

DURBIN) was added as a cosponsor of S. 1840, a bill to amend section 340B of the Public Health Service Act to increase the affordability of inpatient drugs for Medicaid and safety net hospitals.

S. 2440

At the request of Ms. CANTWELL, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 2440, a bill to provide the Coast Guard and NOAA with additional authorities under the Oil Pollution Act of 1990, to strengthen the Oil Pollution Act of 1990, and for other purposes.

S. 2475

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

S. 2491

At the request of Mr. CORNYN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 2491, a bill to award a Congressional gold medal to Byron Nelson in recognition of his significant contributions to the game of golf as a player, a teacher, and a commentator.

S. 2590

At the request of Mr. COBURN, the names of the Senator from South Dakota (Mr. THUNE) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 2590, a bill to require full disclosure of all entities and organizations receiving Federal funds.

S. 2663

At the request of Mr. DODD, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2663, a bill to amend the Public Health Service Act to establish grant programs to provide for education and outreach on newborn screening and coordinated followup care once newborn screening has been conducted, to reauthorize programs under part A of title XI of such Act, and for other purposes.

S. 3128

At the request of Mr. BURR, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 3128, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes.

S. 3703

At the request of Mr. WYDEN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 3703, a bill to provide for a temporary process for individuals entering the Medicare coverage gap to switch to a plan that provides coverage in the gap.

S. 3705

At the request of Mr. KENNEDY, the names of the Senator from Michigan

(Mr. LEVIN) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 3705, a bill to amend title XIX of the Social Security Act to improve requirements under the Medicaid program for items and services furnished in or through an educational program or setting to children, including children with developmental, physical, or mental health needs, and for other purposes.

S. 3737

At the request of Mr. LIEBERMAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 3737, a bill to amend the National Trails System Act to designate the Washington-Rochambeau Route National Historic Trail.

S. RES. 531

At the request of Mr. LIEBERMAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 531, a resolution to urge the President to appoint a Presidential Special Envoy for Sudan.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. STABENOW (for herself, Mr. DOMENICI, Mr. JOHNSON, and Mr. DURBIN):

S. 3761. A bill to amend the Agriculture and Consumer Protection Act of 1973 to assist the neediest of senior citizens by modifying the eligibility criteria for supplemental foods provided under the commodity supplemental food program to take into account the extraordinarily high out-of-pocket medical expenses that senior citizens pay, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Ms. STABENOW. Mr. President, I rise today to introduce the Senior Nutrition Act, which will make needed improvements to the Commodity Supplemental Food Program to prevent our seniors from having to make the difficult choice between food and medicine as they try to balance their budgets.

I am pleased to have the support of my friend, Senator DOMENICI of New Mexico, who has been one of the Senate's strongest supporters of CSFP. Also I am pleased to have the support of Senators JOHNSON and DURBIN.

Nationally, 32 States and the District of Columbia participate in CSFP, which works to improve the health of both women with children and seniors by supplementing their diets with nutritious USDA commodity foods. According to USDA, more than half a million people each month participated in CSFP during fiscal year 2005, with the overwhelming majority being seniors.

My State of Michigan has one of the largest and oldest CSFP networks in the Nation. Last year, over 80,000 people in Michigan benefited from this important program.

The bill I am introducing today will make the following important changes to CSFP.

First, categorical eligibility is granted for seniors for CSFP if the individual participates or is eligible to participate in the Food Stamp Program. No further verification of income would be necessary in such cases. The Food Stamp Program provides a medical expense deduction, which seniors may use to account for their high prescription drug costs.

Second, this bill says that the same income standard that is currently used to determine eligibility for women, infants, and children in CSFP—185 percent of the poverty income guidelines—would be applied to seniors as well. The current income eligibility standard for seniors has been capped at just 130 percent. Under the current Federal poverty guidelines, a single senior cannot earn more than \$12,740 per year to qualify. By raising the standard to 185 percent of poverty, the same senior can earn as much as \$18,130 to qualify for food. This will make a major difference in the lives of so many seniors who are struggling with the high cost of prescription drugs.

This bill has been endorsed by the National CSFP Association as well as several national and Michigan senior advocacy and faith-based groups. I ask unanimous consent that a copy of these support letters be printed in the RECORD following my remarks.

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

NATIONAL CSFP ASSOCIATION,  
Farmington, NM, August 17, 2005.

Hon. DEBBIE STABENOW,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR STABENOW: Thank you for your continuing support of the Commodity Supplemental Food Program (CSFP) which provides an important buffer for our vulnerable children and seniors each month. Your support has made a difference and we appreciate your tireless efforts.

The National CSFP Association strongly supports your efforts to re-introduce and pass the Senior Nutrition Act and will work diligently to see that it happens this year. As you know nearly 90% of our recipients are now seniors living below 130% of Federal Poverty Level. For a household of one, this is a maximum of \$1,037 per month. While some changes have been made in Medicare to help seniors buy prescriptions, the rising fuel costs are still of great concern to those on fixed incomes and many of those seniors qualifying for food stamps due to medical cost deductions will lose the deductions to income and subsequently the food stamps. By amending the eligibility criteria for seniors served by CSFP through the Senior Nutrition Act, the neediest of seniors will continue to receive nutrition assistance, which is crucial if they are to remain in good health.

Again, thank you for championing our nation's children and seniors.

Sincerely,

VICKI METHENY,  
ECHO, Inc., Food Programs Supervisor,  
President, National CSFP Association.

MICHIGAN ASSOCIATION  
OF UNITED WAYS,  
Lansing, MI, September 28, 2005.

Re commodity foods for seniors legislation.

Hon. DEBBIE STABENOW,  
U.S. Senator,  
Washington, DC.

DEAR SENATOR STABENOW: The Michigan Association of United Ways enthusiastically supports your efforts to introduce legislation to make it easier for seniors to receive commodity foods. Your legislation will enable seniors to receive assistance from the Commodity Supplemental Food Program if seniors receive Food Stamps or have income up to 185 percent of poverty.

On August 30, 2005 the U.S. Census released its annual report on income, poverty, and health insurance coverage in the United States. The statistics are alarming. 1.1 million more people fell into poverty, bringing the ranks of poor Americans to 37 million. This is 12.7 percent of the population in 2004, compared to 35.9 million (12.5 percent) in 2003.

The 63 United Ways in Michigan help to meet the basics needs of vulnerable people of all ages. United Ways must partner with government to protect the social safety net for seniors. United Ways are well aware that many low-income seniors run out of money before the end of the month and need help. Your legislation will help insure that low-income seniors receive the support that they deserve.

Thank you for your continuing concerns for all low-income families in Michigan.

Sincerely,

ROBERT E. PARKS,  
Director of Membership Services.

ELDER LAW OF MICHIGAN, INC.,  
Lansing, MI, September 28, 2005.

Senator DEBBIE STABENOW,  
133 Hart Senate Office Building,  
Washington, DC.

DEAR SENATOR STABENOW: On behalf of Elder Law of Michigan, Inc. I want to voice our strong support for the re-introduction of Senate bill 486 to increase the eligibility for free commodity food for seniors from 130% of the poverty level to 185% of the poverty level. In our public law practice, we see thousands of Michigan seniors each year who are going without food to pay for their other living and health care expenses. We anticipate that rising automobile/gas and home heating costs will dramatically erode older citizens' ability to pay for their basic needs of food, shelter, and medicine.

Increasingly we see seniors face the pressure to financially support children and grandchildren in our state. The pressure on these families due to the economic conditions in our state and limited job opportunities set the stage for financial exploitation and elder abuse. Providing additional access to commodity food can alleviate some of the pressure these low-income, multigenerational families experience.

Food is a basic human right. Thank you for your leadership on this issue. Please contact me if I can provide any additional support on this or other issues to improve the well being of seniors in Michigan and the United States.

Sincerely,

KATE BIRNBRYER WHITE,  
Executive Director.

CENTER FOR CIVIL JUSTICE,  
Saginaw, MI, September 21, 2005.

Re legislation to help seniors access commodities.

Hon. DEBBIE STABENOW,  
U.S. Senator,  
Washington, DC.

DEAR SENATOR STABENOW: The Center for Civil Justice was pleased to hear that you

will be co-sponsoring a new version of S. 468 (from the 108th Congress). The proposed legislation will enable seniors to receive help from the Commodity Supplemental Food Program (CFSP) if the seniors receive Food Stamps or have income up to 185% of poverty.

I am writing to express our support for this initiative. The Center for Civil Justice assists thousands of people each year who call our Food and Nutrition Program Helpline for information about federal food programs. We also work with community organizations throughout Michigan who provide emergency food and services to those in need. Through this work, we are well aware that there are many seniors who need help with food and who could benefit from the commodities program.

In Michigan, seniors comprise approximately 17% of the Food Stamp households. We know from talking to the seniors who call our Food and Nutrition Helpline that many of these households are struggling to pay for medical care and higher gas bills. These expenses reduce the money they have available to buy food. These seniors will benefit from increased access to supplemental food commodities as a result of the legislation.

Thank you for your continuing concern with assuring adequate food for Michigan's most vulnerable households.

Sincerely yours,

TERRI L. STANGL,  
Executive Director.

NETWORK,  
Washington, DC, September 20, 2005.

Hon. DEBBIE STABENOW,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR STABENOW: NETWORK, a National Catholic Social Justice Lobby, is pleased to learn that you are introducing a senior nutrition bill. We strongly support the bill we have seen in draft. We understand that the bill will increase to 185% of the poverty threshold, the level at which a senior will be eligible for commodity supplemental food program. There are many seniors in this nation who struggle with decisions concerning purchase of food and medication, or payment of household utilities. A program supporting a greater number to benefit from supplemental nutritious foods seems critical.

The U.S. Census Bureau report: Income, Poverty, and Health Insurance Coverage in the United States: 2004, states that nearly 3.5 million seniors lived at or below the poverty threshold of \$8,825 (individual) or \$11,122 (couple) in 2004. The current level of 130% of the poverty threshold (\$11,472 or \$14,458) severely limits what a person/couple is able to purchase. The proposed level of 185% (\$16,326 or \$20,575) seems far more acceptable for ensuring that more seniors receive food supplements which supply a more nutritious diet.

NETWORK is anxious to assist you in gaining passage of this bill. Those who have gone before us, cared for us and raised the present younger generations deserve to live in dignity, without question of meeting basic needs. We hearken back to the words of Leviticus, "You shall rise up before the gray haired and defer to one who is elder" (19:32), and of Matthew, "Truly I tell you, just as you did it to one of the least of these who are members of my family, you did it to me." (25:40). Catholic Social Teaching further specifies that, "the poor have the single most urgent economic claim on the conscience of the nation" (Economic Justice for All).

When the bill is dropped, we will elicit the support of our membership toward its passage. Please, let us know anything else we

can do to further assist in the passage of this bill.

Sincerely,

SIMONE CAMPBELL,  
National Coordinator.

By Mr. MCCAIN (for himself and Mr. KYL):

S. 3762. A bill to designate segments of Fossil Creek, a tributary to the Verde River in the State of Arizona, as wild and scenic rivers; to the Committee on Energy and Natural Resources.

Mr. MCCAIN. Mr. President, I am pleased to be joined by my colleague, Senator KYL, in introducing a bill to designate Fossil Creek as a "wild and scenic river." A companion measure is being introduced today by Congressman RENZI and other members of the Arizona congressional delegation.

Fossil Creek it is a thing of beauty. With its picturesque scenery, lush riparian ecosystem, unique geological features, and deep iridescent blue pools and waterfalls, this tributary to the Wild and Scenic Verde River and Lower Colorado River Watershed stretches 14 miles through east central Arizona. It is home to a wide variety of wildlife, some of which are threatened or endangered species. Over 100 bird species inhabit the Fossil Creek area and use it to migrate between the range lowlands and the Mogollon-Colorado Plateau highlands. Fossil Creek also supports a variety of aquatic species and is one of the few perennial streams in Arizona with multiple native fish.

Fossil Creek was named in the 1800s when early explorers described the fossil-like appearance of creek-side rocks and vegetation coated with calcium carbonate deposits from the creek's water. In the early 1900s, pioneers recognized the potential for hydroelectric power generation in the creek's constant and abundant spring-fed baseflow. They claimed the channel's water rights and built a dam system and generating facilities known as the Childs-Irving hydro-project. Over time, the project was acquired by Arizona Public Service, APS, one of the State's largest eclectic utility providers serving more than a million Arizonans. Because Childs-Irving produced less than half of 1 percent of the total power generated by APS, the decision was made ultimately to decommission the aging dam and restore Fossil Creek to its presettlement conditions.

APS has partnered with various environmental groups, Federal land managers, and State, tribal, and local governments to safely remove the Childs-Irving power generating facilities and restore the riparian ecosystem. In 2005, APS removed the dam system and returned full flows to Fossil Creek. Researchers predict Fossil Creek will soon become a fully regenerated Southwest native fishery providing a most valuable opportunity to reintroduce at least six threatened and endangered native fish species as well as rebuild the native populations presently living in the creek.

There is a growing need to provide additional protection and adequate staffing and management at Fossil Creek. Recreational visitation to the riverbed is expected to increase dramatically, and by the Forest Service's own admission, they aren't able to manage current levels of visitation or the pressures of increased use. While responsible recreation and other activities at Fossil Creek are to be encouraged, we must also ensure the long-term success of the ongoing restoration efforts. Designation under the Wild and Scenic Rivers Act would help to ensure the appropriate level of protection and resources are devoted to Fossil Creek. Already, Fossil Creek has been found eligible for "wild and scenic" designation by the Forest Service and the proposal has widespread support from surrounding communities. All of the lands potentially affected by a designation are owned and managed by the Forest Service and will not affect private property owners.

Mr. President, Fossil Creek is a unique Arizona treasure and would benefit greatly from the protection and recognition offered through "wild and scenic" designation. I urge my colleagues to support this bill.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 544—DESIGNATING SEPTEMBER 20, 2006, AS "NATIONAL ATTENTION DEFICIT DISORDER AWARENESS DAY"

Ms. CANTWELL (for herself and Mr. DURBIN) submitted the following resolution; which was considered and agreed to:

S. RES. 544

Whereas Attention Deficit/Hyperactivity Disorder (also known as ADHD or ADD), is a chronic neurobiological disorder that affects both children and adults, and can significantly interfere with the ability of an individual to regulate activity level, inhibit behavior, and attend to tasks in developmentally appropriate ways;

Whereas ADHD can cause devastating consequences, including failure in school and the workplace, antisocial behavior, encounters with the criminal justice system, interpersonal difficulties, and substance abuse;

Whereas ADHD, the most extensively studied mental disorder in children, affects an estimated 3 to 7 percent (4,000,000) of young school-age children and an estimated 4 percent (8,000,000) of adults across racial, ethnic, and socio-economic lines;

Whereas scientific studies indicate that between 10 and 35 percent of children with ADHD have a first-degree relative with past or present ADHD, and that approximately one-half of parents who had ADHD have a child with the disorder, suggesting that ADHD runs in families and inheritance is an important risk factor;

Whereas despite the serious consequences that can manifest in the family and life experiences of an individual with ADHD, studies indicate that less than 85 percent of adults with the disorder are diagnosed and less than half of children and adults with the disorder receive treatment and, furthermore, poor and minority communities are particularly underserved by ADHD resources;

Whereas the Surgeon General, the American Medical Association, the American Psychiatric Association, the American Academy of Child and Adolescent Psychiatry, the American Psychological Association, the American Academy of Pediatrics, the Centers for Disease Control and Prevention, and the National Institutes of Mental Health, among others, recognize the need for proper diagnosis, education, and treatment of ADHD;

Whereas the lack of public knowledge and understanding of the disorder play a significant role in the overwhelming numbers of undiagnosed and untreated cases of ADHD, and the dissemination of inaccurate, misleading information contributes as an obstacle for diagnosis and treatment;

Whereas lack of knowledge combined with issues of stigma have a particularly detrimental effect on the diagnosis and treatment of the disorder;

Whereas there is a need for education of health care professionals, employers, and educators about the disorder and a need for well-trained mental health professionals capable of conducting proper diagnosis and treatment activities; and

Whereas studies by the National Institute of Mental Health and others consistently reveal that through proper comprehensive diagnosis and treatment, the symptoms of ADHD can be substantially decreased and quality of life can be improved: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 20, 2006 as "National Attention Deficit Disorder Awareness Day";

(2) recognizes Attention Deficit/Hyperactivity Disorder (ADHD) as a major public health concern;

(3) encourages all Americans to find out more about ADHD, support ADHD mental health services, and seek the appropriate treatment and support, if necessary;

(4) expresses the sense of the Senate that the Federal Government has a responsibility to—

(A) endeavor to raise awareness about ADHD; and

(B) continue to consider ways to improve access and quality of mental health services dedicated to improving the quality of life of children and adults with ADHD; and

(5) calls on Federal, State, and local administrators and the people of the United States to observe the day with appropriate programs and activities.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 4739. Mr. MCCONNELL (for Mr. HAGEL) proposed an amendment to the resolution S. Res. 405, designating August 16, 2006, as "National Airborne Day".

SA 4740. Mr. JOHNSON (for himself, Mrs. LINCOLN, and Mr. TALENT) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table.

SA 4741. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill S. 3711, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 4739. Mr. MCCONNELL (for Mr. HAGEL) proposed an amendment to the

resolution S. Res. 405, designating August 16, 2006, as "National Airborne Day", as follows:

On page 5, strike lines 1-5 and insert:

"(2) calls on the people of the United States to observe "National Airborne Day" with appropriate programs, ceremonies, and activities."

SA 4740. Mr. JOHNSON (for himself, Mrs. LINCOLN, and Mr. TALENT) submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

On page 18, after line 17, add the following:

(g) ALLOCATION TO WILDLIFE CONSERVATION AND RESTORATION ACCOUNT.—Notwithstanding subsection (a)(2), before making the disbursements under subparagraphs (A) and (B) of subsection (a)(2), the Secretary shall, for each of fiscal years 2016 through 2055, transfer to the Federal aid to wildlife restoration fund established under section 3 of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669b), for deposit in the Wildlife Conservation and Restoration Account, 25 percent of all rentals, royalties, bonus bids, and other sums due and payable to the United States from leases entered into on or after the date of enactment of this Act for the 181 South Area.

SA 4741. Mr. SPECTER submitted an amendment intended to be proposed by him to the bill S. 3711, to enhance the energy independence and security of the United States by providing for exploration, development, and production activities for mineral resources in the Gulf of Mexico, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

#### TITLE II—OIL AND GAS

##### SEC. 201. SHORT TITLE.

This title may be cited as the "Oil and Gas Industry Antitrust Act of 2006".

##### SEC. 202. PROHIBITION ON UNILATERAL WITHHOLDING.

The Clayton Act (15 U.S.C. 12 et seq.) is amended—

(1) by redesignating section 28 as section 29; and

(2) by inserting after section 27 the following:

##### "SEC. 28. OIL AND NATURAL GAS.

"(a) IN GENERAL.—Except as provided in subsection (b), it shall be unlawful for any person to refuse to sell, or to export or divert, existing supplies of petroleum, gasoline, or other fuel derived from petroleum, or natural gas with the primary intention of increasing prices or creating a shortage in a geographic market.

"(b) CONSIDERATIONS.—In determining whether a person who has refused to sell, or exported or diverted, existing supplies of petroleum, gasoline, or other fuel derived from petroleum or natural gas has done so with the intent of increasing prices or creating a shortage in a geographic market under subsection (a), the court shall consider whether—

"(1) the cost of acquiring, producing, refining, processing, marketing, selling, or otherwise making such products available has increased; and