

**United States Senate  
109<sup>th</sup> Congress  
Republican Congress  
Top Ten Legislative Agenda  
Summary of S. 1- S. 10**

S. 1: Social Security

S. 2: Tax Reform

S. 3: Fighting the War on Terror

S. 4: Healthy America

S. 5: Class Action Reform

S. 6: Marriage, Opportunity, Relief and Empowerment, (MORE)

S. 7: Jobs and Growth Tax Relief Package

S. 8: Child Custody Protection Act

S. 9: Opportunities through Education Act

S. 10: Keeping America Competitive and Secure through Energy Independence.

## **A BILL TO STRENGTHEN AND PROTECT SOCIAL SECURITY**

### ***S. 1: Social Security Solvency and Protection Act***

***Reserved for the President's legislation to strengthen and protect Social Security***

#### **Congress Finds:**

- (1) Social Security is financed on a pay-as-you go basis, meaning that current workers' taxes fund current retirees' benefits. As a result, longer life expectancy and lower birthrates will bankrupt the system as currently configured.
- (2) According to the 2004 Report of the Social Security Board of Trustees, beginning in 2018, Social Security's scheduled benefits will exceed the amount of payroll taxes collected, then requiring transfers from the General Fund of the Treasury if benefit payments are to be made in full.
- (3) Between 2018 and 2040, the General Fund will have to provide over \$5,000,000,000,000 in transfers for Social Security in addition to funding the rest of the Federal Government. These transfers will require higher taxes, lower spending on other programs, larger deficits, or some combination of the three.
- (4) After more than \$5,000,000,000,000 in General Fund transfers, by 2042 the Social Security Trust Funds will be completely exhausted, requiring an immediate 27 percent cut in Social Security benefits in accordance with current law.
- (5) To avoid this outcome, the President's Commission to Strengthen Social Security offered 3 models to transform Social Security from a purely pay-as-you-go system to one in which workers would partially pre-fund their own retirement through personal account. These accounts would relieve some of the financing burden facing future workers, and would convert scheduled benefits from political promises to tangible assets.

#### **Sense of Senate:**

It is the Sense of the Senate that Congress should pass, and the President should sign, legislation that

- (1) strengthens and secures Social Security for our children and grandchildren;
- (2) continues our commitment to protect promised benefits for today's seniors; and
- (3) gives younger workers the opportunity to place some of their own earnings in a voluntary personal retirement account, a nest egg that they own and pass on to their loved ones.

## **A BILL TO PROVIDE TAX SIMPLIFICATION AND FAIRNESS**

### ***S. 2: Tax Simplification, Fairness and Growth***

***Reserved for the President's legislation to simplify the tax code to provide a more progress and competitive tax structure.***

#### **Congress Finds:**

- (1) The fundamental purpose of a tax system should be to raise sufficient revenue to fund essential government functions.
- (2) Our tax code should raise revenue in a simple, efficient, progressive and predictable manner.
- (3) Our tax code currently falls far short of these goals. Since 1995, the total pages of federal tax rules have increased by 48 percent and the average American spends 23 percent more time filling out their tax forms.
- (4) Instead of being simple, the tax code has become needlessly complex, making it susceptible to tax avoidance schemes. An inefficient code penalizes hard work, discourages savings and investment and hinders the international competitiveness of American companies.
- (5) The President created the Advisory Panel on Federal Tax Reform to submit recommendations to make our tax code simpler, fairer and more pro-growth.

#### **Sense of Senate:**

It is the Sense of the Senate that Congress should pass, and the President should sign legislation that is consistent with the principles the President announced

- (1) simplify Federal tax laws to reduce the costs and administrative burdens of compliance with such laws;
- (2) share the burdens and benefits of the Federal tax structure in an appropriately progressive manner while recognizing the importance of homeownership and charity in American society; and
- (3) promote long-run economic growth and job creation, and better encourage work effort, saving, and investment, so as to strengthen the competitiveness of the United States in the global marketplace.

# **A BILL TO STRENGTHEN AMERICA IN THE WAR ON TERROR**

## ***S.3: An Act to Strengthen and Protect America in the War on Terror***

### **Biodefense Provisions**

Last year, Congress passed and President George W. Bush signed into law the Project BioShield Act of 2003 (Public Law 108-276). Building on the BioShield Act, the S. 3 biodefense provisions take the necessary steps to better protect and strengthen our domestic public health infrastructure. Specifically, S.3 eliminates additional barriers to encourage the development of countermeasures needed to protect the nation against biological, radiological, or nuclear agents, as well as emerging infectious diseases. It expands the availability and accessibility of vaccines. Additionally, it strengthens capacity and coordination, so that we respond effectively in the event of a public health emergency.

## **TITLE I – Biopreparedness Act of 2005**

### **Subtitle A – Product Development**

#### **Chapter 1 – Partnering with the Private Sector**

- Expands the definition of “qualified countermeasures” to include detection technologies and research tools.
- Encourages vaccine and countermeasure production by ensuring full patent restoration for the developed product.
- Improves efficiency during a public health emergency by allowing companies involved in the development of priority countermeasures to better coordinate the development, manufacture, distribution, purchase or sale of these countermeasures.

#### **Chapter 2 -- Ensuring Regulatory Efficiency**

- Establishes an expert commission to study laws and regulations applicable to countermeasures and vaccines that are in periodic short supply and make recommendations to ensure the rapid availability of safe and effective products.
- Creates an FDA rapid-action team to work with the manufacturers who request assistance to identify and resolve problems by providing continuous, onsite assistance, in the event that such compliance issues could lead to a significant shortage of a vaccine or other biological product.
- Ensures fast track reviews for second generation vaccines and countermeasures.
- Provides for federal pre-emption of any State or local regulatory requirements that alter federal statutory or regulatory requirements for the safety, efficacy, labeling, or advertising of drugs and biological products if those requirements impede access to FDA-approved products.

#### **Chapter 3 – Encouraging Vaccine Production Capacity**

- Encourages the construction and renovation of vaccine and countermeasure manufacturing facilities, as well as increased vaccine and countermeasure research and development, by offering new tax-based incentives and grants.
- Promotes a robust vaccine stockpile program and ensures the completion of future stockpile requests by permitting manufacturers to realize revenues for fulfilled stockpile orders.

## **Subtitle B – Strengthening the Vaccine Industry**

### **Chapter 1 – Protection for Countermeasures and Products Protecting Against Pandemics, Epidemics, and Bioterrorism**

- Encourages the development of countermeasures and products protecting against pandemics, epidemics, and bioterrorism by extending federal protections to those who develop, distribute, prescribe, and administer these countermeasures during a public health emergency.

### **Chapter 2 – Vaccine Injury Compensation Program**

- Requires the Secretary and the Attorney General of the United States to make recommendations to Congress regarding necessary modifications to federal programs and rules regarding litigation involving vaccines.

## **Subtitle C – Public Health Preparedness**

### **Chapter 1 – Capacity to Respond**

- Establishes the Pandemic Influenza Preparedness and Response Plan, which includes developing research to improve influenza vaccines, enhancing public awareness, and improving international and state surveillance capacity and the ability to direct vaccines and countermeasures to where they are most needed.
- Authorizes a real time electronic information technology structure for disease reporting to improve and enhance surveillance of infectious diseases and potential bioterror attacks and establishes a “Biointelligence Unit” at CDC to analyze the real time data.
- Permits the inspection, screening, and quarantining of live animals entering the United States for commercial or other purposes to protect domestic animal and human populations from diseases carried by imported live animals.

### **Chapter 2 – Public Health Workforce**

- Expands the recruitment and retention of public health workers at the federal, state, and local levels by offering loan repayments in return for service in the FDA, NIH, CDC or other public health agency.

### **Chapter 3 – Preparedness Updates**

- Requires the General Accounting Office to submit a report regarding biopreparedness to Congress no later than one year following enactment, including an assessment of state and local capacity to respond to bioterrorism and other public health emergencies.
- Highlights that in order to effectively combat bioterrorism and prevent the spread of deadly infectious disease, the United States should enhance cooperation and its activities globally.

## **TITLE II: MILITARY SURVIVOR BENEFITS**

### **Subtitle I: Death Benefit**

- Increases the survivor benefit to \$100K

### **Subtitle II: TriCare for Children**

- Extends TriCare coverage for survivor dependent children until age 18 or 22 if enrolled in school.

### **Subtitle III: Servicemen’s Group Life Insurance**

- Raises the maximum coverage for life insurance from \$250,000 to \$300,000.

### **TITLE III: HOMELAND SECURITY TECHNOLOGY IMPROVEMENT**

Provides \$50 million to the Director of the Office for Domestic Preparedness to provide advanced counter-terrorism technology, equipment, and information to law enforcement agencies to help them prevent, detect and apprehend terrorists.

### **TITLE IV: ANTI-TERRORISM ENHANCEMENTS**

#### **Subtitle A: Denial of Federal Benefits to Convicted Terrorists**

- Denies federal benefits to anyone convicted of a terrorist crime

#### **Subtitle B: Streamlined Information Sharing**

- Creates a uniform standard for FBI information sharing with other federal agencies and authorizes the FBI to share certain information with state and local governments

#### **Subtitle C: Protecting Critical Infrastructure**

- Expands and enhances criminal offenses and penalties for attacks on railroad carriers and mass transportation systems
- Creates new offenses and enhances criminal penalties for terrorist crimes affecting U.S. seaports

## **COST, COVERAGE AND CARE**

### ***S. 4: The Healthy America Act of 2005***

Health care costs are high, and have been increasing rapidly in recent years. As a result, the number of Americans without health insurance is climbing; about 45 million Americans lack health insurance coverage at any point in time, roughly half of whom are uninsured for an entire year. Rising costs also are increasing the risk that those who have insurance coverage might lose it.

The “Healthy America Act of 2005” includes a number of measures to slow the growth of health care costs, expand health insurance coverage, and improve access to quality health care for millions of Americans.

President Bush and the Republican Congress have taken a number of steps to make health care more accessible, more affordable, more efficient, and more patient-friendly. These include making tax-free, portable Health Savings Accounts available to all Americans; reducing prescription drug costs by increasing access to more affordable generic drugs; providing seniors access for the first time to affordable prescription drug coverage; increasing transparency and price competition in the Medicare program; expanding neighborhood community health centers to serve millions more needy Americans; devoting significant new resources to rural and safety net health care providers; and protecting children’s access to health care.

The legislation builds on these advances. It incorporates many of President Bush’s health care reform proposals, as well as the proposals set forth during the 108<sup>th</sup> Congress by the United States Senate Republican Task Force on Health Care Costs the Uninsured. These include measures to: empower consumers and patients; expand health care choices; improve patient safety and quality; reform the medical liability system; curtail waste, fraud, and abuse in federal health care programs; reduce regulatory burdens and costly red-tape; make prescription drugs more affordable; foster the widespread use of individually-owned, privacy-protected electronic health records; provide increased financial assistance to make health insurance and long-term care more affordable; expand affordable, portable, tax-free Health Savings Accounts; improve enrollment in public safety net health care programs; increase the number of neighborhood community health centers; and strengthen primary and preventive care networks in underserved communities.

### Description of Major Provisions

**Purpose.** The purpose of this Act is to slow the growth in health care costs, expand health insurance and health care to millions of Americans without coverage, and improve access to affordable, quality health care.

**Title 1. Short Title.** The “Healthy America Act of 2005”

**Title 2. Findings.**

Health care costs are growing rapidly, putting health insurance and needed care out of reach for too many Americans.

Rapidly rising health costs pose a threat to the U.S. economy. They are harming the competitiveness of American businesses to compete in a global economy and making it more difficult to create new jobs.

Growing health care costs are also compromising the stability of health care safety net and entitlement programs.

There are a series of steps Congress can take to help slow the growth of health costs, expand access to health coverage, and improve access to quality health care for millions of Americans.

### **Title 3. Making Health Care More Affordable.**

This title contains reforms to improve the efficiency of health care, reduce unnecessary paperwork and red tape, and make health care more affordable, including:

- Reforming the medical liability system to ensure fair and rapid compensation to injured patients, reduce frivolous lawsuits, and limit excessive damage awards;
- Promoting the rapid adoption and widespread use of individually owned, privacy-protected Electronic Health Records by fostering the development of standards to quickly and safely exchange electronic patient information, encouraging the use of cost-saving technology, and ensuring a coordinated federal effort to promote health information technology;
- Improving patient safety and reducing medical errors by creating a voluntary error reporting system for health care providers, allowing providers to learn from mistakes and improve patient outcomes without the fear of additional litigation;
- Reducing waste, fraud, and abuse in public and private health programs; and
- Establishing a number of mechanisms, including a Mandate Review Commission, to cut down on unnecessary or duplicative regulations that inappropriately increase health care costs.

### **Title 4. Expanding Access to Affordable Health Coverage**

This title includes reforms to expand affordable health insurance coverage to millions of Americans, such as:

- Expanding the availability of Health Savings Accounts (HSAs) by providing an above-the-line tax deduction for the purchase of high-deductible health plans, and by providing additional support for lower income Americans and college graduates;
- Making health insurance coverage more affordable for lower income Americans by providing a tax credit to offset the cost of private health insurance premiums for those who do not qualify for employer-provided health coverage;
- Making long-term care more affordable by providing an above-the-line tax deduction to individuals purchasing long-term care insurance and increasing support for family caregivers;
- Increasing the availability of affordable health coverage options for individuals eligible for assistance under the Trade Adjustment Assistance Act (TAA);
- Expanding health coverage options for low income entrepreneurs and self-employed individuals by allowing those starting a business to cover the costs of health insurance as businesses expenses under the Assets for Independence Act;

- Encouraging innovative approaches to signing up lower income children who are eligible, but not enrolled, in public health programs, as well as rewarding states that increase enrollment;
- Supporting more affordable health coverage options and group purchasing arrangements for individuals, particularly those who work for small businesses; and
- Providing additional support for state high-risk pools that often provide an affordable source of health coverage to individuals with pre-existing health conditions and others who may have difficulty finding health coverage in the individual health insurance market.

#### **Title 5. Improving Care and Strengthening the Safety Net**

This title contains provisions to expand health care access for needy Americans and expand and improve vital health care safety net programs, including:

- Increasing access to care for rural and underserved individuals by increasing access to Community Health Centers (CHCs) and Rural Health Clinics (RHCs);
- Promoting improved prevention and expanded chronic disease management efforts through the Healthy Community Access Program (HCAP);
- Improving care coordination and access to primary care, specialty care, and hospital services by providing funding for integrated provider systems;
- Encouraging more doctors and other health professionals to serve safety net communities by expanding Federal Tort Claims Act (FTCA) liability protection for individuals providing safety net coverage;
- Making prescription drugs more affordable and available to individuals who rely on safety net programs, while establishing stronger oversight and enforcement of federal drug discount pricing programs; and
- Reducing the regulatory burden on safety net providers to enhance the provision of care to underserved communities and individuals.

## **A Bill to Provide Reform of the Class Action System**

### ***S. 5 CLASS ACTION FAIRNESS ACT***

The class action rules are being gamed and the system is rife with problems. There has been an explosion of interstate class actions filed in state court, particularly in certain “magnet” jurisdictions.

These magnet courts routinely approve settlements in which lawyers receive large fee awards and the class members receive worthless coupons or nothing. These courts decide the claims of other states’ citizens under their own law, and employ litigation models that deny both consumers’ and defendants’ due process rights.

Class members get notice documents in hard to understand legalese, and they are unaware of their rights. Class action lawyers game the rules by naming certain businesses as defendants, or play with the jurisdictional amount in order to keep their cases out of federal court. Class action lawyers frequently file copycat class action cases around the country, clogging state courts, wasting taxpayer dollars, and forcing state judges to duplicate each others’ work.

The result is that many class actions end up being a losing proposition for everyone involved, except the lawyers who bring them.

The Class Action Fairness Act is a modest, bipartisan bill that addresses some of the most serious abuses by allowing more large interstate class actions to be heard in federal court and by implementing a “Consumer Class Action Bill of Rights” to protect consumers.

### **SUMMARY OF THE BILL’S PROVISIONS**

- ***Federal District Court Jurisdiction For Interstate Class Actions:*** The bill creates federal jurisdiction over class actions in which the aggregate amount in controversy exceeds \$5,000,000, and any member of a plaintiff class is a citizen of a different state from any defendant. The bill also treats certain mass actions with more than 100 plaintiffs as class actions for purposes of jurisdiction (as long as each plaintiff seeks \$75,000 in relief).
- ***Home State Exception.*** This provision applies in cases where a defendant is sued in its home state. In such cases, if two-thirds or more of the class members are from the defendants’ home state, the case would remain in state court. Conversely, if less than one-third of the class members are citizens of that home state, the case would be subject to federal jurisdiction. For the middle tier (class actions where 33%-66% of the class members share state citizenship with all defendants), federal courts would decide whether to exercise jurisdiction based on six specified factors that analyze the relationship between the case and the state where it was brought.
- ***Local controversy exception.*** This exception governs class actions involving local controversies in which more than two-thirds of the proposed class members are citizens of the state in which the action was filed. Under this provision, such cases would stay in state court as long as: (1) the plaintiffs have sued at least one in-state defendant whose conduct forms a significant basis of their claims; (2) the principal injuries occurred in the state where the suit is brought; and (3) no class action has been filed alleging the same claims against any of the defendants in the last three years.

- ***Removal Provisions:*** The current prohibition on any removals of diversity cases more than one year after filing will not apply to class actions. In addition, defendants may remove their cases to federal court without regard to whether any defendant is a citizen of the state in which the action was filed. Remand orders would be subject to discretionary appellate review with tight deadlines.
  
- ***Report On Class Action Settlements:*** The bill requires the Federal Judicial Conference to prepare a report for the House and Senate Judiciary Committees on class action settlements within 12 months containing recommendations on best practices for courts to ensure that proposed class actions settlements are fair to the class members.
  
- ***Consumer Class Action Bill of Rights:*** The bill requires federal courts to issue written fairness decisions before approving coupon settlements or “net loss” settlements (like the notorious Bank of Boston case). The bill also requires that fees in coupon settlements be based on the value of coupons actually redeemed or the amount of time class counsel expended working on the action. The bill does not prohibit use of a multiplier.
  
- ***Notice To Public Officials Of Proposed Settlements:*** The public official notification provision requires the defendant to provide notice to a responsible state and/or federal official about any proposed class action settlement so that public officials can react if the settlement appears unfair to some or all class members or inconsistent with applicable regulatory policies.

## **A BILL TO HELP FAMILIES**

### ***S. 6: Marriage, Opportunity, Relief and Empowerment, (MORE)***

**Title I of S. 6 makes permanent the provisions of the 2001 tax bill relating to families and children, as well as the provisions providing relief from the marriage penalty.**

For families and children, this title would make permanent:

- The increase in the child tax credit from \$600 to \$1000
- The expanded \$10,000 adoption tax credit benefits
- The expansion of the dependent care tax credit from \$2,400 to \$3,000
- The 25% tax credit for employer-provided child care

For marriage penalty relief, the bill would make permanent

- The increase in the basic standard deduction for a married couple to twice the basic standard deduction for an unmarried individual filing a single return
- The increase in the size of the 15-percent income tax bracket for a married couple to twice the size of the corresponding bracket for an unmarried individual filing a single return
- The \$3,000 increase in the beginning and ending of the earned income credit phase-out for married couples filing a joint return.

Together, these provisions have already provided tax relief to millions of families, especially married couples with children. Making them permanent will allow parents to plan for their family's financial future, secure in the knowledge that the Congress is not going to allow an automatic tax increase to be imposed on them in 2011.

### **Welfare Reform: Finishing the Job**

- The 1996 welfare reform law has been a success by any measure. It took a welfare system that was badly broken and turned it into a system that emphasizes work, independence, and self-sufficiency.
- Since the 1996 law was enacted, welfare caseloads have been cut in half. More than 7 million individuals, and 2 million families, have exchanged a welfare check for a paycheck.
- And despite opponents' dire predictions, the 1996 reforms have lifted 1.6 million children out of poverty. But in spite of these successes, there is still more to do.
- We must continue working to move the 2 million families that remain on welfare into the workforce. Because of a quirk in the way the law was written, more than half of current welfare recipients are not engaged in any type of work activities at all, and many states now lack a meaningful work participation requirement.
- The next stage of welfare reform must help families increase their earnings and raise their standard of living by increasing work requirements, while providing more opportunities for education and training.
- We can also do more to encourage healthy marriages and strong families, which we know lead to improved child well-being. The bill we are introducing today would provide new funding to encourage healthy marriages and responsible fatherhood.

- And we can help to protect children by providing additional funding for child care services and improving child support collection in America.
- The President has asked us to pass legislation building on the success of the 1996 law and making these key improvements.
- We are committed to acting to strengthen welfare reform and protect families and children in the 21<sup>st</sup> century.

### **Summary of Welfare Reforms in S.6**

Title II of S.6 would make a number of improvements to the 1996 welfare reform law. The primary goals are to strengthen current work requirements, promote healthy families and responsible fatherhood, and continue to encourage state flexibility and innovation in moving people off of welfare and into the workforce.

#### **Strengthening Work**

- Increases the work participation requirement from 50% to 70% over five years, and replaces the caseload reduction credit with an employment credit that emphasizes good jobs.
- Increases standard weekly work hours from 30 to 34 (24 hours per week in core work activities, plus 10 additional hours) for families with children age 6 or older.
- Expands opportunities for education and training. For up to 3 months in any 24 month period, beneficiaries may engage in additional activities such as education and adult literacy and receive credit for those activities.

#### **Promoting Healthy Families**

- Provides \$300 million annually for healthy marriage programs including counseling, education and research. Participation is voluntary.
- Also provides \$75 million annually for programs that promote responsible fatherhood.
- Increases mandatory spending for child care by \$1 billion over five years, and frees up \$2.2 billion in unspent funds from previous fiscal years to be spent on other support services, including child care.
- Ensures that more child support goes to families by improving child support collection and distribution.

#### **Additional Flexibility for States**

- Fully funds the TANF block grant and supplemental grants to states, even though caseloads have dropped by more than half since 1996.
- Increases state flexibility in the use of funds, and unlocks surplus funds that currently can be used only to pay benefits (not for child care, transportation, job search, training, etc.).
- Allows states to claim partial credit for part-time work and additional work activities.
- Provides a framework for new state program integration demonstrations.

## A BILL TO PROVIDE JOBS THROUGH GROWTH

### *S. 7: The Jobs and Growth Tax Relief Act of 2005*

The Jobs and Growth Tax Relief Act of 2005 provides certainty with respect to recent tax law changes that have fostered economic growth. Specifically, S. 7 will make permanent four critical tax changes from the 2001 and 2003 tax laws: the current individual income tax rates, the lower tax rate on most dividends, the reduced long-term capital gains tax rate, and the permanent repeal of the death tax.

**Individual Income Tax Rates:** In order to sustain the nation's economic expansion by encouraging people to work, save, and invest, and to avoid the largest tax increase in history, Congress must make the individual income tax rates enacted in 2001 and 2003 permanent.

- By far, the largest beneficiaries of lower individual tax rates are the nation's 23 million small businesses, the majority of which pay taxes at the individual level. Since most entrepreneurs reinvest their earnings back into their businesses, lower tax rates translate into more capital for small businesses to grow and provide valuable jobs.
- The 2004 winner of the Nobel Prize in Economics, Dr. Edward Prescott, has found that as tax rates on labor increase, individuals work less, which reduces productivity and hurts the economy. Dr. Prescott determined that high tax rates in Europe are almost entirely to blame for Europe's lagging productivity, compared with the United States. Making the income tax rates permanent will encourage American productivity.

**Dividends and Capital Gains:** The reduced tax rate on dividends and capital gains has played a significant role in helping the economy recover from the 2001 recession. A strong economy resulting from permanently lower tax rates on capital and investment benefits all Americans. Congress must make these rates permanent to ensure that the current economic expansion leads to sustained economic growth.

- These rate reductions have lowered the cost of capital for American businesses, enabling them to invest in new equipment and create more jobs.
- The lower rates have also prompted a \$26 billion increase in regular dividends paid by S&P 500 companies in the year following the 2003 tax law changes, which benefits the broad scope of Americans who own dividend-paying stocks, many through retirement savings plans.
- The economic growth generated by 15-percent tax rate on dividends and capital gains is hindered by the fact that the lower rates expire at the end of 2008. Making the lower rates permanent will allow companies and investors to plan for the long-term.

**Death Tax:** The death tax is fundamentally unfair; it discourages hard work, entrepreneurship and savings, while rewarding consumption. Congress must permanently repeal the death tax. Without a permanent repeal, current law imposes confiscatory tax rates and tremendous planning costs on families, especially those owning a small business. Making death tax repeal permanent will eliminate the unjust and burdensome effects of this tax.

## A BILL TO STRENGTHEN FAMILIES AND PROTECT CHILDREN

### *S. 8: Child Custody Protection Act*

The Child Custody Protection Act would make it a federal offense to transport a minor across state lines to obtain an abortion, in order to circumvent a home-state law requiring notification of one or both parents prior to an abortion.

#### **Bill Summary:**

- Amends the Federal criminal code to prohibit transporting a minor across a State line to obtain an abortion if this abridges the right of a parent under a law in force in the State where the minor resides requiring parental involvement in a minor's abortion decision. Makes an exception if the abortion was necessary to save the life of the minor. Violations entail a fine or not more than a year in prison.
- Specifies that neither the minor transported nor her parent may be prosecuted or sued for a violation of this Act.
- Makes it an affirmative defense to a prosecution for, or to a civil action based on, such a violation that the defendant reasonably believed that before the minor obtained the abortion, the parental consent or notification or judicial authorization that would have been required had the abortion been performed in the State where the minor resides, took place.
- Authorizes any parent who suffers harm from a violation to obtain appropriate relief in a civil action.

#### **Background:**

- In most schools, an underage child can't go on a school field trip or get an aspirin without a signed permission slip. But nothing prevents this same child from being taken across state lines, in direct disobedience of state laws, for the purpose of undergoing an abortion.
- Eighty-three percent of Americans support parental notification before a minor gets an abortion.
- Parental notification/consent laws are often circumvented by adults who transport minors to neighboring states which do not require parental notification or consent. Many abortion clinics in states without parental involvement laws actually encourage such interstate activity by using "No Parental Consent Required" as a prominent "selling point" in ads run in neighboring states that enforce parental involvement laws.
- Thirty-four states have enacted parental notification laws.
- In a widely publicized case, a 12-year-old Pennsylvania girl became pregnant after sexual involvement with an 18-year-old man. Pennsylvania law requires parental consent (or judicial bypass) for an abortion to be performed on a minor. However, the man's mother took the pregnant girl for an abortion in New York, which has no parental involvement law. (The girl's mother did not even know that she was pregnant.)
- The majority of today's teenage mothers are being impregnated by adult men.

# A BILL TO PREPARE AMERICANS TO COMPETE IN THE 21<sup>st</sup> CENTURY

## *S. 9: The Lifelong Education Opportunities Act of 2005*

### **Purposes:**

- setting high expectations and raising achievement for all students, regardless of their background
- improving accountability for results
- providing flexibility for States to manage Federal program dollars most effectively
- supporting a lifetime of learning opportunities for students at all stages in life.

### **Title I – Head Start**

The bill seeks to

- improve academic performance of Head Start children
- require stronger fiscal accountability for federal program dollars
- encourage greater collaboration between Head Start programs and other federal and State programs

### **Title II – Elementary and Secondary Education**

#### **Part A – Elementary Education**

- Encourages improvements in elementary education by improving access to supplemental services

#### **Part B – Secondary Education**

Encourages stronger career and technical education programs that –

- Link courses with needs of businesses
- Integrate rigorous and challenging academic courses
- Emphasize academic content
- Create stronger partnerships between high schools and colleges

Emphasizes stronger math and science education programs that –

- Help students graduate with strong math and science skills
- Offer Advanced Placement and International Baccalaureate courses in low income schools

### **Title III – Teacher Preparation**

#### **Part A – Teacher Loan Forgiveness**

- Emphasizes the recruitment and retention of teachers by encouraging the use of expanded loan forgiveness provisions enacted last year

#### **Part B – Preparing Teachers**

- Emphasizes the important role that teachers play in improving student achievement
- Improves teacher training programs at postsecondary institutions
- Provides states with greater flexibility for using teacher preparation program dollars
- Emphasizes high standards for postsecondary teacher preparation programs
- Will help improve teacher recruitment and retention in high-need areas, including rural areas

### **Title IV – Higher Education and Lifelong Learning Opportunities**

## **Part A – Higher Education**

Encourages Congress to consider policies to –

- address the rising costs of higher education
- promote student academic preparation for postsecondary education
- encourage efforts to increase the availability of financial aid information for those who need the financial aid most
- simplify the student aid application process and improve the administration of the student aid
- improve efforts to help parents and students find and utilize information about attending and paying for college
- improve the level of accountability in the Federal student aid programs;
- take steps to ensure the long-term availability of Federal Pell Grant funds by addressing the current Federal Pell Grant program shortfall, exploring initiatives to reduce the time to graduation, and making efforts to ensure the fair distribution of Federal Pell Grant funds to eligible recipients
- promote quality educational opportunities for all students, including nontraditional students that will equip graduates with the skills the graduates need to continue lifelong learning and succeed in the 21st century workforce
- support stronger partnerships between businesses and institutions of higher education
- strengthen collaboration between higher education programs, and other Federal, State, and local education and training programs
- promote the access to and affordability of higher education through the use of technology and distance learning.

## **Part B – Workforce Investment Act Amendments of 2005**

### **Amendments to the Workforce Investment Act:**

The major themes of the WIA reauthorization provisions are:

- Providing workers with the training they need to find new or better jobs;
- Providing employers with an appropriately trained workforce they need to compete in the global marketplace;
- Improving upon the existing One-Stop Career Center delivery system to ensure that it can respond quickly and effectively to the changing needs of employers and workers in the new economy and can address the needs of special populations, including individuals with disabilities;
- Better connecting the job training system with the private sector and with post-secondary education and training, social services, and economic development systems to prepare the 21st century workforce for career opportunities and skills in high-growth sectors;
- Removing barriers from the law that have discouraged business involvement in workforce training, while finding new ways to increase business and industry influence in job training decisions in communities;
- Encouraging job training and employment services to be demand-driven and responsive to the needs of employers, both large and small; and
- Improving access to services in all areas, including rural areas.

### **Amendments to the Adult Education and Family Literacy Act:**

The major themes of Adult Education Reauthorization are:

- Holding States and eligible providers of adult education more accountable for student performance by measuring outcomes such as skill acquisition, entrance into postsecondary education, and employment;
- Improving adult literacy services, including workplace literacy services, services for adults with limited English proficiency, and services for those with learning disabilities;
- Encouraging the use of technology as a mode of delivering adult education;
- Providing quality professional development for adult education instructors;
- Strengthening the efforts of the National Institute for Literacy with respect to literacy for children, youth, adults and families;
- Encouraging linkages between adult education programs and postsecondary education; and
- Promoting the development and application of more rigorous research on adult education.

### **Rehabilitation Act Amendments**

- The major themes of the Rehabilitation Act reauthorization are:
  - Strengthening individual choice and transition planning for individuals with disabilities;
  - Creating a stronger link between the Rehabilitation Act, the President's New Freedom Initiative and the Olmstead Executive Order (13217: Community-Based Alternatives for Individuals with Disabilities);
  - Increasing the opportunity to expand Vocational Rehabilitation partnerships with business/employers; and
  - Improving coordination with other employment programs such as the Workforce Investment Act and the Ticket to Work Act.

# A BILL TO STRENGTHEN AND SECURE AMERICA THROUGH ENERGY INDEPENDENCE

## *S. 10: Energy Policy Act of 2005 Reserved for a comprehensive, bipartisan Energy Bill*

### **Congress Finds That:**

- Our Nation needs a comprehensive national energy policy so that Americans can count on access to efficient, affordable energy, both now and in the future.
- America's energy policy should be consistent with our foreign policy: independent and secure.
- Passing a comprehensive national energy policy will make America more secure by making us less dependent on foreign oil.
- We are currently 60% dependent on foreign sources of oil, and that number is headed upward. Even worse, much of that oil comes from parts of the world that are experiencing instability and violence, and from countries that do not always have America's best interests at heart.
- We must promote the development of a wide variety of domestic energy resources – not only oil and gas but also ethanol, clean coal, hydrogen, renewable resources like solar, wind and biomass, and clean nuclear energy.
- We must also increase energy efficiency and conservation, which will help to make us more energy independent.
- By modernizing our electricity grid and making it more reliable, a comprehensive energy bill will also help to prevent future blackouts like the one in August of 2003 that left 50 million Americans in the dark, and cost our economy untold billions. We need to increase investment in this key infrastructure asset, and make it easier to build transmission lines in the future.

The Energy Committee, under the leadership of Chairman Pete Domenici and Ranking Member Jeff Bingaman, will be working aggressively to develop a bipartisan energy bill that addresses our Nation's energy needs and brings us closer to the goal of having a secure, reliable, and affordable supply of energy in the years to come.