schools) providing clinical mental health care to children and adolescents, and for other purposes.

S. 539

At the request of Mr. MARTINEZ, the names of the Senator from Kentucky (Mr. BURKETT) and the Senator from Nevada (Mr. ENSIGN) were added as cosponsors of S. 539, a bill to amend title 28, United States Code, to provide the protections of habeas corpus for certain incapacitated individuals whose life is in jeopardy, and for other purposes.

S. 544

At the request of Mr. ISAKSON, the Senator from Massachusetts Safe Place Week Res. 71, a resolution designating the week ending March 13, 2005 as "National Safe Place Week."
are Federal employees who happen to have this particular card. It is the Federal travel card. This card is distributed additionally to the Members of the Senate. On that stolen or missing information, there is no protection otherwise than the Federal Credit Reporting Act which protects consumer credit records. But all the amassing of this additional data is not protected under current law.

Under present law, there is no protection unless you fall under a law such as the Fair Credit Reporting Act which protects consumer credit records. But all the amassing of this additional data is not protected under current law. This Act also allows the Government law enforcers and consumers to bring tough legal actions against the brokers if they violate the new regulations that the FTC would promulgate. Then it clearly gives a nod to the States involved in their own laws that they believe are necessary to effectively regulate information brokers.

As a result, I ask unanimous consent that the text of the bill be printed in the Record.

On the other hand, we have this particular card. It is also the Federal government card that many States have advised to carry out appropriate regulatory exemptions that are in the public interest. So there is flexibility for the FTC to adjust to different circumstances.

The company said the breach, made on August 20, involved an estimated 32,000 U.S. citizens and potentially an additional 42,000. Data breaches like this are becoming more frequent. They are caused by a variety of factors, including hacking, employee mistakes, or failures to properly protect sensitive information. The company said it was investigating by staff and U.S. law enforcement authorities. So here we have 32,000 U.S. citizens who could be the victims of identity theft.

The bill is meant to focus very narrowly on information brokers. It instructs the FTC to carve out appropriate regulatory exemptions that are in the public interest. So there is flexibility for the FTC to adjust to different circumstances.

After the FTC passes its new regulations, then the FTC, in our oversight capacity, would be reporting back to us and specifically would be reporting to our committees—the Commerce Committees in both the House and the Senate—and Congress would determine whether further statutory changes were necessary, as is the prerogative to adjust and adapt as circumstances change.

I want to work with all the people who are involved in this situation. We do not want something that is overreaching, but were getting to the point that with the advance of technology, something has to be done or virtually none of us will have any privacy.

By the way, there is another reason to pass this legislation. We are in a new kind of war, and that war is against terrorists. The terrorist deals by stealth, and one way is to assume the identity of someone else. If we do not have the protections of all our identities, there is another source for the terrorist.

What is it going to take to spur the Congress into action? I thank the time is here. We’ve made discussions in the last week—ChoicePoint, Bank of America, and today Lexis-Nexis. I ask for the support of the Senate in passing the Information Protection and Security Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 570
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.
(a) SHORT TITLE.—This Act may be cited as the “Advance Directives Education Act of 2005”.
(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purposes.
Sec. 3. Improving advance care plans related to the use and portability of advance directives.

Sec. 4. Increasing awareness of the importance of End-of-Life planning.
Sec. 5. GAO study and report on establishment of national advance directive registry.
Sec. 6. Advance directives at State department of motor vehicles.
In addition to the requirements of paragraph (1), a provider or organization (as the case may be) shall give effect to an advance directive executed outside the State in which such directive is presented, even one that does not appear to meet the formalities of execution, form, or language required by the State in which it is presented to the same extent as such provider or organization would give effect to the advance directive that meets such requirements, except that a provider or organization may decline to honor such a directive if the provider or organization can reasonably demonstrate that it is not an authentic expression of the individual’s wishes concerning his or her health care. Nothing in this paragraph shall be construed to authorize the administration of medical treatment otherwise prohibited by the laws of the State in which the directive is presented.

(B) The provisions of this paragraph shall prevail to the extent such law is inconsistent with such provisions. The provisions of this paragraph shall not preempt any State law that provides for greater patient portability, more deference to a patient’s wishes, or more latitude in determining a patient’s wishes.

(c) Effective Dates.—(1) In general.—Subject to paragraph (2), the amendments made by subsections (a) and (b) shall apply to agreements and contracts entered into, renewed, or extended under title XVIII of the Social Security Act (42 U.S.C. 1396 et seq.), and to State plans under title XV of such Act (42 U.S.C. 1395 et seq.), on or after such date as the Secretary of Health and Human Services specifies, but in no case may such date be later than 1 year after the date of enactment of this Act.

(2) Extension of effective date for State law amendment.—In the case of a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), the Secretary of Health and Human Services determines that State legislation in order for the plan to meet the additional requirements imposed by the amendments made by subsection (b), the State plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet additional requirements before the first day of the first calendar quarter beginning after the close of the first full calendar quarter after the date of enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative year, the beginning of the session is considered to be a separate regular session of the State legislature.

SEC. 9. INCREASING AWARENESS OF ADVANCE DIRECTIVE PLANNING ISSUES.

SEC. 399Z-1. ADVANCE DIRECTIVE EDUCATION CAMPAIGNS AND INFORMATION CLEARINGHOUSES.

The Secretary shall provide for the establishment of a national toll-free information clearinghouse as well as clearinghouses that the public may access to find out about State-specific information regarding advance directives and organs.

SEC. 5. GAO STUDY AND REPORT ON ESTABLISHMENT OF NATIONAL ADVANCE DIRECTIVE REGISTRY.

(a) Study.—The Comptroller General of the United States shall conduct a study on the feasibility of a national registry for advance directives, taking into consideration the constraints created by the privacy provisions enacted as a result of the Health Insurance Portability and Accountability Act.

(b) Report.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit a report to the Congress on the study conducted under subsection (a) together with recommendations for such legislation and administrative action as the Comptroller General determines are necessary and prudent.

SEC. 6. ADVANCE DIRECTIVES AT STATE DEPARTMENT OF MOTOR VEHICLES.

Each State shall establish a program of providing information on the advance directives clearinghouse established pursuant to section 399Z-1 of title 42 of the United States Code to individuals who are residents of the State at such State’s department of motor vehicles. Such program shall be modeled after the program of providing information regarding organ donation established at the State’s department of motor vehicles, if such State has such an organ donation program.

By Mr. AKAKA (for himself and Mr. DURBIN).

S. 572. A bill to amend the Homeland Security Act of 2002 to give additional biosecurity responsibilities to the Department of Homeland Security; to the Committee on Homeland Security and Governmental Affairs.

By Mr. AKAKA (for himself and Mr. DURBIN).

S. 573. A bill to improve the response of the Federal Government to agroterrorism and other food and agricultural diseases; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. AKAKA. Mr. President, I rise today to introduce two bills to increase the security of our food and agricultural food supply: the Homeland Security, Food and Agriculture Act and the Agriculture Security and Freedom Act. Both measures build on legislation I sponsored in the 107th and 108th Congresses. I want to thank my good friend, Senator DURBIN, who cosponsored my agriculture security bills last session, for continuing his support of this legislation.

The first bill, the Homeland Security, Food and Agriculture Act, will enhance coordination between the Department of Homeland Security (DHS) and other Federal agencies responsible for food and agriculture security. The Agriculture Security Assistance Act will increase coordination between Federal and State, local, and tribal officials and offer financial and technical assistance to farmers, ranchers, and veterinarians to improve preparedness.

The Food and Agriculture Industry represents about 13 percent of GDP and nearly 17 percent of domestic employment. Yet, this critical economic sector is not receiving adequate protection from accidental or intentional contamination that would damage our economy, and most importantly, could cost lives. Such contamination could be devastating to states such as Hawaii which generates more than $1.9 billion in agricultural sales annually.

Just last week, President of Interpol warned that the consequences of an attack on livestock are ‘‘substantial’’ and ‘‘relatively little’’ is being done to prevent such an attack.

The introduction of my bills coincides with the release of a report I requested from the Government Accountability Office (GAO) entitled ‘‘Much is Being Done to Protect Agriculture from a Terrorist Attack, but Important Areas Remain for Improvement’’.

The report concludes that the current state of agriculture security in the United States and makes recommendations. While GAO reported some accomplishments, such as conducting vulnerability assessments of agricultural products, establishing the Food and Agriculture Sector Coordination Council, and funding two university-based Centers of Excellence to research livestock and poultry diseases, GAO found that critical vulnerabilities still exist.

Although livestock and poultry producers may be the first to spot outbreaks of diseases, Department of Agriculture (USDA) certified veterinarians are not required to
demonstrate any knowledge of foreign animal diseases. This is short sighted given how easily animal diseases can travel from country to country as we have seen with the avian flu over the past few years. It is important that veterinarians, who will be our first responders in the event of an agroterrorist attack, be able to identify symptoms of a foreign disease in U.S. livestock.

GAO also highlights USDA’s inability to deploy vaccines within 24 hours of an animal disease outbreak as required by Homeland Security Presidential Directive 9 (HSPD-9). According to GAO, the vaccine for foot-and-mouth disease (FMD), which is the only animal disease vaccine that the United States stockpiles, is purchased from Britain in a concentrate form. To use the vaccine the concentrate must be sent back to Britain to be activated, which adds at least three weeks to the deployment time.

According to a scenario from Dr. Tom McGinn, formerly of the North Carolina Department of Agriculture, FMD would spread to 23 States five days after an initial outbreak and to 40 States after 30 days. By the time the vaccine is deployed, FMD could spread across the country. We cannot afford to wait three weeks to start vaccinating livestock. Why is the United States outsourcing this critical security function? USDA should either store ready-to-use vaccines in the U.S. or examine ways to activate the vaccines in this country.

Equally troubling is that over the past 2 years, the number of agricultural inspections performed by the U.S. has declined by 3.4 million since DHS took over the border inspection responsibility from USDA. Mr. Kim Mann, a spokesman from the National Association of Agriculture Employees (NAAE), expressed similar concerns at a February hearing by a congressional subcommittee on Homeland Security and Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia (OGM) Mr. Mann testified that of an approximately 2,100 Agriculture Quarantine Inspection positions that were transferred from USDA to DHS in 2003, only about 1,300 of those positions are currently filled. According to Mr. Mann, agriculture inspectors have left DHS to return to USDA because of DHS’s lack of commitment to its agriculture mission, and DHS is not filling these vacancies. I recently wrote Undersecretary for Border and Transportation Security, Asa Hutchinson, expressing my concern over these reports because agriculture inspections are crucial to the economy of Hawaii which is home to more endangered species than any other State.

GAO also reported a lack of communication between DHS and states regarding the development of emergency response plans, grant guidance, and best practices. States agriculture officials were given as little as three days to provide input on the National Response Plan and the National Infrastructure Protection Plan. In addition, the State Homeland Security Grant Program grant guidance puts little emphasis on agriculture as a sector eligible for assistance. In fact, agriculture officials only became eligible in fiscal year 2004 and many states are unaware that funds can be directed towards agriculture security. In addition, State and industry officials reported that there is no mechanism to share lessons learned from exercises or real-life animal disease outbreaks.

GAO further notes that shortcomings exist in DHS’s Federal coordination of national efforts to protect against agroterrorism. Federal officials claim that there is confusion in interagency working groups as to which responsibilities fall with whom. DHS reportedly also has been unable to coordinate agriculture security research efforts government-wide as is required by HSPD-9. While some program staff from DHS, USDA, and Health and Human Services have engaged in preliminary discussions, there is no overall departmental coordination of policy and budget issues between the various Federal agencies.

My bills address many of the concerns raised by GAO. The Homeland Security Food and Agriculture Act of 2006 will increase communication and coordination between DHS and state, local, and tribal homeland security officials regarding agroterrorism; Ensure agriculture security is included in state, local, and regional emergency response plans; and establish a task force of state and local first responders that will work with DHS to identify best practices in the area of agriculture security.

The Agriculture Security Assistance Act will provide financial and technical assistance to states and localities for agroterrorism preparedness and response; increase international agricultural disease surveillance and inspections of imported agricultural products; require that certified veterinarians be knowledgeable in foreign animal diseases; and require that USDA study the costs and benefits of developing a more robust animal disease vaccine stockpile.

The United States needs a coordinated approach in dealing with the possibility of an attack on our food supply, which could affect millions. While improvements have occurred since I first voiced my concerns over food and agriculture security in 2001, critical vulnerabilities remain. I urge my colleagues to join me in protecting America’s breadbasket and support these vital pieces of our national security.

I ask unanimous consent that the text of both bills be printed in the Record.

There being no objection, the bills were ordered to be printed in the Record, as follows:
SEC. 899B. AGRICULTURAL SECURITY RESPONSIBILITIES OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) COORDINATION OF FOOD AND AGRICULTURAL SECURITY.—

(1) IN GENERAL.—The Secretary shall establish and carry out a program to protect the agriculture and food supply of the United States from agroterrorist acts.

(2) PROGRAM INCLUSIONS.—The program established pursuant to paragraph (1) shall include provisions for—

(A) Advising and coordinating with Federal, State, local, regional, and tribal homeland security officials regarding—

(i) preparedness and the response to an agroterrorist act; and

(ii) the detection, prevention, and mitigation of an agroterrorist act; and

(B) executing the agriculture security responsibilities of the Secretary described in Homeland Security Presidential Directive 7 (Dec 14, 2004) and Homeland Security Presidential Directive 9 (February 3, 2006).

(b) RESPONSIBILITIES.—

(1) SECRETARY.—The Secretary shall have responsibility for—

(A) Increasing communication and coordination among all Federal, State, local, regional, and tribal emergency response providers with respect to biosecurity;

(B) ensuring that each Federal, State, local, regional, and tribal emergency response provider understands and executes the responsibilities of the emergency response provider in response to an agroterrorist attack;

(C)(i) ensuring that State, local, and tribal officials have adequate access to information and resources at the Federal level; and

(ii) developing and implementing information-sharing procedures by which a Federal, State, local, regional, and tribal emergency response provider understands the role of the emergency response provider in response to an agroterrorist attack;

(D) coordinating with the Secretary of Transportation and the Administrator of the Federal Aviation Administration to establish policies and procedures that will take into account the responsibilities of the emergency response provider in response to an agroterrorist attack;

(E) coordinating with the Administrator of the Environmental Protection Agency in considering the potential environmental impact of a response by Federal, regional, State, local, and tribal emergency response providers to an agricultural disease;

(F) working with Federal agencies (including the Department of Agriculture and other elements of the intelligence community) to improve the ability of employees of the Department of Homeland Security to identify a biological commodity or product, livestock, and any other good that is imported from a suspect location; and

(G) coordinating with the Department of State to provide the President and Federal agencies guidelines for establishing a mutual assistance agreement with another country, including an agreement—

(i) to provide training to veterinarians, public health officials, and agriculture specialists of the United States in the identification, diagnosis, and control of foreign diseases;

(ii) to provide resources and technical assistance personnel to a foreign government with limited resources; and

(iii) to participate in a bilateral or multilateral training program or exercise relating to biosecurity;

(2) UNDERSECRETARY FOR EMERGENCY RESPONSE AND PREPAREDNESS.—The Undersecretary for Emergency Response and Preparedness shall have responsibility for—

(A) not later than 180 days after the date of enactment of this subtitle, cooperating with State, local, and tribal homeland security officials to establish State, local, and regional response plans for an agricultural disease or agroterrorist act;

(B) a potential emergency management assistance compact and any other mutual assistance agreement between neighboring States; and

(C) an identification of State and local laws (including regulations) and procedures that may affect the implementation of a State response plan; and

(B) not later than 90 days after the date of enactment of this subtitle, establishing a task force consisting of State and local homeland security officials that shall—

(i) identify the best practices for carrying out a regional or State biosecurity program;

(ii) make available to State, local, and tribal governments a report that describes the best practices identified under clause (i); and

(iii) design and make available information (based on the best practices identified under clause (i)) concerning training exercises for emergency response providers in the form of printed materials and electronic media to—

(A) managers of State, local, and tribal emergency response provider organizations; and

(B) State health and agricultural officials.

(c) GRANTS TO FACILITATE PARTICIPATION OF STATE AND LOCAL ANIMAL HEALTH CARE OFFICIALS.—

(1) IN GENERAL.—The Office of State and Local Coordination and Preparedness, in consultation with the Undersecretary for Emergency Response and Preparedness, shall establish a program under which the Secretary shall provide grants to communities to facilitate the participation of State and local animal health care officials in community emergency planning efforts.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $5,000,000 for fiscal year 2006.

S. 573

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. This Act may be cited as the “Agricultural Security and Preparedness Act of 2005”.

SEC. 2. DEFINITIONS. In this Act:

(1) AGRICULTURAL DISEASE.—The term “agricultural disease” means an outbreak of a plant or animal disease, or a pest infestation, that requires prompt action in order to prevent injury or damage to people, plants, livestock, property, the economy, or the environment.

(2) AGRICULTURAL DISEASE EMERGENCY.—The term “agricultural disease emergency” means an agricultural disease that the Secretary determines to be an emergency under—

(A) section 415 of the Plant Protection Act (7 U.S.C. 7704); and

(B) section 1404(b) of the Animal Health Protection Act (7 U.S.C. 8006(b)).

(3) AGRICULTURE.—The term “agriculture” includes—

(A) the science and practice of activities relating to food, feed, and fiber production, including farming, marketing, distribution, use, and trade;

(B) family and consumer science, nutrition, food science and engineering, agricultural economics, and other social sciences; and

(C) forestry, wildlife science, fishery science, aquaculture, floriculture, veterinary medicine, and other environmental and natural resource sciences.

(4) AGROTERRORISM.—The term “agroterrorism” means the commission of an agroterrorist act.

(5) AGROTERRORIST ACT.—The term “agroterrorist act” means a criminal act constituting the cause of injury or damage to cause damage or harm to, or destruction or contamination of, a crop, livestock, farm or ranch equipment, material or property associated with agriculture, or a person engaged in agricultural activity, that is committed with the intent—

(A) to intimidate or coerce a civilian population; or

(B) to influence the policy of a government by intimidation or coercion.

(6) BIOSECURITY.—The term “biosecurity” means protection from the risks posed by biological, chemical, or radiological agents to—

(i) plant or animal health;

(ii) the agricultural economy;

(iii) the environment; or

(iv) human health.

(7) INDIAN TRIBE.—The term “Indian tribe” includes—

(A) the Secretary of Homeland Security;

(B) inclusions.—The term “biosecurity” includes the exclusion, eradication, and control of biological agents that cause plant or animal diseases.

(8) SECRETARY.—The term “Secretary” means the Secretary of Agriculture.

(9) TRIBAL GOVERNMENT.—The term “tribal government” means the governing body of an Indian tribe.

SEC. 3. STATE AND LOCAL ASSISTANCE.

(a) STUDY.—

(1) IN GENERAL.—In consultation with the steering committee of the National Animal Health Emergency Management System and other stakeholders, the Secretary shall conduct a study to—

(A) determine the best use of epidemiologists, computer modelers, and statisticians as members of emergency response task forces that handle foreign or emerging agricultural disease emergencies; and

(B) identify the types of data that are necessary for proper modeling and analysis of agricultural disease emergencies.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit a report that describes the results of the study under paragraph (1) to—

(A) the Secretary of Homeland Security; and

(B) the head of any other agency involved in response planning for agricultural disease emergencies.

(b) GEOGRAPHIC INFORMATION SYSTEM GRANTS.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Homeland Security and the Secretary of the Interior, shall establish a program under which the Secretary shall provide grants to States to develop capabilities to use a geographic information system or statistical model for an epidemiological assessment in the event of an agricultural disease emergency.

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SEC. 4. REGIONAL, STATE, AND LOCAL PREPAREDNESS.

(a) ENVIRONMENTAL PROTECTION AGENCY.—The Administrator of the Environmental Protection Agency, in consultation with the Secretary, shall cooperate with regional, State, and local disaster preparedness officials to include consideration of the potential environmental effects of a response activity in planning a response to an agricultural disease.

(b) DEPARTMENT OF AGRICULTURE.—The Secretary, in consultation with the Department of Homeland Security, shall—

(1) develop and implement procedures to provide information to, and share information among, Federal, regional, State, tribal, and local officials regarding agricultural threats, risks, and vulnerabilities; and

(2) cooperate with State agricultural officials, State and local emergency managers, representatives from State land grant colleges and research universities, agricultural producers, and agricultural trade associations to establish local response plans for agricultural diseases.

SEC. 5. INTERAGENCY COORDINATION.

(a) AGRICULTURAL DISEASE LIABILITIES.—

(1) AGRICULTURAL DISEASE MANAGEMENT LIABILITY.—The Secretary of Homeland Security shall establish a senior level position within the Federal Emergency Management Agency to carry out this paragraph, and shall—

(A) develop and implement procedures to provide information to, and share information among, Federal, regional, State, tribal, and local officials regarding agricultural threats, risks, and vulnerabilities; and

(B) provide incentives, in the form of grants or other support, to States and local officials to improve their readiness to respond to an agricultural disease.

(2) ANIMAL HEALTH CARE LIAISON.—The Secretary of Health and Human Services and the Secretary of Agriculture shall establish a senior level position within the Federal Emergency Management Agency to carry out this subparagraph, and shall—

(A) develop and implement procedures to provide information to, and share information among, Federal, regional, State, tribal, and local officials regarding agricultural threats, risks, and vulnerabilities; and

(B) provide incentives, in the form of grants or other support, to States and local officials to improve their readiness to respond to an agricultural disease.

(b) ANIMAL DISEASE CONTROL.—The Secretary of Agriculture shall—

(1) develop and implement procedures to provide information to, and share information among, Federal, regional, State, tribal, and local officials regarding agricultural threats, risks, and vulnerabilities; and

(2) provide incentives, in the form of grants or other support, to States and local officials to improve their readiness to respond to an agricultural disease.

(c) BILATERAL MUTUAL ASSISTANCE AGREEMENTS.—The Secretary of State, in coordination with the Secretary and the Secretary of Homeland Security, shall—

(1) enter into mutual assistance agreements with other countries to provide and receive assistance in the event of an agricultural disease, including—

(A) training for veterinarians and agriculture specialists of the United States in the identification, diagnosis, and control of foreign agricultural diseases; and

(B) providing resources and personnel to a foreign government with limited resources to respond to an agricultural disease; and

(c) RESTRICTIVE TRADE PRACTICES.—The Secretary of Commerce, in consultation with the Secretary of Agriculture, shall—

(1) provide guidelines to, and share information with, States and local governments to improve their readiness to respond to an agricultural disease; and

(2) provide guidelines to, and share information with, States and local governments to improve their readiness to respond to an agricultural disease.

SEC. 6. INTERNATIONAL ACTIVITIES.

(a) INTERNATIONAL AGRICULTURAL DISEASE SURVEILLANCE.—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Secretary of State and the Administrator of the Agency for International Development, shall submit to Congress a report that describes measures taken by the Secretary to—

(1) streamline the process of notification by the Secretary to Federal agencies in the event of an agricultural disease in a foreign country; and

(2) cooperate with representatives of foreign countries, international organizations, and industry to develop and implement methods of sharing information relating to international agricultural diseases and unusual agricultural activities.

(b) BILATERAL MUTUAL ASSISTANCE AGREEMENTS.—The Secretary of State, in coordination with the Secretary and the Secretary of Homeland Security, shall—

(1) enter into mutual assistance agreements with other countries to provide and receive assistance in the event of an agricultural disease, including—

(A) training for veterinarians and agriculture specialists of the United States in the identification, diagnosis, and control of foreign agricultural diseases; and

(B) providing resources and personnel to a foreign government with limited resources to respond to an agricultural disease; and

(c) RESTRICTIVE TRADE PRACTICES.—The Secretary of Commerce, in consultation with the Secretary of Agriculture, shall—

(1) provide guidelines to, and share information with, States and local governments to improve their readiness to respond to an agricultural disease; and

(2) provide guidelines to, and share information with, States and local governments to improve their readiness to respond to an agricultural disease.

(c) RESTRICTIVE TRADE PRACTICES.—The Secretary of Commerce, in consultation with the Secretary of Agriculture, shall—

(1) provide guidelines to, and share information with, States and local governments to improve their readiness to respond to an agricultural disease; and

(2) provide guidelines to, and share information with, States and local governments to improve their readiness to respond to an agricultural disease.

(c) RESTRICTIVE TRADE PRACTICES.—The Secretary of Commerce, in consultation with the Secretary of Agriculture, shall—

(1) provide guidelines to, and share information with, States and local governments to improve their readiness to respond to an agricultural disease; and

(2) provide guidelines to, and share information with, States and local governments to improve their readiness to respond to an agricultural disease.
Families are looking for help. I'm sad to say, the President doesn't offer them much hope. The Republican budget has all the wrong priorities. President Bush proposed increasing the maximum Pell Grant by just $100 to $1,450. I want to double Pell Grants. In the meantime, the burden on middle class families, the Republican budget helps out big business cronies with lavish tax breaks while eating into Social Security and creating deficits as far as the eye can see.

We need to do more to help middle class families afford college. We need to immediately increase the maximum Pell Grant to $4,500 and double it over the next 6 years. We need to make sure student loans are affordable. And we need a bigger tuition tax credit for the families stuck in the middle who aren't eligible for Pell Grants but still can't afford college.

A $4,000 refundable tax credit for tuition will go a long way. It will give middle class families some relief by helping the first-time student at our 4-year institutions like University of Maryland and the mid-career student at our terrific community colleges. A $4,000 tax credit would be 60 percent of the tuition at Maryland community college so we can cover the cost of tuition at most community colleges. My bill would help make college affordable for everyone.

College education is more important than ever: 40 percent of new jobs in the next 10 years will require post-secondary education. College is important to families and it's important to our economy. To compete in the global economy, we need to make sure all our children have 21st century skills for 21st century jobs. And the benefits of education help not just the individual but society as a whole.

To have a safer America and a stronger economy, we need to have a smarter America. We need to invest in our human capital to create a world class workforce. A basic tuition credit makes a college education affordable.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD. S. 575

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. SHORT TITLE.
This Act may be cited as the "Educational Opportunity for All Act of 2005.

SEC. 2. EDUCATIONAL OPPORTUNITY FOR ALL TAX CREDIT.
(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by redesignating section 36 as section 37 and by inserting after section 35 the following new section:

"SEC. 36. EDUCATIONAL OPPORTUNITY TAX CREDIT.
(a) ALLOWANCE OF CREDIT.—(1) In general.—This section shall be allowed as a credit against the tax imposed by this sub-title for the taxable year an amount equal to the qualified tuition expenses paid by the taxpayer for an academic period beginning in such taxable year.

"(2) PER STUDENT LIMITATION.—The credit allowed under this section shall not exceed $4,000 with respect to any individual.

"(b) ELECTION TO HAVE SECTION APPLY.—A taxpayer may elect not to have this section apply with respect to the qualified tuition expenses of an individual for any taxable year.

"(c) DEFINITIONS.—For purposes of this section—

(1) QUALIFIED TUITION EXPENSES.—The term 'qualified tuition expenses' means tuition required for the enrollment or attendance of—

(i) the taxpayer,

(ii) the taxpayer's spouse, or

(iii) any dependent of the taxpayer with respect to whom the taxpayer is allowed a deduction under section 151.

(2) ELIGIBLE EDUCATIONAL INSTITUTION.—An eligible educational institution for courses of instruction of such individual at such institution.

(3) TREATMENT OF EXPENSES PAID BY DEPARTMENT OR AGENCY.—Such term does not include student activity fees, athletic fees, insurance expenses, or other fees or expenses of an individual's academic course of instruction.

"(D) JOB IMPROVEMENT INCLUDED.—Such term shall include tuition expenses described in paragraph (A) attributable to any course of instruction at an eligible educational institution to acquire or improve job skills.

"(E) ELIGIBLE EDUCATIONAL INSTITUTION.—The term 'eligible educational institution' means an institution—

(A) which is described in section 501(c)(3) of the Higher Education Act of 1965 (20 U.S.C. 1001), as in effect on the date of the enactment of the Taxpayer Relief Act of 1997, and

(B) which is eligible to participate in a program under title IV of such Act.

"(F) SPECIAL RULES.—

(1) IDENTIFICATION REQUIREMENT.—No credit shall be allowed under subsection (a) to a taxpayer with respect to the qualified tuition expenses of an individual unless the taxpayer includes the taxpayer's identification number of such individual on the return of tax for the taxable year.

(2) ADJUSTMENT FOR CERTAIN SCHOLARSHIPS.—The amount of qualified tuition expenses otherwise taken into account under subsection (a) with respect to an individual for an academic year shall be reduced by the amount of any amounts paid for the benefit of such individual which are allocable to such period as—

(A) a qualified scholarship which is excludable from gross income under section 117,

(B) an educational assistance allowance under chapter 30, 31, 34, or 35 of title 38, United States Code, under chapter 30 of title 10, United States Code, and

(C) a payment (other than a gift, bequest, devise, or inheritance) within the meaning of section 102(a) for such individual's educational expenses, or attributable to such individual's enrollment at an eligible educational institution, which is excludable from gross income under any law of the United States.

"(3) TREATMENT OF EXPENSES PAID BY DEPENDENT.—If a deduction under section 151 is allowed with respect to an individual, the taxpayer shall be allowed to another taxpayer for a taxable year beginning in the calendar year in which such individual's taxable year begins.

"(4) DEDUCTION FOR TAXPAYERS AND THEIR DEPENDENTS.—The deduction provided by section 151 shall be allowed under subsection (a) to such individual for such individual's taxable year, and
"(B) qualified tuition expenses paid by such individual during such individual's taxable year shall be treated for purposes of this section as paid by such other taxpayer.

"(4) INCLUSION OF CERTAIN PAYMENTS.—If qualified tuition expenses are paid by the taxpayer during a taxable year for an academic period which begins during the first 3 months following such taxable year, such academic period shall be treated for purposes of this section as beginning during such taxable year.

"(5) BURDEN OF PROOF.—No credit shall be allowed under this section for any expense for which a deduction is allowed under any other provision of this chapter.

"(6) EDUCATION OPPORTUNITIES SCHOLARSHIP AND LIFETIME LEARNING CREDITS.—The qualified tuition and related expenses with respect to an individual for whom a Hope Scholarship Credit or the Lifetime Learning Credit under section 25A is allowed for the taxable year shall not be taken into account under this section.

"(7) NO CREDIT FOR MARRIED INDIVIDUALS FILING SEPARATE RETURNS.—If the taxpayer is a married individual (within the meaning of section 7703), this section shall apply only if the taxpayer and such spouse file a joint return for the taxable year.

"(8) NONRESIDENT ALIENS.—If the taxpayer is a nonresident alien individual for any portion of the year in which the tax year begins, this section shall apply only if such individual is treated as a resident alien of the United States for purposes of this chapter by reason of an election under section 919(a) or (b) of section 6013.

"(e) REGULATIONS.—The Secretary may prescribe such regulations as may be necessary or appropriate to carry out this section, including regulations providing for a recapture of the credit allowed under this section in cases where there is a refund in a subsequent year of any amount which was taken into account in determining the amount of such credit.

"(b) REFUNDABILITY OF CREDIT.—Paragraph (2) of section 3214(b) of title 31, United States Code, is amended by inserting before the period "or enacted by the Educational Opportunity for All Act of 2005"

(c) CONFORMING AMENDMENTS.—

(1) Sections 135(d)(2)(A), 222(c)(2)(A), 529(c)(3)(B)(v)(II), and 530(d)(2)(C)(i)(II) of the Internal Revenue Code of 1986 are each amended by inserting "and section 25A" each place it appears.

(2) Section 6213(g)(2)(J) of such Code is amended by inserting "or section 36(d)(1)" after "expenses"

(3) The table of sections for subpart C of part IV of subchapter A of chapter 1 of such Code is amended by striking the item relating to section 36 and inserting the following:

"Sec. 36. Educational opportunity tax credit.

"Sec. 37. Overpayments of tax.

(d) ENACTMENT DATE.—The amendments made by this section shall apply to expenses paid after December 31, 2004, for education furnished in academic periods beginning after such date.

By Mr. BYRD:

S. 576. A bill to restore the prohibition on the commercial sale and slaughter of wild free-roaming horses and burros; to the Committee on Energy and Natural Resources.

Mr. BYRD. Mr. President, President Reagan was often fond of saying that "there's nothing better for the inside of a horse than the outside of a horse." So he surely would have been proud when, on November 18, 2004, during the closing days of the 108th Congress, the Senate passed a resolution introduced by our former colleague Senator Ben Nighthorse Campbell that designated December 13, 2004, as "National Day of the Horse." The resolution encouraged the people of the United States to be mindful of the contribution of horses and burros to the character and history of our great Nation. The resolution. S. Res. 452, included a provision that stated "horses are a vital part of the collective experience of the United States and deserve protection and compassion."

Beginning in the 1950's, public awareness was raised about the cruel and inhumane manner in which wild horses and burros were being rounded up on public lands and subsequently sent to slaughter. Velma B. Johnston, later known as Wild Horse Annie, led an effort to protect this symbol of the American West that captured the imagination of school children across the country. In 1959, which was my first year in the Senate, Congress passed legislation I was pleased to support that prohibited the use of motorized vehicles to hunt wild horses and burros on all public lands. But the bill, which came to be known as the "Wild Horse and Burro Act," did not include a program for the management of wild horses and burros in the United States.

It was not until 1971 that Congress passed the Wild Free-Roaming Horse and Burro Act. The law, which I also supported, established as national policy that "wild free-roaming horses and burros shall be protected from capture, branding, harassment, and death" and that "no wild free-roaming horses or burros or their remains may be sold or transferred for consideration for processing into commercial products." The Bureau of Land Management (BLM) and the U.S. Forest Service were tasked with enforcement of the law on public lands. Unfortunately, severe abuse occurred, and the agencies then failed to properly manage these animals. As a result, the BLM currently has approximately 22,000 wild horses and burros in holding facilities where their feeding and care use up nearly half of the agency's budget for wild horse and burro management.

The Wild Free-Roaming Horse and Burro Act had been the law of the land until President Bush signed the FY 2005 Omnibus Appropriations Bill on December 8, 2004. Included in the omnibus appropriations bill was a provision that would require the BLM to put up for public sale any wild horse taken off the range that is more than 10 years old and any horse that has been unsuccessfully offered for adoption three times. The BLM has estimated that about 8,400 mustangs out of 22,000 being kept on seven sanctuaries must be sold or transferred for commercial products.

By Ms. COLLINS (for herself and Mr. FEINGOLD):

S. 577. A bill to promote health care coverage for individuals participating in legal recreational activities or legal transportation activities; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I am pleased to join with my colleague from Wisconsin, Senator FEINGOLD, in introducing legislation to prohibit health insurers from denying benefits to plan participants if they are injured while engaging in legal recreational activities like skiing, snowmobiling, or horseback riding. As a Senator from West Virginia, Rep. Nick Joe RAHALL, has introduced H.R. 297, a bill removing the prohibition on the commercial sale and slaughter of wild free-roaming horses and burros. I am pleased to join in his effort to overturn this egregious provision and reinstate Federal protections for one of the enduring symbols of the American frontier.

In closing, I quote from British poet Ronald Duncan's Ode to the Horse:

Where in this wide world can a man find nobility without pride, friendship without envy or beauty without vanity? Here: where grace is laced with muscle and strength by gentleness confined. He serves without servility; he has fought without enmity, there is nothing so powerful, nothing less violent; there is nothing so untiring, nothing less patient. England's past has been borne on his back. All our history is his industry. We are his heirs; he our inheritance. The Horse.

Among the many rules that were issued at the end of the Clinton Administration, one that I opposed to ensure non-discrimination in health coverage in the group market. This rule was issued jointly on January 8, 2001, by the Department of Labor, the Internal Revenue Service and the Health Care Financing Administration—now the Centers for Medicare and Medicaid Services—in accordance with the Health Insurance Portability and Accountability Act (HIPAA) of 1996. While I was pleased that the rule prohibits health plans and issuers from denying coverage to individuals who engage in certain types of recreational activities, such as skiing, horseback riding, snowmobiling or motorcycling, I am extremely concerned that it would allow insurers to deny health benefits for an otherwise covered injury that results from participation in these activities.

The rule states that: "While a person cannot be excluded from a plan for engaging in certain recreational activities, benefits for a particular injury can, in some cases, be excluded based on the source of the injury." A plan could, for example, include a general exclusion for injuries sustained while...
We rely every day on the information we get from all these sources. But we also rely on plain old common sense. I rise today to introduce a bill that is based on common sense.

The premise is this: if we think somebody is a terrorist threat, and that person purchases a deadly weapon, we need to know about it and keep track of it.

The bill I am introducing is called the “Terrorist Apprehension and Record Retention Act.” I am introducing it in response to a report that Senator BIDEN and I requested from the Government Accountability Office (GAO).

The report examined the practices of the National Instant Criminal Background Checks system (NICS) in conducting background checks of people who are on the Federal terrorist watch list and who try to purchase firearms.

The GAO found that from February 3 through June 30 of last year—a period just five months—a total of 44 known or suspected terrorists attempted to purchase firearms. The GAO Report is available at http://www.gao.gov/new.items/d05127t.pdf.

In 35 of these cases, the FBI authorized the transactions to proceed because its field agents were unable to find any disqualifying information, such as felony convictions or illegal immigrant status, within the federally prescribed three business days.

FBI officials told GAO investigators that from June through October 2004, the FBI’s NICS handled an additional 14 transactions involving known or suspected terrorists. Of these 14 transactions, the FBI allowed 12 to proceed and denied 2 based on prohibiting information.

These people who are on the terrorist watch list are not even allowed to board a commercial airliner. Yet most of them were allowed to purchase firearms.

Some would say that defies common sense—but it gets worse.

After most of the people with suspected terrorist connections were allowed to purchase these deadly weapons, the FBI was forced to destroy the records of the transactions within 24 hours after the FBI had approved the sale.

These records were destroyed pursuant to the “Tiahrt Amendment” which was implemented last July, funded by the NICS.

The GAO also found that Department of Justice procedures prohibit the NICS from sharing information about gun sales to suspected terrorists with counterterrorism officials.

This restriction of information-sharing is based on the belief at DOJ that information gathered by NICS should not be used for law enforcement purposes or to fight the war against terrorism. This is despite the fact that FBI counterterrorism officials said that it would help them win the war against terror if they were to routinely receive all available personal identifying information and other details from validated background checks of known or suspected terrorists.

So, not only are people suspected of having links to terrorism allowed to purchase deadly weapons, but then we don’t even tell our counterterrorism agencies about it—and we destroy the records!

This doesn’t seem like common sense to me.

In fact, it seems like a policy that not only allows terrorists to acquire weapons, but then helps them cover their tracks.

In light of the findings in this report, Senators CORZINE, SCHUMER, CLINTON, FEINSTEIN, MIKULSKI, REED and KEN NEDY are joining me in introducing the TARR Act, which would do two very important things.

First, the bill would require the Federal Government, specifically the NICS and FBI, to maintain for 10 years all records related to a NICS transaction involving a valid match to the VICTOF terrorist records—a suspected or known terrorist.

It is outrageous that one unit of the FBI—NICS—has information that could help us with the war against terrorism, but that information is deleted.

Second, the TARR Act would require all information related to the transactions involving a valid match to the VICTOF terrorist records must be shared with all appropriate Federal and State counterterrorism officials. Both FBI counterterrorism agents and State counterterrorism agencies should have access to this potentially valuable information. I encourage my colleagues to support this common sense legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD. I also ask unanimous consent that an article from the March 8, 2005 edition of the New York Times be printed in the RECORD.

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

S. 578

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Terrorist Apprehension and Record Retention Act of 2005” or the “TARR Act of 2005.”

SEC. 2. IDENTIFICATION OF TERRORISTS.

(a) In General.—Section 922(t) of title 18, United States Code, is amended by inserting after paragraph (6) the following:

“(7) If the national criminal background check system indicates that a person attempting to purchase a firearm or applying for a State permit to possess, acquire, or carry a firearm is identified as a known or suspected member of a terrorist organization, the records maintained by the Department of Justice or the Department of Homeland Security, including the Violent Gang and Terrorist Organization File, or records maintained by the Intelligence Community, including records maintained under section 343 of the Intelligence Authorization Act for Fiscal Year 2003 (50 U.S.C. 494n–2)

(a) all information shared in response to the request for assistance. The information to the prospective transaction shall automatically and immediately be transmitted to the appropriate
Washington, March 7—Dozens of terror suspects on federal watch lists were allowed to buy firearms legally in the United States last year, according to a Congressional investigation that points up major vulnerabilities in federal gun laws.

People suspected of being members of a terrorist group are not automatically barred from legally buying a gun, and the investigation, conducted by the Government Accountability Office, indicated that people with clear links to terrorist groups had regularly taken advantage of this gap.

Since the Sept. 11 terrorist attacks, law enforcement officials and gun control groups have expressed concern over the prospect of a terrorist walking into a gun shop, legally buying an assault rifle or other type of weapon and using it in an attack. The N.R.A. and gun rights supporters in Congress have fought to maintain the right of gun owners nationwide. The legal debate over how gun records are used became particularly contentious after the Sept. 11 terrorist attacks, when it was disclosed that the Justice Department and John Ashcroft, then the attorney general, had blocked the F.B.I. from using the gun-buying records against some 1,200 suspects who were detained as part of the Sept. 11 investigation. Mr. Ashcroft maintained that using the records in a criminal investigation would violate the federal law that created the system for instant background gun checks, but Justice Department lawyers who reviewed the issue said they saw no such prohibition. In response to the report, Mr. Lautenberg also plans to ask Attorney General Alberto R. Gonzales to assess whether people listed on the F.B.I.'s terror watch list should be automatically barred from buying a gun. Such a policy would require a change in federal law.

The T.R.A. officials acknowledge shortcomings in the current approach to using gun-buying records in terror cases, but they say they are broadening the use of background checks to enhance the ability of state officials who handle gun background checks in lieu of the F.B.I.

"Given that these background checks involve known or suspected terrorists who could pose a threat to homeland security, the report said, "more frequent F.B.I. oversight or centralized management would help ensure that suspected terrorists who have disqualifying factors do not obtain firearms in violation of the law."

By Mr. LIEBERMAN (for himself, Mr. BROWNBACK, Mrs. CLINTON, Mr. SANTORUM, Ms. LANDRIEU, Mr. DURBIN, and Mr. ENSEN:)

S. 579. A bill to amend the Public Health Service Act to authorize funding for the establishment of a program on children and the media within the National Institute of Child Health and Human Development to study the role and impact of electronic media in the development of children, to the Committee on Health, Education, Labor, and Pensions.

Mr. LIEBERMAN. Mr. President, I rise today to introduce, along with Senators BROWNBACK, CLINTON, SANTORUM, LANDRIEU, ENSIGN and DURBIN, the Children and Media Research Advancement Act, or CAMRA Act. We believe there is an urgent need to establish a federal role for targeting research on the impact of media on children. From the cradle to the grave, our children now live and develop in a world of media—a world that is increasingly digital, and a world where access is at their fingertips. This emerging digital world is well known to children, whose knowledge of their development is not well understood. Young people today are spending an average of 6 and a half hours with media each day. For those who are under age 6, two hours of exposure to screen media each day is common, even for those who are under age 2. That is about as much time as children under age 6 spend playing outdoors, and it is much more time than they spend reading or being read to by their parents. How does this investment of time affect children's physical development, their cognitive development, or their moral values? Unfortunately, we still have very limited information about how media, particularly the newer interactive media, affect children's development. Why? We have not charged any Federal agency with ensuring an ongoing funding base to establish a coherent research agenda about the impact of media on children's lives. This lack of a coordinated government-sponsored effort to understand the effects of media on children's development is truly an oversight on our part, as the potential payoffs for this kind of knowledge are enormous.

The report is to be released on Tuesday, and an advance copy was provided to The New York Times.

Senator Frank R. Lautenberg, Democrat of New Jersey, who has been leading a Senate effort to introduce legislation to address the problem in part by requiring federal officials to keep records of gun purchases by terror suspects and to use them, said, "We're in the dark about the F.B.I.'s policy in this regard, and we have a right to know about the administration's "twisted alliances" to the National Rifle Association for the situation. The N.R.A. and gun rights supporters in Congress have fought—successfully, for the most part—to limit the use of the F.B.I.'s national gun-buying database as a tool for law enforcement investigators, saying the database would amount to an illegal registry of gun owners nationwide. The legal debate over how gun records are used became particularly contentious after the Sept. 11 terrorist attacks, when it was disclosed that the Justice Department and John Ashcroft, then the attorney general, had blocked the F.B.I. from using the gun-buying records against some 1,200 suspects who were detained as part of the Sept. 11 investigation. Mr. Ashcroft maintained that using the records in a criminal investigation would violate the federal law that created the system for instant background gun checks, but Justice Department lawyers who reviewed the issue said they saw no such prohibition. In response to the report, Mr. Lautenberg also plans to ask Attorney General Alberto R. Gonzales to assess whether people listed on the F.B.I.'s terror watch list should be automatically barred from buying a gun. Such a policy would require a change in federal law. F.B.I. officials acknowledge shortcomings in the current approach to using gun-buying records in terror cases, but they say they are broadening the use of background checks to enhance the ability of state officials who handle gun background checks in lieu of the F.B.I. "Given that these background checks involve known or suspected terrorists who could pose a threat to homeland security, the
Consider our current national health crisis of childhood obesity. The number of U.S. children and teenagers who are overweight has more than tripled from the 1960’s through 2002. We think that media exposure is partly the cause of this epidemic. Is it time that parents limit television screen time and stop buying sugary cereals or soda pop? Is it time that television advertisers change their campaigns to reduce childhood obesity issues?

Many of us believe that our children are becoming increasingly materialistic. Does exposure to commercial advertising and the brainless, mindless imagery of media characters explain this materialistic attitude? We’re not sure. Recent research using brain-mapping techniques finds that an adult who sees images of desired products has a particular area of brain activation that are typically associated with reaching out with a hand. How does repeatedly seeing attractive products affect our children and their developing brains? What will happen when our children will be able to click on their television screen and go directly to sites that advertise the products that they see in their favorite programs? Or use their cell phones to pay for products that they want in the immediate environment? Exactly what kind of values are we teaching our children, and what role does exposure to media content play in the development of those values?

A report linked very early television viewing—before the age of four common in children who have attention deficit disorders. However, we don’t know the direction of the relationship. Does television viewing cause attention deficits, or do children who already have attention difficulties have viewing experiences more engaging than children who don’t have attention problems? Or do parents whose children have difficulty sustaining attention let them watch more television to encourage more sitting and less hyperactive behavior? How will Internet experiences, particularly those where children move rapidly across different windows, influence attention patterns and attention problems? Once again, we don’t know the answer. If early television viewing is linked to the development of children’s attention patterns, resulting in their placement in special education programs, actions taken to reduce screen exposure during the early years could lead to subsequent reductions in children’s need for special education classes, thereby saving money while fostering children’s development in positive ways.

We want no child left behind in the 21st century. Many of us believe that time spent with computers is good for our children, teaching them the skills that they will need for success in the 21st century. Are right? How is time spent with computers different from time spent with television? What are the underlying mechanisms that facilitate or disrupt children’s learning from these varying media? Can academic development be fostered by the use of interactive online programs designed to teach as they entertain? In the first six years of life, Caucasian more than African American or Latino children have Internet access from their homes. Can our newer interactive media help ensure that no child is left behind, or will disparities in access result in leaving some behind and not others?

The questions about how media affect the development of our children are clearly important, abundant, and essential to the way we understand these questions. Unfortunately, the answers to these questions are in short supply. Such gaps in our knowledge base limit our ability to make informed decisions about media policy.

We know that media are important. Over the years, we have held numerous hearings in these chambers about how exposure to media violence affects childhood aggression. We passed legislation to maximize the documented benefits of exposure to educational media, such as the Children’s Television Act which requires broadcasters to provide educational and informational television programs for children. Can we foster children’s moral values when they are exposed to prosocial programs that foster helping, sharing, and cooperating like those that have come into being as a result of the Children’s Television Act? We acted to protect our children from unfair commercial practices by passing the Children’s Online Privacy Protection Act which provides safeguards for children for our youth as they explore the Internet, a popular pastime for them. Yet the Internet has provided new ways to reach children with marketing that was known to be taking place, making our ability to protect our children difficult. We worry about our children’s inadvertent exposure to online pornography—how that kind of exposure may undermine their moral values and standards of decency. In these halls of Congress, we acted to protect our children by passing the Communications Decency Act, the Child Online Protection Act, and the Children’s Internet Protection Act to shield children from exposure to sexually explicit content that is deemed harmful to minors. While we all agree that we need to protect our children from online pornography, we know very little about how to address even the most practical questions such as how to prevent children from falling prey to adult strangers who approach them online. There are so many areas in which our understanding is preliminary at best, particularly in those areas that involve the effects of new versus digital media.

In order to ensure that we are doing our very best for our children, the behavioral and health recommendations and public policy decisions we make should be based on objective behavioral, social, and scientific research. Yet no federal research agency has responsibility for overseeing and setting a coherent media research agenda that can guide these policy decisions. Instead, Federal agencies fund media research in a piecemeal fashion, result- ing in a patchwork quilt of findings. We can do better than that.

The bill we are introducing today would remedy this problem. The
CAMRA Act will provide an overarching program of research involving children and media through the National Institute of Child Health and Human Development. This program of research to be conducted by the National Institute of Child Health and Human Development, will fund and encourage a comprehensive, coherent program of research that illuminates the role of media in children’s cognitive, social, emotional, physical, and behavioral development. The research will encompass all forms of electronic media, including television, movies, DVDs, interactive video games, cell phones, and the Internet, and will encourage research involving children of all ages—even babies and toddlers.

The bill also calls for a report to Congress about the effectiveness of this research program in filling this void in our knowledge base. In order to accomplish these goals, we are authorized $90 million dollars to be phased in gradually over the next five years. The cost to our budget is minimal and can well result in significant savings in other budget areas.

Our Nation values the positive, healthy development of our children. Our children, in the infant age, and our country has one of the most powerful and sophisticated information technology systems in the world. While this system entertains them, it is not harmless entertainment. Media have the potential to facilitate the healthy growth of our children. They also have the potential to harm. We have a stake in finding out exactly what that role is. We have a responsibility to take action. Access to the knowledge that we need for informed decision-making requires us to make an investment: an investment in research, an investment in and for our children, an investment in our collective future. The benefits to our youth and our nation’s families are immeasurable.

By passing the Children and Media Research Advancement Act, we can advance knowledge and enhance the contribution of public and private research that minimizes the negative ones. We can make future media policies that are grounded in a solid knowledge base. We can be proactive, rather than reactive. In so doing, we build a better nation for our youth, fostering the kind of values that are the hallmark of this great nation of ours, and we create a better foundation to guide future media policies about the digital experiences that pervade our children’s daily lives. I ask unanimous consent that the text of the bill be printed in the RECORD.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

be enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Congress has recognized the important role of electronic media in children’s lives when it passed the Children’s Television Act of 1990 (Public Law 101-357) and the Telecommunications Act of 1996 (Public Law 104-104), both of which documented public concerns about how electronic media products influence children’s development.

(2) Congress has heard hearings over the past several decades to examine the impact of specific types of media products such as violent television, movies, and video games on children’s health and development. These hearings and other public discussions about the role of media in children’s and adolescent’s development require behavioral and social research to inform the policy deliberations.

(3) There are important gaps in our knowledge about the role of electronic media and in understanding the effects of electronic media, in children’s and adolescent’s healthy development. The consequences of very early screen usage by babies and toddlers on children’s cognitive, emotional, and behavioral development is not yet understood, nor has a research base been established on the psychological consequences of high definition interactive media and cognitive format differences for child and adolescent viewers.

(4) Studies have shown that children who primarily view educational shows on television during their preschool year are significantly more successful in school 10 years later even when critical contributors to the child’s environment are factored in, including their household income, parent’s education, and intelligence.

(5) The early stages of childhood are a critical formative period for development. Virtually every aspect of human development is affected by the environments and experiences that one encounters during his or her early childhood years, and media exposure is an increasing part of every child’s social and physical environment.

(6) As of the late 1990’s, just before the National Institute of Child Health and Human Development funded 5 studies on the role of sexual messages in the media on children’s and adolescent’s development, attitudes and sexual practices, a review of research in this area found only 15 studies ever conducted in the United States on this topic, even during a time of growing concerns about HIV infection.

(7) In 2001, a National Academy of Sciences study group charged with studying Internet pornography found that there was virtually no literature about how much children and adolescent were exposed to Internet pornography or how such content impacts their development.

(b) PURPOSE.—It is the purpose of this Act to provide for a report to Congress containing the empirical evidence and other results produced by the research funded through grants under this Act.

SEC. 3. RESEARCH ON THE ROLE AND IMPACT OF ELECTRONIC MEDIA IN THE DEVELOPMENT OF CHILDREN AND ADOLESCENTS.

Subpart 7 of part C of title IV of the Public Health Service Act (42 U.S.C. 265 et seq.) is amended by adding at the end the following:

SEC. 452H. RESEARCH ON THE ROLE AND IMPACT OF ELECTRONIC MEDIA IN THE DEVELOPMENT OF CHILDREN AND ADOLESCENTS.

(A) IN GENERAL.—The Director of the Institute shall enter into appropriate arrangements with the National Institute of Child Health and Human Development to establish a program of research in collaboration with the Institute of Medicine to establish an independent panel of experts to review, synthesize and report on research, theory, and applications in the social, behavioral, and biological sciences and to establish research priorities regarding the child and adolescent’s exposure to electronic media use and exposure to the influence of electronic media use on children’s and adolescent’s healthy development.

(1) COGNITIVE.—The role and impact of media use and exposure on the development of children and adolescents within such cognitive areas as language development, attention span, problem solving skills (such as the ability to conduct multiple-tasking), visual and spatial skills, reading, and other learning abilities.

(2) PHYSICAL.—The role and impact of media use and exposure on children’s and adolescent’s physical coordination, diet, exercise, and eating routines, and other areas of physical development.

(3) SOCIAL-BEHAVIORAL.—The role and impact of interactive media on children’s and adolescent’s family activities and peer relationships, including indoor and outdoor playtime, interaction with parents, consumption habits, social relationships, aggression, prosocial behavior, and other patterns of development.

(4) PILOT PROJECTS.—During the first year in which the National Academy of Sciences panel is summarizing the data and creating a comprehensive research agenda in the children and adolescents and media area under subsection (a), the Secretary shall provide for the conduct of initial pilot projects to supplement and inform the panel in its work. Such pilot projects shall consider the role of media exposure on—

(i) cognitive and social development during infancy and early childhood; and

(ii) the development of childhood and adolescent obesity, particularly as a function of media advertising and sedentary lifestyles that may co-occur with media use.

(c) RESEARCH PROGRAM.—Upon completion of the review under subsection (a), the Director of the National Institute of Child Health and Human Development shall develop and implement a program that funds...
additional research determined to be necessary by the panel under subsection (a) concerning the role and impact of electronic media in the cognitive, physical, and socio-behavioral development of children and adolescents with a particular focus on the impact of factors such as media content, format, length of exposure, age of child or adolescent, and family involvement. Such research shall include extramural and intramural research and shall support collaborative efforts to link such research to other National Institutes of Health research investigations on early child health and development.

"(d) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall—

"(1) prepare and submit to the Director of the Institute an application at such time, in such manner, and containing such information as the Director may require; and

"(2) agree to use amounts received under the grant to carry out activities that establish or implement a research program relating to the effects of media on children and adolescents pursuant to guidelines developed by the Director relating to consultations with experts in fields of study and evidence-based areas of study.

"(e) USE OF FUNDS RELATING TO THE MEDIA’S ROLE IN THE LIFE OF A CHILD OR ADOLESCENT.—An entity shall use amounts received under a grant under this section to conduct research concerning the social, cognitive, emotional, physical, and behavioral development of children or adolescents as related to electronic mass media, including the areas of—

"(1) television;

"(2) motion pictures;

"(3) DVD’s;

"(4) interactive video games;

"(5) the Internet; and

"(6) cell phones.

"(f) REPORTS.—

"(1) REPORT TO DIRECTOR.—Not later than 12 months after the date of enactment of this section, the panel under subsection (a) shall submit the report required under such subsection to the Director of the Institute.

"(2) REPORT TO CONGRESS.—Not later than December 31, 2011, the Director of the Institute shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, and Committee on Education and Workforce of the House of Representatives a report that—

"(A) summarizes the empirical evidence and other results produced by the research under this section in a manner that can be understood by the general public;

"(B) places the evidence in context with other evidence and knowledge generated by the scientific community that address the same or related topics; and

"(C) discusses the implications of the collective body of scientific evidence and knowledge about the role and impact of the media on children and adolescents, and makes recommendations on how scientific evidence and knowledge may be used to improve the developmental and learning capacities of children and adolescents.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

"(1) $10,000,000 for fiscal year 2006;

"(2) $15,000,000 for fiscal year 2007;

"(3) $15,000,000 for fiscal year 2008;

"(4) $35,000,000 for fiscal year 2009; and

"(5) $25,000,000 for fiscal year 2010.

"By Mr. SMITH (for himself, Mr. CONRAD, Mr. STEVENS, Mr. HAGEL, and Mr. CHAFEE): S. 580. A bill to amend the Internal Revenue Code of 1986 to allow certain modifications to be made to qualified mortgages held by a REMIC or a grantor trust; to the Committee on Finance.

"Mr. SMITH. Mr. President, I rise today to introduce the Real Estate Mortgage Investment Conduit Modernization Act. I am pleased to join my colleagues and friends, Senator KENT CONRAD, in introducing this legislation to accelerate economic growth for America.

A Real Estate Mortgage Investment Conduit (REMIC) is a tax vehicle created by Congress in 1986 to support the housing market and investment in real estate by making it simpler to issue real estate backed securities.

By pooling real estate loans into mortgage backed securities, REMICs offer residential and commercial real estate borrowers access to capital that would not otherwise be available. REMICs enable commercial banks and other lenders to sell their loans in the capital markets, thereby freeing up additional liquidity and its use in new investments. Because they contribute to the efficiency and liquidity of the U.S. real estate markets, REMICs help to minimize the costs of residential and commercial real estate borrowing and to spur real estate development and rehabilitation.

REMICs play a critical role in providing capital for residential and commercial mortgages. As of September 30, 2004, the value of single-family, multifamily and commercial mortgage backed REMICs outstanding was $2.2 trillion. While the current volume of REMIC transactions reflects their important role in this market, certain changes to the tax code will eliminate impediments and unleash even greater potential. Current rules that govern REMICs often prevent many common loan modifications that facilitate loan administration and ensure repayment of investors.

Unfortunately, the legislation that created REMICs has not changed in nearly 20 years. Our legislation will update the REMIC provisions of the tax code. These proposed changes are simple, non-controversial, and will greatly enhance the ability of commercial real estate interests to obtain capital for financing new construction projects.

These changes would ultimately benefit the entire real estate community, including local real estate owners, builders, developers, managers as well as engineering, architectural and interior design firms that provide real estate services. Firms that offer services to support real estate sales will also be assisted. The end result is that these changes would accelerate the creation of jobs and economic activity throughout the U.S., and would have a positive effect on federal and state tax revenues. By encouraging property renovations and expansions, these changes would strengthen the local property tax base in towns and cities across America.

We urge our colleagues to work with us to enact this legislation to spur economic and employment growth in real estate, the construction trades, and the building materials industry.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 580

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CERTAIN MODIFICATIONS PERMITTED TO QUALIFIED MORTGAGES HELD BY A REMIC OR A GRANTOR TRUST.

(a) QUALIFIED MORTGAGES HELD BY A REMIC.—

(1) IN GENERAL.—Para.

(b) EXCEPTION FROM PROHIBITED TRANS-
By Ms. LANDRIEU:

S. 585. A bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of certain disaster mitigation payments; to the Committee on Finance.

Ms. LANDRIEU. Mr. President, tax day is right around the corner; just over a month away. For most Americans, April 15 is rather routine. You spend countless hours or weeks determining the amount you owe and you pay it. But for Christina and Raymond F., two of my constituents—I will not use their last name to maintain their privacy—of Avondale, LA, this upcoming tax day is going to be anything but routine. Earlier this year, Christina and Raymond received a letter from their parish government informing them that they must add $45,000 to their gross income this year.

You see, because Christina and Raymond’s home is located in a flood zone. That is not unusual in Louisiana. Twenty percent of the coastal zone of my state lies below sea level, including 80 percent of our largest city New Orleans. In order to protect their home from rising waters, they applied to their local parish to get flood mitigation assistance to raise their home above the base flood elevation in their area. To qualify, they had to pay $20,000, which they did by refinancing their home, and the parish paid the remaining $45,000 through FEMA’s National Flood Insurance Program. What Christina and Raymond did not realize was that at the time he made the payment, they were having this work done on their home, the Internal Revenue Service had decided that FEMA disaster mitigation assistance should be taxable. So now, this couple is going to have to pay this tax. But for Christina and Raymond that they would be taxed for accepting FEMA disaster mitigation assistance. The first time the IRS will undercut the effectiveness of using mitigation as a means of decreasing future costs to the flood insurance program. It will force people to take risks that they will not be hit by a disaster.

Today, I am introducing legislation to protect these responsible property owners from this unfair tax. My bill excludes disaster mitigation assistance from gross income. I have made it retroactive to last year in order to protect those property owners who received assistance in 2004.

I understand that a companion measure has been introduced in the House of Representatives by Congressman Mark Foley of Florida. It is supported by a number of House members from states with high incidents of flooding and other natural disasters, many from Louisiana. I applaud their efforts.

But this is not a regional, special-interest bill. FEMA makes mitigation grants for a variety of hazards in addition to flooding: fire, tornadoes, earthquakes, thunderstorms, dam failures, and host of others. This is not a problem just for properties that flood. So if your citizens have used a federal disaster mitigation program to help make their properties safer, the tax man will come for them too.

It is essential that the Congress consider this legislation and pass it as soon as possible. As I said at the start of my remarks, tax day is coming. We need to act to protect responsible property owners from paying this unfair tax.

By Mr. SALAZAR:

S. 584. A bill to require the Secretary of the Interior to allow the continued occupancy and use of certain properties for mitigation and contract for the mitigation services. Communities use these funds to put homes on stilts, improve drainage on property, and to acquire flood proofing materials. These mitigation grants encourage property owners to take responsible steps to lessen the potential for loss of life and property damage due to future flooding. The grants also have the added benefit of saving money in the long term for the Flood Insurance program. But the IRS has turned this valuable disaster preparedness and prevention program into a financial disaster for responsible property owners by making these payments taxable. The first time Christina and Raymond learned that this funding was taxable was when their local community sent them a letter at the beginning of this year.

All the people in my state ask for is a warning and an opportunity to protect themselves, their homes, and their loved ones from these disasters. Through the state-of-the-art systems developed by the National Weather Service, we can get a warning about a hurricane. We have sophisticated radar to track them as they move through the Gulf of Mexico, or up the East Coast. When a Category 4 is coming we can prepare and pray. The IRS is making us prepare and pay.

This tax is unfair, unexpected, and an unfortunate policy decision. Unfair and unexpected because no one told Christina and Raymond that they would be taxed for accepting FEMA disaster mitigation assistance. The local officials in their parish were just as surprised as the property owners were. It is important to note that in the long term, the IRS will undercut the effectiveness of using mitigation as a means of decreasing future costs to the

By Mr. SALAZAR:

S. 585. A bill to better provide for compensation for certain persons injured in the course of employment at the Rocky Flats site in Colorado; to the Committee on Energy and Natural Resources.

Mr. SALAZAR. Mr. President, I rise today to introduce two pieces of legislation important to my great State of Colorado.

Last week, I introduced one bill and proudly cosponsored two others to make good on our Nation’s promise to honor and care for our veterans. Today, I am introducing a bill to discharge our debt to another group of patriotic Americans who served our Nation during the cold war—our nuclear weapons workers.

Many Americans contributed to our victory over communism in the cold war, including dedicated and brave men and women working in the laboratories and factories that fashioned the nuclear weapons that helped bring the former Soviet Union to its knees. As a result of this patriotic service, many of these nuclear weapons workers contracted cancer and other disabling and fatal diseases.

In 2000, Congress recognized the sacrifices made by our nuclear weapons workers...
workers by enacting the Energy Employees Occupational Injury Compensation Act to provide benefits to nuclear weapons workers for their work-related illnesses, or to their survivors when these illnesses took their lives.

But today, a combination of missing records or a radon leak tape prevents many nuclear weapons workers from receiving the benefits that Congress intended, including many workers who served at the Rocky Flats facility in Colorado.

Throughout the decades, men and women worked at Rocky Flats, producing plutonium, one of the most dangerous substances in creation, and crafting it into the triggers for America’s nuclear arsenal. These men and women served a critical role in a program deemed essential to our national security by a succession of Presidents and Congresses. We owe them an enormous debt of gratitude.

These men and women were exposed to radioactive elements and other toxic compounds that we are still trying to identify, in amounts that we can only guess at. We don’t know what they were exposed to, how much or when. Part of the problem is that the existing science and technology did not allow us to monitor accurately. Part of the problem is that critical records have been lost or, in many cases, were never created by the government and its contractors.

Thankfully, Congress had the foresight in the Energy Employees Act to realize that some workers might not be able to prove that their cancers were caused by their work in nuclear weapons facilities, whether due to the lack of records or other problems that make it difficult or impossible to determine the dose of radiation they received.

To protect these workers, Congress designated a Special Exposure Cohort to receive benefits if they suffered from one of the 22 listed cancers known to be linked to radiation exposure.

The bill I am introducing today would extend the Special Exposure Cohort to workers employed by the Department of Energy or its contractors at Rocky Flats according to the stringent requirements of the 2000 Act.

As a result of this designation, a Rocky Flats worker suffering from one of the 22 listed cancers can receive benefits despite the inadequate records maintained by the Department of Energy and its contractors.

My bill is a companion bill to the bipartisan companion bill introduced by Congressmen MARK UDALL and Congressman BOB BEAUPREZ from Colorado, crafting it into the triggers for America’s unitary cabinet for civic events, and she has been a good neighbor to the National Park.

But now, the National Park Service believes that it is compelled to evict Betty Dick. My bill, and a bipartisan companion bill introduced by Congressmen TOM TANCREDO and supported by Congressman TOM TANCREDO, would authorize the Park Service to allow Mrs. Dick to spend her last few summers at her cherished Grand Lake home.

Mrs. Dick has been living on this property for 25 years, which she was ordered to be printed in the Record.

There being no objection, the bills were ordered to be printed in the RECORD, as follows:

S. 584

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE. —This Act may be cited as the “Betty Dick Residence Protection Act”.

SEC. 2. FINDINGS. —Congress finds that—

(a) IN GENERAL.—The Secretary of the Interior shall allow Betty Dick to continue to occupy and use the property described in subsection (b) for the remainder of the natural life of Betty Dick, subject to the requirements of this Act.

(b) DESCRIPTION OF PROPERTY.—The property referred to in subsection (a) is the land and any improvements to the land within the boundaries of Rocky Mountain National Park identified on the map entitled “Betty Dick Residence and Barn” and dated January 2005.

(c) TERMS AND CONDITIONS.—(1) IN GENERAL.—Except as provided in paragraph (2), the occupancy and use of the property described in subsection (b) by Betty Dick shall be subject to the same terms and conditions specified in paragraph (3).

(2) PAYMENT.—In exchange for the continued use and occupancy of the property, Betty
Be it enacted by the Senate and House of Representa-
tives, of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “Rocky Flats Special Exposure
Act.”

SEC. 2. FINDINGS AND PURPOSE.
(a) FINDINGS.—The Congress finds the follow-
ing:
(1) The Energy Employees Occupational Illness Compensa-
tion Program Act of 2000 (42 U.S.C. 7384 et seq.) (hereinafter in this sec-
tion referred to as the “Act”) was enacted to ensure fairness and equi-
ity for the civilian men and women who, during the past 50 years, per-
formed duties uniquely related to the nuclear weapons production and testing
programs of the Department of Energy and its predecessors by establish-
ing a program that would provide efficient, uni-
form, and adequate compensation for bery-
lium—cadmium—tungsten conditions and radia-
tion-related health conditions.
(2) The Act provides a process for consider-
ation of claims for compensation by individ-
uals who were employed at relevant times at var-
odous locations, but also included provi-
sions designating employees at certain other
locations as members of a special exposure
cohort whose claims are subject to a less-de-
tailed administrative process.
(3) The Act also authorizes the President,
upon recommendation of the Advisory Board
on Radiation Employee Health, to des-
ignate additional classes of employees at De-
partment of Energy facilities as members of the special exposure cohort if the President
determines that—
(A) it is not feasible to estimate with suffi-
cient accuracy the radiation dose that the class
received; and
(B) there is a reasonable likelihood that the radiation dose may have endangered the
health of members of the class.
(4) It has become evident that it is not fea-
sible to estimate with sufficient accuracy the
radiation dose received by employees at the Department of Energy facility in Colo-
rado known as the Rocky Flats site for the fol-
lowing reasons:
(A) Many worker exposures were unmoni-
tored over the lifetime of the plant at the
Rocky Flats site. Even in 2004, a former
worker from the 1960s was monitored under
the former radiation worker program of the
Department of Energy and found to have a
significant internal deposition that had been
detected and unrecorded for more than 50
years.
(B) No lung counter for detecting and
measuring plutonium and americium in the
lungs existed at Rocky Flats until the late
1960s. Without this equipment, the very in-
soluble oxide forms of plutonium cannot be
detected, and a large number of workers had
inhalation exposures that went undetected
and unmeasured.
(C) Exposure to neutron radiation was not
monitored until the late 1950s, and most of
those exposed were monitored through 1970 have
been found to be in error. In some areas of the
plant the neutron doses were as much as 10
times as great as the gamma doses re-
corded. Only gamma work was recorded. The old neutron films are
being re-read, but those doses have not yet
been added to the workers’ records or been
used in the dose reconstructions for Rocky
Flats workers carried out by the National
Institute for Occupational Safety and
Health.
(D) Radiation exposures for many workers
were not measured or were missing and, as
a result, the results are incomplete or esti-
mated doses were assigned. There are many
inaccuracies in the exposure records that the
Institute is using to determine whether Rocky
Flats workers qualify for compensa-
tion under the Act.
(E) The model that has been used for dose
reconstruction by the Institute in deter-
mining whether Rocky Flats workers qualify
for compensation under the Act may be in
error. The default values used for particle
size and solubility of the internally depos-
ited plutonium in workers are subject to rea-
sonable scientific debate. Use of erroneous
values could substantially underestimate the
actual internal doses for claimants.
(F) Some Rocky Flats workers, despite hav-
ing worked with tons of plutonium and hav-
knowing exposures leading to serious health
effects, have been denied compensa-
tion under the Act as a result of potentially
flawed calculations based on records that are
incomplete or in error as well as the use of
potentially flawed models.
(6) Achieving the purposes of the Act with
respect to Rocky Flats employees is more
likely to be achieved if claims by those
workers are subject to the administrative
procedures applicable to members of the spe-
cial exposure cohort.

(b) PURPOSE.—The purpose of this Act is to
revise the Energy Employees Occupational Illness
Compensation Program Act so as to in-
clude certain present Rocky Flats
workers as members of the special exposure
cohort.

SEC. 3. DEFINITION OF MEMBER OF SPECIAL EX-
POSURE COHORT.
(a) IN GENERAL.—Section 3621(14) of the
Energy Employees Occupational Illness
Compensation Program Act of 2000 (42 U.S.C.
7384l(14)) is amended by adding at the end of
paragraph (14) the following:
“(D) The employee was so employed as a
Department of Energy employee or a Depart-
ment of Energy contractor employee for a
number of work days aggregating at least 250
work days before January 1, 2006, at the
Rocky Flats site in Colorado.”.

(b) REMOVAL OF SYRIA-
NAN TROOPS FROM LEBANON
AND CALLING FOR THE REMOVAL OF SYR-
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(5) welcomes the initiative of the Club of
Pragmatists in developing an agenda for
fighting terrorism and strengthening
democracy; and
(6) looks forward to receiving and consid-
ering the recommendations of the Inter-
national Summit on Democracy, Terrorism,
and Security for strengthening international
cooperation against terrorism in all of its
forms through democratic means.

SEC. 77. CONDEMNING ALL ACTS OF TER-
RORISM IN LEBANON AND CALL-
ING FOR THE REMOVAL OF SYR-
IAN TROOPS FROM LEBANON
AND SUPPORTING THE PEOPLE
OF LEBANON IN THEIR QUEST
FOR A TRULY DEMOCRATIC FORM OF GOVERNMENT
Mr. SANTORUM (for himself, Mr.
BROWNBACK, Mr. ALLEN, Mr.
DE MINT, Mr. BURR, and Ms.
CANTWELL) sub-
mitted the following resolution; which
was considered and agreed to:

S. RES. 77
Whereas on March 11, 2004, terrorists asso-
ciated with the al Qaeda network detonated
a total of 10 bombs at 6 train stations in and
around Madrid, Spain, during morning rush

hour, killing 191 people and injuring 2,000
others;

Whereas like the terrorist attack on the
United States on September 11, 2001, the
Madrid attacks were an at-
tack on freedom and democracy by an inter-
national network of terrorists;

Whereas the Senate immediately con-
demned the attacks in Madrid, joining with
the President in expressing its deepest con-
dolences to the people of Spain and pledging
to remain shoulder to shoulder with them in
their struggle against terrorism;

Whereas the United States Government
has continued to work closely with the Span-
ish Government to pursue and to jus-
tify the efforts to identify and prosecute
the perpetrators of the March 11, 2004, attacks in Madrid;

Whereas the European Union, in honor of
the victims of terrorism in Spain and around
the world, has designated March 11 an an-
nual European Day of Civic and Democratic
Dialogue;

Whereas the people of Spain continue to
suffer from attacks by other terrorist or-
ganizations, including the Basque Fatherland
and Liberty Organization (ETA);

Whereas the Club of Madrid, an inde-
pendent organization of former heads of state and government dedicated to
strengthening democracy around the world,
is convening an International Summit on
Democracy, Terrorism, and Security to com-
memorate the anniversary of the March 11,
2001, attacks in Madrid; and

Whereas the purpose of the International
Summit on Democracy, Terrorism, and Secu-
ritiy is to build a common agenda on how the
community of democratic nations can most
effectively confront terrorism, in memory of
the victims of terrorism around the world: Now,
therefore, be it

Resolved, That the Senate—
(1) expresses solidarity with the people of
Spain as they commemorate the victims of the
despicable acts of terrorism that took place
in Madrid on March 11, 2004;
(2) condemns the March 11, 2004, attacks in
Madrid and all other terrorist acts against
innocent civilians;
(3) welcomes the decision of the European
Union to mark the anniversary of the worst
terrorist attack on European soil with a Day
of Civic and Democratic Dialogue;
(4) calls upon the United States and all na-
tions to continue to work together to iden-
tify and prosecute the perpetrators of the
March 11, 2004, attacks in Madrid;
(5) welcomes the initiative of the Club of
Madrid in bringing together leaders and ex-
perts from around the world to develop an
agenda for fighting terrorism and strengthen-
ding democracy; and
(6) looks forward to receiving and consid-
ering the recommendations of the Inter-
national Summit on Democracy, Terrorism,
and Security for strengthening international
cooperation against terrorism in all of its
forms through democratic means.

SEC. 78. CONDEMNING ALL ACTS OF TER-
RORISM IN LEBANON AND CALL-
NING FOR THE REMOVAL OF SYR-
IAN TROOPS FROM LEBANON
AND SUPPORTING THE PEOPLE
OF LEBANON IN THEIR QUEST
FOR A TRULY DEMOCRATIC FORM OF GOVERNMENT
Mr. LIEBERMAN (for himself, Mr.
ALLEN, Mr. DODD, and Mr. BIDEN) sub-
mitted the following resolution; which
was considered and agreed to:

S. RES. 76
Whereas on March 11, 2004, terrorists asso-
ciated with the al Qaeda network detonated
a total of 10 bombs at 6 train stations in and
around Madrid, Spain, during morning rush