

This Act also creates a new office in the Department of Health and Human Services, the Office of Health Information Privacy, which will oversee investigations of alleged violations and verify compliance with the act. This office will also be responsible for establishing and implementing standards and product certifications for systems and networks that handle protected health information. Until now, many entities have been confused about how to implement health privacy regulations. This new office will help them understand Federal privacy rules, so that they can conduct their business accordingly.

Federal privacy regulations now in place also make it difficult to prosecute illegal activities. The Office of Health Information Privacy will be charged with resolving this problem. It will do so in part by instituting penalties for wrongful sharing or use of private health information by any entity.

Overall, a delicate balance must be struck. On one hand, we must allow the sharing of information necessary for effective health care. At the same time, however, we must protect Americans' right to have their health records and individual health information kept private. For too long, the balance has been tilted too far against patient privacy, and our bill is a needed effort to correct that imbalance.

Americans deserve stronger guarantees of patient privacy, more helpful guidelines for security implementation, and more dependable enforcement and penalties for the misuse of protected health information. I look forward to the early enactment of this legislation to achieve these important goals.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 274—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF LEWIS V. BAYH

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

S. RES. 274

Whereas, in the case of Lewis v. Bayh, Case No. 07-CV-0939 (D.D.C.), pending in the United States District Court for the District of Columbia, the plaintiff has named as defendant Senator Evan Bayh;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend the Senate and Members, officers, and employees of the Senate in civil actions relating to their official responsibilities; Now therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Senator Evan Bayh in the case of Lewis v. Bayh.

SENATE RESOLUTION 275—MAKING MINORITY PARTY APPOINTMENTS FOR THE 110TH CONGRESS

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 275

Resolved, That the following be the minority membership on the Committee on Armed Services for the remainder of the 110th Congress, or until their successors are appointed:

Mr. McCain, Mr. Warner, Mr. Inhofe, Mr. Sessions, Ms. Collins, Mr. Chambliss, Mr. Graham, Mrs. Dole, Mr. Cornyn, Mr. Thune, Mr. Martinez, and Mr. Corker.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2314. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2669, to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008; which was ordered to lie on the table.

SA 2315. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 1585, to authorize appropriations for fiscal year 2008 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 2316. Mr. BUNNING submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2317. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2318. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2319. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2320. Mr. SMITH (for himself and Mr. WYDEN) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2321. Mrs. DOLE submitted an amendment intended to be proposed by her to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2322. Mr. KYL (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2323. Mr. KERRY (for himself and Ms. SNOWE) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2324. Mr. HAGEL (for himself and Mr. BYRD) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2325. Mr. BAUCUS (for himself and Mr. TESTER) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2326. Mr. CARDIN (for himself, Mr. BIDEN, Mr. STEVENS, Mr. BAYH, Mrs. CLINTON, Ms. MIKULSKI, Ms. MURKOWSKI, Mr. KERRY, Mr. VITTER, Mr. ISAKSON, Mr. LAUTENBERG, and Mr. KENNEDY) submitted an amendment intended to be proposed by him to the bill H.R. 1585, supra; which was ordered to lie on the table.

SA 2327. Mr. KENNEDY proposed an amendment to the bill H.R. 2669, to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008.

SA 2328. Mr. REID submitted an amendment intended to be proposed by him to the bill S. 1642, to extend the authorization of programs under the Higher Education Act of 1965, and for other purposes; which was ordered to lie on the table.

SA 2329. Ms. MURKOWSKI proposed an amendment to amendment SA 2327 proposed by Mr. KENNEDY to the bill H.R. 2669, to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008.

SA 2330. Mr. KENNEDY proposed an amendment to amendment SA 2327 proposed by Mr. KENNEDY to the bill H.R. 2669, supra.

TEXT OF AMENDMENTS

SA 2314. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 2669, to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 802. CAMPUS-BASED DIGITAL THEFT PREVENTION.

Part G of title IV (20 U.S.C. 1088 et seq.) is amended by adding at the end the following:

“SEC. 494. CAMPUS-BASED DIGITAL THEFT PREVENTION.

“(a) IN GENERAL.—Each eligible institution participating in any program under this title which is among those identified during the prior calendar year by the Secretary pursuant to subsection (b)(2), shall—

“(1) provide evidence to the Secretary that the institution has notified students on its policies and procedures related to the illegal downloading and distribution of copyrighted materials by students as required under section 485(a)(1)(P);

“(2) undertake a review, which shall be submitted to the Secretary, of its procedures and plans related to preventing illegal downloading and distribution to determine the program's effectiveness and implement changes to the program if the changes are needed; and

“(3) provide evidence to the Secretary that the institution has developed a plan for implementing a technology-based deterrent to prevent the illegal downloading or peer-to-peer distribution of intellectual property.

“(b) IDENTIFICATION.—For purposes of carrying out the requirements of subsection (a), the Secretary shall, on an annual basis, identify—

“(1) the 25 institutions of higher education participating in programs under this title, which have received during the previous calendar year the highest number of written notices from copyright owners, or persons authorized to act on behalf of copyright owners, alleging infringement of copyright by users of the institution's information technology systems, where such notices identify with specificity the works alleged to be infringed, or a representative list of works alleged to be infringed, the date and time of the alleged infringing conduct together with information sufficient to identify the infringing user, and information sufficient to contact the copyright owner or its authorized representative; and

“(2) from among the 25 institutions described in paragraph (1), those that have received during the previous calendar year not less than 100 notices alleging infringement of