

By Mr. LAUTENBERG:

S. Res. 479. A resolution establishing a special committee administered by the Committee on Governmental Affairs to conduct an investigation involving Halliburton Company and war profiteering, and other related matters; to the Committee on Rules and Administration.

By Mr. FRIST (for himself and Mr. REID):

S. Res. 480. A resolution extending the authority for the Senate National Security Working Group; considered and agreed to.

By Mr. SANTORUM:

S. Res. 481. A resolution expressing the gratitude and appreciation of the Senate for the acts of heroism and military achievement of Major Richard D. Winters (Ret.) during World War II, and commending him for leadership and valor in leading the men of Easy Company; considered and agreed to.

By Mr. KENNEDY (for himself, Mr. REED, Mr. KERRY, Mr. DODD, Mr. JEFFORDS, Mr. SUNUNU, and Mr. CHAFEE):

S. Res. 482. A resolution congratulating the Boston Red Sox on winning the 2004 World Series; considered and agreed to.

ADDITIONAL COSPONSORS

S. 2789

At the request of Mr. BROWNBAC, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 2789, a bill to reauthorize the grant program of the Department of Justice for reentry of offenders into the community, to establish a task force on Federal programs and activities relating to the reentry of offenders into the community, and for other purposes.

S. 2889

At the request of Mr. ALEXANDER, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Florida (Mr. GRAHAM), the Senator from Idaho (Mr. CRAIG), the Senator from Nevada (Mr. REID), the Senator from Oklahoma (Mr. INHOFE), the Senator from Washington (Ms. CANTWELL), the Senator from Delaware (Mr. CARPER), the Senator from Kansas (Mr. BROWNBAC) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 2889, a bill to require the Secretary of the Treasury to mint coins celebrating the recovery and restoration of the American bald eagle, the national symbol of the United States, to America's lands, waterways, and skies and the great importance of the designation of the American bald eagle as an endangered species under the Endangered Species Act of 1973, and for other purposes.

S. 2956

At the request of Mr. BOND, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 2956, a bill to amend title 10, United States Code, to direct the Secretary of Defense to carry out a program to provide a support system for members of the Armed Forces who incur severe disabilities.

S. 3011

At the request of Mr. DAYTON, the names of the Senator from Alabama (Mr. SESSIONS), the Senator from Virginia (Mr. WARNER) and the Senator

from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 3011, a bill to amend title XVIII of the Social Security Act to provide payments to Medicare ambulance suppliers of the full cost or furnishing such services, to provide payments to rural ambulance providers, and suppliers to account for the cost of serving areas with low population density, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DODD:

S. 3023. A bill to improve funeral home, cemetery, and crematory inspection systems, to establish consumer protections relating to funeral service contracts, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. DODD. Mr. President, I rise today to introduce the Federal Death Care Inspection and Disclosure Act of 2004, a bill which I believe will go a long way in restoring the trust that Americans place in the funeral and death care industries.

None of us like to think about death and dying. It is a painful and uncomfortable subject, and most Americans, understandably, choose not to confront matters related to the death of a loved one until the death actually occurs. And when a loved one does pass on, we turn to our friends and family to grieve. Certainly, the last thing anyone wants to do at such a painful time is to spend hours or days negotiating or shopping for a funeral, casket, or other goods and services. Instead, we leave most of these arrangements in the hands of funeral service providers, turning to them to ensure that our loved ones are cared for and treated with respect and dignity after their passing.

We place a great deal of trust in funeral service providers. A funeral, after all, represents one of the largest purchases many consumers will ever make, just behind a home, college education, and a car. However, unlike these transactions, the purchase of funeral services is most often done under intense emotional duress, with very little time to spare, and without the benefit of the type of consumer information generally available when making such a large purchase. As a result, we trust funeral service providers to give us fair prices, to represent goods and services accurately, and to not take advantage of us during our moments of greatest grief and vulnerability.

For the most part, this trust is well deserved. I have no doubt, that the majority of individuals working in the funeral industry are good men and women who practice their profession with the honor and gravity it demands. However, recent revelations of abuses in the industry have shown us that not all members of the death care industry are honest and upstanding. We all remember hearing recently of the discovery of over 200 bodies strewn in the

woods near a crematorium in Noble, GA. There is also evidence of desecration of graves and remains at cemeteries in Florida, California, Hawaii, and my own State of Connecticut. These incidents, as well as developments in the funeral industry as a whole, compel us to reexamine the regulatory structure we currently have in place for this industry.

Currently, the death care industry is regulated by a patchwork of state and local laws. These regulations may have been sufficient years ago, but the character of the industry has changed substantially since many of these laws were passed. The industry has become surprisingly large and diverse. The death care industry generates annual revenues of over \$15 billion and employs over 104,000 Americans. The 1990's saw the rise of multi-state "consolidators" who purchased local funeral homes across the country. Even for small local firms, the business has become increasingly complex. As more and more Americans travel and live in places far from where they were born, the industry has become one that frequently does business across state and county lines.

There have also been changes in Americans' cultural expectations of funeral services. For example, the percentage of cremations has risen from 5 percent in the 1970's to 25 percent today. However, only 12 States have substantive laws which cover cremation. In fact, in the case in Georgia I mentioned earlier, the crematorium in question was statutorily exempt from inspection, allowing the abuses to continue undiscovered.

The only significant federal regulation of the industry exists in the Federal Trade Commission's Funeral Rule, promulgated nearly 20 years ago. Again, this rule has not kept up with the nature of the industry. Perhaps most importantly, the rule does not cover numerous sectors of the industry such as cemeteries, crematories, and casket makers. It also does not effectively regulate prepaid funeral contracts, which have become an increasingly popular option in recent years.

In 2002, I chaired a hearing of the Subcommittee on Children and Families in which we examined developments in the industry and how they have impacted American families. Since that hearing, I have worked with both consumer and industry groups to craft legislation to protect Americans from potential abuse by funeral service providers. The Federal Death Care Inspection and Disclosure Act of 2004 would provide Federal funding to allow States to hire and train inspectors and give consumers the right to legal action against those who violate regulatory standards. In order to be eligible for funding, states would have to adhere to standards which are outlined in the legislation. The act would also codify and strengthen the existing FTC regulations governing licensing and

registration, record-keeping, inspection, resolution of consumer complaints, and enforcement of state laws in the industry. It would clarify regulations to prevent deceptive trade practices in the industry and ensure that consumers can make informed decisions as they make funeral arrangements. Finally, the FTC rules would be expanded to cover all segments of the death care industry.

I am aware that as we are in the closing days of this Congress, we will not have the opportunity to pass this legislation this year. However, I would like to take this opportunity to raise this issue with my colleagues today, and I hope that we will be able to move on this issue when we reconvene for the 109th Congress. It is my firm belief that this bill will help both consumers and industry. Consumers will have the peace of mind knowing that they are being treated fairly during their time of grief and distress, while the industry will benefit from regaining the high level of consumer confidence and trust that it has traditionally enjoyed.

I urge my colleagues to join me by supporting this legislation.

By Mr. DODD:

S. 3024. A bill to establish the National Center for Transportation Solutions, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. DODD. Mr. President, I rise to introduce the Center for Transportation Solutions Act of 2004.

I am deeply troubled that the Federal Government is not doing enough to address important national and regional transportation issues from a systemic perspective. There is too little research being devoted to profound questions that have a long-term impact on the future viability of our nation's transportation network. Such questions may include: How well is our transportation system responding to the global economy? How can transportation meet the needs of greater environmental sustainability? How can people become more involved in transportation planning in their communities? What transportation technologies will be important in the future? Are there more effective ways to finance improvements to our transportation infrastructure? What will be the demand for various modes of transportation in the future? How well do the various modes of transportation interact? Is there a better way to reduce transportation accidents and enhance safety?

In fact, the Federal Government does not adequately invest in finding answers to these and other important questions. The United States Department of Transportation spends approximately 1.5 percent of its budget on research. This amount is insufficient when compared to the 2.8 percent spent by the Department of Agriculture, 4.8 percent by the Department of Health and Human Services, 8.1 percent by the Environmental Protection Agency, and

14.9 percent spent by the Department of Defense.

Much of that 1.5 percent spent by the Department of Transportation is focused on short-term, highly applied research activities, such as the performance of varieties of asphalt in different climates. Too few resources, however, are devoted to research in finding solutions to our most intractable long-term transportation problems.

The consequences of this lack of foresight are significant. As Dennis Christiansen, Deputy Director of the Texas Transportation Institute, testified before the House Subcommittee on Highway, Transit, and Pipelines last year: "In the private sector, failure to innovate may mean one goes out of business. In the public sector, failure to innovate may simply mean that we do things less efficiently and at a higher cost." In addition, the American Public Transportation Association commented at the same hearing that "without research and training, innovation withers and American jobs are lost offshore."

The lack of adequate investments in long-term transportation research, however, is not the only concern. The Nation's transportation research and technology programs are highly decentralized as well. There are state and federal transportation agencies, universities, contractors, and material suppliers all participating in transportation research activities. While this decentralization has its benefits in that the same broad array of institutions that are conducting the research are involved in its implementation, it also has its drawbacks. It poses challenges to effective priority-setting, and can lead to unnecessary duplication, results that are not transferable, and significant research gaps.

The legislation that I am introducing will address these important issues by establishing a Center for Transportation Solutions as an independent agency in the executive branch of the government. Its purpose will be to develop and encourage the execution of a long-term national policy for the promotion of research and development related to multimodal transportation.

The Center is modeled after the National Science Foundation. It will be under the leadership of a Director appointed by the President and a Board composed of sixteen individuals with expertise in transportation research and policy. Like the National Science Foundation, the Center will be organized into a series of research divisions on such issues as safety, the environment, infrastructure, intermodal connections, and transportation economics and financial policy. Regional Centers for Transportation Solutions will also be established to investigate these important issues from a regional perspective.

The new Center will not supplant existing transportation research activities but supplement them. It will award competitive, merit-based grants

to academic, public, and private research institutions to support long-term strategic transportation objectives. According to the Transportation Research Board, "competition for funds and merit review of proposals are the best ways of ensuring the maximum return on investment of research funding and addressing strategic national transportation system goals." Sadly, much of the funding that is designated for transportation research today is earmarked for specific projects or research institutions without open competition.

Finally, the Center will facilitate the interchange of transportation research data among interested parties, work closely with the United States Department of Transportation in setting research priorities, and coordinate its scientific research programs with public and private research groups.

This legislation is a work in progress. In the coming months, I intend to further refine it for reintroduction in the 109th Congress. Nevertheless, the bill embodies an important goal namely, the need for increased resources and strategic planning devoted to tackling the nation's long-term transportation needs.

I realize that the 108th Congress is nearing completion. I am also aware that the Senate and the House of Representatives will likely revisit the reauthorization of surface transportation programs soon after the 109th Congress convenes in 2005. That legislation would be the perfect opportunity for Congress to look farther into the future—even beyond the traditional six-year scope of the surface transportation bill—and begin to make the investments necessary for solving our nation's most difficult transportation problems. After all, if we can devote resources to finding a cure for cancer and other life-threatening illnesses, shouldn't we do the same and find a cure for traffic congestion?

By Mr. FRIST (for himself and Mr. ENSIGN)

S. 3026. A bill to support the boy Scouts of America and the Girl Scouts of the United States of America; to the Committee on the Judiciary.

Mr. FRIST. 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. 3026

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

SECTION 1. SUPPORT OUR SCOUTS.

(a) DEFINITION.—In this section the term "Federal agency" means each department, agency, instrumentality, or other entity of the United States Government.

(b) IN GENERAL.—No Federal law (including any rule, regulation, directive, instruction, or order) shall be construed to limit any Federal agency from providing any form of support to the Boy Scouts of America or the Girl Scouts of the United States of America

(or any organization chartered by the Boy Scouts of America or the Girl Scouts of the United States of America), including—

(1) holding meetings, jamborees, camps, or other scouting activities on Federal property if such organization has received permission from the appropriate Federal official responsible for such property; or

(2) hosting or sponsoring any official event of such organization.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 479—ESTABLISHING A SPECIAL COMMITTEE ADMINISTERED BY THE COMMITTEE ON GOVERNMENTAL AFFAIRS TO CONDUCT AN INVESTIGATION INVOLVING HALLIBURTON COMPANY AND WAR PROFITEERING, AND OTHER RELATED MATTERS

Mr. LAUTENBERG submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 479

Resolved,

SECTION 1. ESTABLISHMENT OF SPECIAL COMMITTEE.

(a) **ESTABLISHMENT.**—There is established a special committee administered by the Committee on Governmental Affairs to be known as the “Special Committee to Investigate Halliburton, War Profiteering, and Related Matters” (referred to in this resolution as the “special committee”).

(b) **PURPOSES.**—The purposes of the special committee are—

(1) to conduct an investigation and public hearings into, and study of, whether any contracts awarded to Halliburton, its subsidiaries or affiliates (referred to in this resolution as “Halliburton”) were improperly coordinated by the Vice President’s office, or any other office or component of the executive branch;

(2) to conduct an investigation and public hearings into, and study of, the propriety of the no-bid Restore Iraqi Oil (“RIO”) Contract awarded to Halliburton by the Department of Defense;

(3) to conduct an investigation and public hearings into, and study of, whether Halliburton overcharged the government for meals, gasoline, and other goods and services, in connection with either—

(A) any contract that was not competitively bid; or

(B) any other contract;

(4) to conduct an investigation and public hearings into, and study of, whether Halliburton deliberately or negligently wasted taxpayer funds in order to inflate the value of any “cost-plus” contract;

(5) to conduct an investigation and public hearings into, and study of, whether Halliburton or any of its employees either—

(A) accepted kickbacks or other improper considerations in return for awarding subcontracts; or

(B) engaged in any other improper behavior in awarding subcontracts;

(6) to conduct an investigation and public hearings into, and study of, whether Halliburton or its employees violated United States sanctions laws by conducting prohibited activities with respect to Iran, Syria, Libya, North Korea, Cuba, or Iraq;

(7) to conduct an investigation and public hearings into, and study of, whether Halliburton violated United States or international laws or standards in its treatment

of its subcontractors, foreign and United States employees in Iraq;

(8) to conduct an investigation and public hearings into, and study of, whether Halliburton appropriately documented its expenses in Iraq;

(9) to conduct an investigation and public hearings into, and study of, the ultimate uses of United States Government funds that Halliburton spent in Iraq;

(10) to conduct an investigation and public hearings into, and study of, payments by the Department of Defense to Halliburton, including—

(A) whether the Department of Defense erred in not withholding 15 percent from its payments of Halliburton’s invoices, as required under Federal Acquisition Regulations; and

(B) whether improper influence was used in determining payments to Halliburton;

(11) to conduct an investigation and public hearings into, and study of, whether the Department of Defense improperly allowed Halliburton access to confidential records or discussions in connection with Halliburton’s contract negotiations with the Department of Defense;

(12) to conduct an investigation and public hearings into, and study of, Halliburton’s financial relationship with the Government of Nigeria or officials of the Government of Nigeria, including—

(A) whether Halliburton paid bribes in connection with business in Nigeria; and

(B) if Halliburton did pay such bribes, whether those bribes were used by their recipients to fund illicit activities;

(13) to make such findings of fact as are warranted and appropriate;

(14) to make such recommendations, including recommendations for legislative, administrative, or other actions, as the special committee may determine to be necessary or desirable; and

(15) to fulfill the constitutional oversight and informational functions of Congress with respect to the matters described in this subsection.

SECTION 2. MEMBERSHIP AND ORGANIZATION OF THE SPECIAL COMMITTEE.

(a) MEMBERSHIP.—

(1) **IN GENERAL.**—The special committee shall consist of—

(A) the members of the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs;

(B) the chairman and ranking member of the Committee on the Judiciary, or their designees from the Committee on the Judiciary;

(C) the chairman and ranking member of the Committee on Armed Services.

(2) **SENATE RULE XXV.**—For the purpose of paragraph 4 of rule XXV of the Standing Rules of the Senate, service of a Senator as the chairman or other member of the special committee shall not be taken into account.

(b) ORGANIZATION OF SPECIAL COMMITTEE.—

(1) **CHAIRMAN.**—The chairman of the Committee on Armed Services shall serve as the chairman of the special committee (referred to in this resolution as the “chairman”).

(2) **RANKING MEMBER.**—The ranking member of the Committee on Armed Services shall serve as the ranking member of the special committee (referred to in this resolution as the “ranking member”).

(3) **QUORUM.**—A majority of the members of the special committee shall constitute a quorum for the purpose of reporting a matter or recommendation to the Senate. A majority of the members of the special committee, or $\frac{1}{3}$ of the members of the special committee if at least one member of the minority party is present, shall constitute a quorum for the conduct of other business. One member of the special committee shall

constitute a quorum for the purpose of taking testimony.

(c) RULES AND PROCEDURES.—

(1) **IN GENERAL.**—Except as otherwise specifically provided in this resolution, the special committee’s investigation, study, and hearings shall be governed by the Standing Rules of the Senate and the Rules of Procedure of the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs.

(2) **ADDITIONAL RULES.**—The special committee may adopt additional rules or procedures not inconsistent with this resolution or the Standing Rules of the Senate if the chairman and ranking member agree that such additional rules or procedures are necessary to enable the special committee to conduct the investigation, study, and hearings authorized by this resolution. Any such additional rules and procedures shall become effective upon publication in the Congressional Record.

SEC. 3. STAFF OF THE SPECIAL COMMITTEE.

(a) **APPOINTMENTS.**—To assist the special committee in the investigation, study, and hearings authorized by this resolution, the chairman and the ranking member each may appoint special committee staff, including consultants.

(b) **ASSISTANCE FROM THE SENATE LEGAL COUNSEL.**—To assist the special committee in the investigation, study, and hearings authorized by this resolution, the Senate Legal Counsel and the Deputy Senate Legal Counsel shall work with and under the jurisdiction and authority of the special committee.

(c) **ASSISTANCE FROM THE COMPTROLLER GENERAL.**—The Comptroller General of the United States is requested to provide from the Government Accountability Office whatever personnel or other appropriate assistance as may be required by the special committee, or by the chairman or the ranking member.

SEC. 4. PUBLIC ACTIVITIES OF THE SPECIAL COMMITTEE.

(a) **IN GENERAL.**—Consistent with the rights of persons subject to investigation and inquiry, the special committee shall make every effort to fulfill the right of the public and Congress to know the essential facts and implications of the activities of officials of the United States Government and other persons and entities with respect to the matters under investigation and study, as described in section 1.

(b) **DUTIES.**—In furtherance of the right of the public and Congress to know, the special committee—

(1) shall hold, as the chairman (in consultation with the ranking member) considers appropriate and in accordance with paragraph 5(b) of rule XXVI of the Standing Rules of the Senate, hearings on specific subjects;

(2) may make interim reports to the Senate as it considers appropriate; and

(3) shall make a final comprehensive public report to the Senate which contains—

(A) a description of all relevant factual determinations; and

(B) recommendations for legislation, if necessary.

SEC. 5. POWERS OF THE SPECIAL COMMITTEE.

(a) **IN GENERAL.**—The special committee shall do everything necessary and appropriate under the laws and the Constitution of the United States to conduct the investigation, study, and hearings authorized by section 1.

(b) **EXERCISE OF AUTHORITY.**—The special committee may exercise all of the powers and responsibilities of a committee under rule XXVI of the Standing Rules of the Senate and section 705 of the Ethics in Government Act of 1978, including the following: