

(3) to develop an integrated, workable and comprehensive data management information processing system that will make information on unique and significant features obtained by the program available for research and management purposes; and

(4) to encourage cost-sharing partnerships with governmental and non-governmental entities that will assist in transferring exploration technology and technical expertise to the program.

SEC. 6. INTERAGENCY FINANCING.

The National Oceanic and Atmospheric Administration, the National Science Foundation, and other Federal agencies involved in the program, are authorized to participate in interagency financing and share, transfer, receive and spend funds appropriated to any federal participant the program for the purposes of carrying out any administrative or programmatic project or activity under this section. Funds may be transferred among such departments and agencies through an appropriate instrument that specifies the goods, services, or space being acquired from another Federal participant and the costs of the same.

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the National Oceanic and Atmospheric Administration to carry out the program—

(1) \$45,000,000 for each of fiscal years 2005 through 2010; and

(2) \$55,000,000 for each of fiscal years 2011 through 2016.

EXTENDING LIABILITY INDEMNIFICATION REGIME FOR COMMERCIAL SPACE TRANSPORTATION INDUSTRY

Mr. FRIST. I ask unanimous consent to proceed to the immediate consideration of H.R. 5245.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5245) to extend the liability indemnification regime for the commercial space transportation industry.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5245) was read for the third time and passed.

NORMAN Y. MINETA RESEARCH AND SPECIAL PROGRAMS IMPROVEMENT ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 5163.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 5163) to amend title 49, United States Code, to provide the Department of Transportation a more focused research organization with an emphasis on innovative technology, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. JEFFORDS. Mr. President, H.R. 5163, the Norman Mineta Research and Special Programs Improvement Act, will be considered by the Senate today. I support H.R. 5163 and look forward to its enactment into law.

H.R. 5163 will realign the current Research and Special Programs Administration, creating two new entities; the Pipeline and Hazardous Materials Safety Administration and the Research and Innovative Technologies Administration. Each new entity will be led by an Administrator.

Section 2 of the bill provides a new Section 108 of Title 49, creating the new Pipeline and Hazardous Materials Safety Administration. In 108(c), the bill creates the Administrator position, as follows:

(c) ADMINISTRATOR.—The head of the Administration shall be the Administrator who shall be appointed by the President, by and with advice and consent of the Senate, and shall be an individual with professional experience in pipeline safety, hazardous materials safety, or other transportation safety

By spelling out qualifications for its new Administrator, Congress is seeking to enhance the prospects for success for the new Pipeline and Hazardous Materials Safety Administration.

The new Research and Innovative Technologies Administration is created by amending Section 112 of title 49, eliminating reference to the Research and Special Programs Administration and modifying its powers and duties. Aside from adding the position to the Executive Schedule Pay Rate, H.R. 5163 does not address the new Administrator, Research and Innovative Technologies Administration.

As with the Pipeline and Hazardous Materials Safety Administration, success of the Research and Innovative Technologies Administration will rest to a significant degree on the effectiveness of its leadership. Its Administrator should be well qualified. He or she should be an individual with professional experience in transportation research, research management, research program development, education and training in transportation and transportation-related fields and in transferring technologies into real world applications.

I hope that the President will apply these qualifications when selecting a candidate for Administrator, Research and Innovative Technologies Administration.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time, passed, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 5163) was read the third time and passed.

AMENDING THE TIJUANA RIVER VALLEY ESTUARY AND BEACH SEWAGE CLEANUP ACT OF 2000

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate

proceed to the immediate consideration of H.R. 4794, received from the House.

The legislative clerk read as follows:

A bill (H.R. 4794) to amend the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000 to extend the authorization of appropriations, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read three times, passed, the motion to reconsider be laid upon the table, and that any statements related to the matter be printed in the RECORD, with no intervening action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 4794) was read the third time and passed.

MEASURE PLACED ON THE CALENDAR—S. 2986

Mr. FRIST. Mr. President, I ask unanimous consent that S. 2986 be placed directly on the calendar.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. 2986

Mr. FRIST. Mr. President, I ask unanimous consent that at a time determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to consideration of S. 2986, the debt limit extension bill; provided that there be 6 hours of debate only, equally divided between the chairman and ranking member of the Finance Committee or their designees; provided further that no amendments be in order to the measure, and following the use or yielding back of the time, the Senate proceed to a vote on passage, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDING TITLE XIX OF THE SOCIAL SECURITY ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 2618 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2618) to amend title XIX of the Social Security Act to extend medicare cost-sharing for the medicare part B premium for qualifying individuals through September 2005.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be

read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 2618) was read the third time and passed, as follows:

S. 2618

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

SECTION 1. EXTENSION OF MEDICARE COST-SHARING FOR THE MEDICARE PART B PREMIUM FOR QUALIFYING INDIVIDUALS.

(a) IN GENERAL.—Section 1902(a)(10)(E)(iv) of the Social Security Act (42 U.S.C. 1396a(a)(10)(E)(iv)) is amended by striking “2004” and inserting “2005”.

(b) TOTAL AMOUNT AVAILABLE FOR ALLOCATION.—Section 1933(g) of the Social Security Act (42 U.S.C. 1396u-3(g)) is amended to read as follows:

“(g) SPECIAL RULES.—

“(1) IN GENERAL.—With respect to each period described in paragraph (2), a State shall select qualifying individuals, subject to paragraph (3), and provide such individuals with assistance, in accordance with the provisions of this section as in effect with respect to calendar year 2003, except that for such purpose—

“(A) references in the preceding subsections of this section to a year, whether fiscal or calendar, shall be deemed to be references to such period; and

“(B) the total allocation amount under subsection (c) for such period shall be the amount described in paragraph (2) for that period.

“(2) PERIODS AND TOTAL ALLOCATION AMOUNTS DESCRIBED.—For purposes of this subsection—

“(A) for the period that begins on January 1, 2004, and ends on September 30, 2004, the total allocation amount is \$300,000,000;

“(B) for the period that begins on October 1, 2004, and ends on December 31, 2004, the total allocation amount is \$100,000,000; and

“(C) for the period that begins on January 1, 2005, and ends on September 30, 2005, the total allocation amount is \$300,000,000.

“(3) RULES FOR PERIODS THAT BEGIN AFTER JANUARY 1.—For any specific period described in subparagraph (B) of paragraph (2), the following applies:

“(A) The specific period shall be treated as a continuation of the immediately preceding period in that calendar year for purposes of applying subsection (b)(2) and qualifying individuals who received assistance in the last month of such immediately preceding period shall be deemed to be selected for the specific period (without the need to complete an application for assistance for such period).

“(B) The limit to be applied under subsection (b)(3) for the specific period shall be the same as the limit applied under such subsection for the immediately preceding period.

“(C) The ratio to be applied under subsection (c)(2) for the specific period shall be the same as the ratio applied under such subsection for the immediately preceding period.”.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NO. 108-27

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaty trans-

mitted to the Senate November 16, 2004, by the President of the United States: Mutual Legal Assistance Treaty with Germany, Treaty Document No. 108-27. I further ask that the treaty be considered as having been read the first time; that it be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's message be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The message of the President is as follows:

[Mutual Legal Assistance Treaty with Germany Treaty Doc. 108-27]

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Treaty Between the United States of America and the Federal Republic of Germany on Mutual Legal Assistance in Criminal Matters, signed at Washington on October 14, 2003, and a related exchange of notes. I transmit also, for the information of the Senate, the report of the Department of State with respect to the Treaty.

The Treaty is one of a series of modern mutual legal assistance treaties being negotiated by the United States in order to counter criminal activities more effectively. The Treaty should be an effective tool to assist in the prosecution of a wide variety of crimes. The Treaty is self-executing.

The Treaty provides for a broad range of cooperation in criminal matters. Mutual assistance available under the Treaty includes: taking the testimony or statements of persons; providing documents, records, and articles of evidence; locating or identifying persons; serving documents; transferring persons in custody for testimony or other purposes; executing requests for searches and seizures; undertaking telecommunications surveillance, undercover investigations, and controlled deliveries; assisting in proceedings related to immobilization and forfeiture of assets, restitution to the victims of crime and collection of fines; and any other form of assistance not prohibited by the laws of the State from whom the assistance is requested.

I recommend that the Senate give early and favorable consideration to the Treaty, and give its advice and consent to ratification.

GEORGE W. BUSH.

THE WHITE HOUSE, September 13, 2004.

**ORDERS FOR WEDNESDAY,
NOVEMBER 17, 2004**

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2:15 p.m. on Wednesday, November 17. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then begin consideration of S. 2986, the debt limit extension bill provided under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. FRIST. Mr. President, tomorrow the Senate will begin consideration of

the debt limit extension bill. Under the order, there will be up to 6 hours of debate on the measure prior to the vote. It is my expectation that we will use a portion of that debate tomorrow and the remainder of the debate on Thursday. A number of our colleagues will be attending the opening of the Clinton Presidential Library and, therefore, I expect that vote to occur when that delegation returns.

As I mentioned this morning, we have a lot of work to do prior to adjournment of this Congress. In addition to the debt limit bill, the Senate must also complete action on the remaining fiscal year 2005 spending bills, the intelligence reform conference report, if available, a number of nominations, and any other conference reports that may become available.

It is our intention to finish our work on these items this week. Therefore, Senators should make themselves available for busy days over the remainder of the week.

Mr. President, I will be happy to turn to the Democratic leader. If not, I will be putting us into a quorum call for a period of time.

Mr. DASCHLE. Mr. President, I ask if the majority leader can give us any understanding as to progress that may have been made today on the appropriations and the omnibus bill. It is my understanding it is unlikely the bill will come up before Friday, but might he share with us what he knows about the progress the negotiators made today?

Mr. FRIST. Mr. President, in response to the Democratic leader, tremendous progress has been made over the course of the weekend, yesterday, and then over the course of today. We have a number of bills that are involved, as everyone knows, and it is a monumental task that both the staff and the Senators have been asked to do. But huge progress is being made.

We will, for the convenience of Senators, not be voting on Thursday during the day. We will have a vote likely Thursday night. It would be an objective to finish the omnibus bill on Friday. I hesitate to say that because a number of Senators have come up and said exactly what is in that omnibus bill. The staff is working with the Senators on the various conferences and the appropriators, and it is very important people be able to see it and have the opportunity to comment on it and debate what is in that bill.

Tremendous progress is being made which led me to say that if we stay focused, we should be able to finish our business this week on Friday or Saturday, although, again, we have the intelligence bills to consider.

Mr. DASCHLE. I thank the majority leader. I only reiterate what I said this morning. Obviously, our ability to expedite consideration of the omnibus bill, which is very critical, will be directly related to the degree to which extraneous matters are incorporated in the bill. I hope very earnestly that people who have an inclination to want to