and that problem is going to dramatically worsen in the very near future. Yet there are currently fewer than 9,000 geriatric physicians practicing in the United States, far below the 36,000 or more needed to effectively care for the nation's booming population of seniors by 2030. The numbers are similar across health care disciplines, including nursing, social work, psychology, pharmacy and psychiatry.

Geriatric specialists are the foundation of high-quality, comprehensive health care for our older adults. This kind of specialized care is complicated and demanding. For example, about 80 percent of the senior population has one or more chronic conditions. In 2002, older people made up 13 percent of the U.S. population yet accounted for 36 percent of all hospital stays, 49 percent of all days of hospital care, and 50 percent of all physician hours.

Despite this growing need, many health care professionals inclined to study and practice in geriatrics are dissuaded from doing so because treating the elderly carries financial disincentives for them. Currently, over 86 percent of medical school graduates carry educational debt, and the median debt burden for graduates of public medical institutions has risen to over $119,000 while that for private school graduates has increased to nearly $150,000.

The Geriatrics Loan Forgiveness Act of 2009 would address the national shortage of geriatric specialists by enabling geriatric specialists to participate in the existing National Health Service Corps Loan Repayment Program, encouraging more health care professionals to be certified in geriatrics. This program currently forgives up to $25,000 on behalf of an individual for each of the first two years of obligated service.

In its April 2008 report, "Retooling for an Aging America," the Institute of Medicine recommended that "Public and private payers should provide financial incentives to increase the number of geriatric specialists in all health professions." The Geriatics Loan Forgiveness Act would provide a very important incentive for health care graduates to enter geriatric specialties early in their careers and become part of the workforce that we need to provide quality health care to America's seniors.

THE SAFE AND SECURE AMERICA ACT OF 2009

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 2009

Mr. SMITH of Texas. Madam Speaker, today I introduce the Safe and Secure America Act of 2009 to instill confidence in the American people that our intelligence community is fully equipped to investigate and prevent threats to our safety and security.

This legislation extends for ten years sections 206 and 215 of the USA PATRIOT Act and section 6001 of the Intelligence Reform and Terrorism Prevention Act of 2004, which are scheduled to sunset on December 31, 2009. Three years ago, Congress reauthorized the USA PATRIOT Act, eliminating all but these three sunsets.

Section 206 of the USA PATRIOT Act authorizes the use of multipoint or "roving" wiretaps for national security and intelligence investigations. A "roving" wiretap applies to an individual and allows the government to a use a single wiretap order to cover any communications device that the suspect uses or may use. This type of wiretap differs from a traditional criminal wiretap that only applies to a particular phone or computer used by a target. Without roving wiretap authority, investigators would be forced to seek a new court order each time they need to change the location, phone, or computer that needs to be monitored.

Section 215 allows the Federal Bureau of Investigation (FBI) to apply to the FISA court to issue orders granting the government access to any tangible items (including books, records, papers, and other documents), no matter who holds it, in foreign intelligence, international terrorism, and clandestine intelligence cases. The USA PATRIOT Improvement and Reauthorization Act of 2005 contains several protections against abuses of Section 215 authority, including Congressional oversight, procedural protections, application requirements, and judicial review.

Section 6001 of the Intelligence Reform and Terrorism Prevention Act of 2004 amends the definition of "agent of a foreign power" to include "lone wolf" terrorists who are non-U.S. persons engaged in international terrorism, regardless of whether they are affiliated with an international terrorist group. When FISA was originally enacted in the 1970s, terrorists were more commonly members of an identified group. That is not the case today. Many modern-day terrorists may subscribe to a movement but do not subscribe to a specific group and often act alone. It is imperative that such an out-dated definition does not impede our ability to gather intelligence about perhaps the most dangerous terrorists operating today.

Madam Speaker, America is fortunate to not have suffered a terrorist attack on our soil in over seven years. But we must not let our safety become complacency. America is safe today not because terrorists and spies have given up their mission to destroy our freedoms and our way of life. America is safe today because the men and women of the intelligence community work tirelessly to protect us. It would be irresponsible of Congress to take away the authorities needed to their job. The threat to America from terrorists, spies, and enemy nations will not sunset at the end of this year. Neither should America's anti-terrorism laws.

CONSUMER OVERDRAFT PROTECTION FAIR PRACTICES ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 2009

Mrs. MALONEY. Madam Speaker, overdraft fees are becoming an increasing problem for bank customers. A November 2008 Federal Deposit Insurance Corporation (FDIC) study of 462 FDIC regulated banks found that 86% operated formal overdraft programs, with 75% automatically enrolling consumers into an overdraft protection plan. In some cases, consumers were not allowed to opt-out. Automated overdraft usage fees assessed by banks ranged from $10 to $38, and the median fee assessed was $27.

A separate report released by the nonpartisan Center for Responsible Lending (CRL) demonstrates that well over $10 billion dollars in overdraft fees are generated each year, with almost half generated from debit card purchases, in which the customer typically has no warning that the transaction will trigger an overdraft fee. Not surprisingly, the CRL study also showed that the overwhelming majority of customers want to know if a debit or ATM transaction would trigger an overdraft fee.

To provide consumers more notice and choice related to overdraft fees, I am reintroducing the Consumer Overdraft Protection Fair Practices Act.

The central provision of the Consumer Overdraft Protection Fair Practices Act is that it requires notice to customers when an ATM or debit card transaction will trigger an overdraft and an opportunity in real time for the consumer to accept or reject the overdraft service (and the associated fee) for that transaction.

This legislation amends the Truth in Lending Act (TILA) to provide these new consumer protections. By bringing overdraft plans under the TILA, as an extension of credit, it would require the disclosure of the terms and charges associated with an overdraft program. This would give an opportunity for account holders to choose to have an overdraft plan or not—the same basic consumer protections provided for other consumer credit products.

In addition, the bill seeks to stop the practice of banks maximizing their overdraft fee income by intentionally manipulating the order in which they process debits on customer accounts so as to increase the number of overdrafts. For example, some banks pay the largest check first before paying other smaller checks or making any deposits. While banks argue that the largest check is often the most important, a bank that has an overdraft program generally pays them all, so changing the order only changes the amount of the fees paid by the customer.

This disclosure bill is modeled on legislation with which most Americans are now very familiar—requiring disclosure at ATMs that ATM transactions will trigger a fee. Just as individuals may choose the convenience of withdrawals from an ATM, they may choose the convenience of overdraft protection or not, after being informed of the cost of the service.

In summary, the bill provides these key protections:

Requires consumer consent before banks can permit overdraft loans for a fee. Banks will be required to obtain written consent for covering overdrafts for a fee, and to disclose to consumers the amount of any fee, the types of transactions that will overdraw the account, and the time period for repayment of the extension of credit.

Clarifies that overdraft fees are finance charges under the Truth in Lending Act, so consumers can compare the cost of borrowing the bank's funds through an overdraft with other sources of cash advances.

Prohibits banks from manipulating the order in which checks and other debits are posted if it causes more overdrafts and maximizes fees.

Requires banks to warn the customer that an electronic transaction may trigger an overdraft loan fee and allow the customer to cancel the transaction after receiving this warning.