submitted to conventions of the States the question of repealing the 18th amendment and adding new language to the Constitution requiring the transportation or importation of alcoholic beverages for delivery or use in any State to be carried out in compliance with the laws of that State;

Whereas, on December 5, 1933, Utah became the 36th State to approve what became the 21st amendment to the Constitution of the United States, making the ratification of the 21st amendment the fastest ratification of a

constitutional amendment in the history of the United States and the only ratification of a constitutional amendment ever decided by State conventions pursuant to Article V of the Constitution;

Whereas alcohol is the only product in commerce in the United States that has been the subject of 2 constitutional amendments;

Whereas Congress's reenactment in 1935 of the Act entitled "An Act divesting intoxicating liquors of their interstate character in certain cases", approved March 1, 1913 (commonly known as the Webb-Kenyon Act) (27 U.S.C. 122), and the enactment of the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.), section 2004 of Aimee's Law (27 U.S.C. 122a) (relating to 21st amendment enforcement), the Sober Truth on Preventing Underage Drinking Act (Public Law 109-422; 120 Stat. 2890), and annual appropriations to support State enforcement of underage drinking laws demonstrate a longstanding and continuing intent on the part of Congress that States should exercise their primary authority to achieve temperance, the creation and maintenance of orderly and stable markets with respect to alcoholic beverages, and the facilitation of the efficient collection of taxes;

Whereas the legislatures and alcoholic beverage control agencies of the 50 States have worked diligently to implement the powers granted by the 21st amendment for 75 years and to ensure the creation and maintenance of State-based regulatory systems for alcohol distribution made up of producers, importers, wholesale distributors, and retailers;

Whereas the development of a transparent and accountable system for the distribution and sale of alcoholic beverages, an orderly market, temperance in consumption and sales practices, the efficient collection of taxes, and other essential policies have been successfully guided by the collective experience and cooperation of government agencies and licensed industry members throughout the geographically and culturally diverse Nation;

Whereas regulated commerce in alcoholic beverages annually contributes billions of dollars in Federal and State tax revenues and additional billions to the United States economy and supports the employment of millions of people in the United States in more than 2,500 breweries, distilleries, wineries, and import companies, more than 2,700 wholesale distributor facilities, more than 530,000 retail outlets, and numerous agricultural, packaging, and transportation businesses;

Whereas the United States system of State-based alcohol regulation has resulted in a marketplace with unprecedented choice, variety, and selection for consumers;

Whereas members of the licensed alcoholic beverage industry have been constant partners with Federal and State governments in balancing the conduct of competitive businesses with the need to control alcohol in order to provide consumers in the United States with a safe and regulated supply of alcoholic beverages; and

Whereas members of the licensed alcoholic beverage industry have created and supported a wide range of national, State, and community programs to address problems associated with alcohol abuse, including drunk driving and underage drinking: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates 75 years of effective State-based alcohol regulation since the passage of the 21st amendment to the Constitution of the United States;

(2) commends State lawmakers, regulators, law enforcement officers, the public health

community, and industry members for successful collaboration in achieving a workable, legal, and successful system for the distribution and sale of alcoholic beverages; and

(3) reaffirms the continued support of the Senate for policies that allow States to effectively regulate alcohol.

SENATE RESOLUTION 552—RECOGNIZING THE 150TH ANNIVERSARY OF THE STATE OF MINNESOTA

Mr. COLEMAN (for himself and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 552

Whereas Minnesota was established as a territory on March 2, 1849, and became the 32nd State on May 11, 1858;

Whereas Minnesota is also known as the "Gopher State", the "North Star State", and the "Land of 10,000 Lakes";

Whereas Minnesota's name comes from the Dakota word "minnesota", meaning "water that reflects the sky", and Native Americans continue to play a defining role in Minnesota's proud heritage;

Whereas the cities of Minneapolis and St. Paul were established after the completion of nearby Fort Snelling, a frontier outpost and training center for Civil War soldiers;

Whereas more than 338,000,000 tons of Minnesota iron ore were shipped between 1940 and 1945 that contributed to the United States military victory in World War II, and an additional 648,000,000 tons of iron ore were shipped between 1945 and 1955 that boosted post-war economic expansion in the United States;

Whereas, in 1889, the Saint Mary's Hospital, now known as the Mayo Clinic, opened its doors to patients in Rochester, Minnesota, and is now known worldwide for its cutting-edge care;

Whereas Minnesota continues to be a leader in innovation and is currently home to more than 35 Fortune 500 companies;

Whereas Minnesota houses over 30 institutions of higher education, including the University of Minnesota, a world-class research university where the first open heart surgery and first bone marrow transplant were performed in the United States;

Whereas farmland spans over half of Minnesota's 54,000,000 acres and the agriculture industry is Minnesota's 2nd largest job market, employing nearly 80,000 farmers;

Whereas Minnesota is the Nation's number one producer of sugarbeets and turkeys;

Whereas Minnesota is a national leader in the production and use of renewable energy, which helps our Nation reduce its dependency on foreign sources of oil;

Whereas the Mall of America located in Bloomington, Minnesota, is the Nation's largest retail and entertainment complex, spanning 9,500,000 square feet and providing more than 11,000 jobs;

Whereas Minnesota has 90,000 miles of lake and river shoreline, which includes the coast of Lake Superior, the largest of North America's Great Lakes;

Whereas the Minneapolis-St. Paul area is nationally recognized for its parks, museums, and cultural events; and

Whereas the people of Minnesota have a timeless reputation of compassion, strength, and determination: Now, therefore, be it

Resolved, That the Senate congratulates the State of Minnesota on its 150th anniversary and the contributions it continues to make to America's economy and heritage.

SENATE RESOLUTION 553—CONGRATULATING CHARLES COUNTY, MARYLAND, ON THE OCCASION OF ITS 350TH ANNIVERSARY

Mr. CARDIN (for himself and Ms. MIKULSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 553

Whereas 2008 marks the 350th anniversary of the establishment of Charles County, Maryland, a historic and memorable event that will be commemorated throughout the year;

Whereas Charles County was chartered in 1658 and named after Charles Calvert, a royal proprietor of the colony of Maryland;

Whereas citizens of Charles County have played an important role in the history of Maryland and our Nation, including Thomas Stone, whose home is maintained by the National Park Service in Port Tobacco and who served as a Continental Congressman, a framer of the Articles of Confederation, and a signer of the Declaration of Independence;

Whereas, under the Articles of Confederation, John Hanson, born in Port Tobacco, served as the President of the United States in Congress Assembled;

Whereas Josiah Henson escaped slavery and fled from Charles County to Canada, where he wrote his autobiography, a narrative that later inspired Harriet Beecher Stowe's famous novel "Uncle Tom's Cabin";

Whereas Josiah Henson's grandnephew, Matthew Henson, left Charles County farmland to become an arctic explorer, venturing to the North Pole and going on to receive international acclaim;

Whereas, following the Civil War, the house of Dr. Samuel A. Mudd in Waldorf was where John Wilkes Booth stopped to have Dr. Mudd reset his leg, broken after he fatally shot President Abraham Lincoln and jumped off the balcony of Ford's Theater in Washington, DC;

Whereas today Charles County has roughly 120,000 residents;

Whereas, while farming and small town life still flourish, particularly along the banks of the Potomac River, the population of the county is growing; and

Whereas the county is home to workers in the National Capital region as well as the county's largest employer, a Department of Defense Energetics Center, the Indian Head Division, Naval Surface Warfare Center: Now, therefore, be it

Resolved, That the Senate—

(a) commends and congratulates Charles County, Maryland, on the occasion of its 350th anniversary; and

(b) requests the Secretary of the Senate to transmit an enrolled copy of this resolution to the Charles County Anniversary Committee as an expression of the Senate's best wishes for a glorious year of celebration.

SENATE CONCURRENT RESOLUTION 79—CONGRATULATING AND SALUTING FOCUS: HOPE ON ITS 40TH ANNIVERSARY AND FOR ITS REMARKABLE COMMITMENT AND CONTRIBUTIONS TO DETROIT, THE STATE OF MICHIGAN, AND THE UNITED STATES

Mr. LEVIN (for himself and Ms. STABENOW) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 79

Whereas Focus: HOPE began as a civil and human rights organization in 1968 in the wake of the devastating Detroit riots, and was cofounded by the late Father William T. Cunningham, a Roman Catholic priest, and Eleanor M. Josaitis, a suburban housewife, who were inspired by the work of Dr. Martin Luther King, Jr.;

Whereas Focus: HOPE is committed to bringing together people of all races, faiths, and economic backgrounds to overcome injustice and build racial harmony, and it has grown into one of the largest nonprofit organizations in Michigan;

Whereas the Focus: HOPE mission statement reads, "Recognizing the dignity and beauty of every person, we pledge intelligent and practical action to overcome racism, poverty and injustice. And to build a metropolitan community where all people may live in freedom, harmony, trust, and affection. Black and white, yellow, brown and red, from Detroit and its suburbs of every economic status, national origin and religious persuasion we join in this movement.";

Whereas one of Focus: HOPE's early efforts was to support African-American and female employees in a seminal class action suit against the American Automobile Association (AAA), resulting in groundbreaking affirmative action commitments made by AAA;

Whereas Focus: HOPE helped to conceive and develop the Department of Agriculture's Commodity Supplemental Food Program, which has been replicated in more than 32 States, and through this program, Focus: HOPE helps to feed approximately 41,000 people per month throughout southeast Michigan;

Whereas Focus: HOPE has revitalized several city blocks in central Detroit by redeveloping obsolete industrial buildings, beautifying and landscaping Oakman Boulevard, creating pocket parks, and rehabilitating homes in the surrounding areas;

Whereas, since 1981, Focus: HOPE's Machinist Training Institute has been training individuals from Detroit and surrounding areas in careers in advanced manufacturing and precision machining and has produced nearly 2,300 certified graduates, providing an opportunity for minority youth, women, and others who are often underrepresented in such careers to gain access to the financial mainstream and learn in-demand skills;

Whereas Focus: HOPE has recognized that manufacturing and information technologies are key to the economic growth and security of Michigan and the United States, and is committed to designing programs to encourage the participation of underrepresented urban individuals in those critical sectors;

Whereas, in 1982, Focus: HOPE initiated a for-profit subsidiary for community economic development purposes and is now designated with Federal HUBZone status (as defined in section 3(p) of the Small Business Act (15 U.S.C. 632(p)));

Whereas Focus: HOPE created Fast Track, a pioneering skill-enhancing program designed to help individuals improve their reading and math competencies by a minimum of 2 grade levels in 4 to 7 weeks;

Whereas Focus: HOPE's training and education programs have moved more than 9,600 individuals out into the workforce since the inception of those programs and have job placement rates significantly above the national average;

Whereas, in 1987, Focus: HOPE reclaimed and renovated an abandoned building and opened it as the Focus: HOPE Center for Children, which now has served nearly 6,000 children of colleagues, students, and neighbors with quality child care, including