

By Mr. ENZI for the Committee on Health, Education, Labor, and Pensions.

\*John O. Agwunobi, of Florida, to be an Assistant Secretary of Health and Human Services.

\*Mark S. Schneider, of the District of Columbia, to be Commissioner of Education Statistics for a term expiring June 21, 2009.

\*Bertha K. Madras, of Massachusetts, to be Deputy Director for Demand Reduction, Office of National Drug Control Policy.

\*Diane Rivers, of Arkansas, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2009.

\*Sandra Frances Ashworth, of Idaho, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2009.

\*Jan Cellucci, of Massachusetts, to be a Member of the National Commission on Libraries and Information Science for a term expiring July 19, 2009.

\*Christine M. Griffin, of Massachusetts, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2009.

\*Naomi Churchill Earp, of Virginia, to be a Member of the Equal Employment Opportunity Commission for a term expiring July 1, 2010.

\*Mark Hofflund, of Idaho, to be a Member of the National Council on the Arts for the remainder of the term expiring September 3, 2008.

\*John O. Agwunobi, of Florida, to be Medical Director in the Regular Corps of the Public Health Service, subject to the qualifications therefore as provided by law and regulations.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KERRY (for himself, Mr. KENNEDY, and Mr. JEFFORDS):

S. 1887. A bill to authorize the conduct of small projects for the rehabilitation or removal of dams; to the Committee on Environment and Public Works.

By Mr. JEFFORDS (for himself and Mr. FEINGOLD):

S. 1888. A bill to provide for 2 programs to authorize the use of leave by caregivers for family members of certain individuals performing military service, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. HAGEL:

S. 1889. A bill to establish the Comprehensive Entitlement Reform Commission; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. GRASSLEY, and Mr. MCCAIN):

S. 1890. A bill to amend the Internal Revenue Code of 1986 to deny a deduction for certain fines, penalties, and other amounts; to the Committee on Finance.

By Ms. MURKOWSKI (for herself, Mr. STEVENS, Mr. AKAKA, and Mr. INOUE):

S. 1891. A bill to authorize the leasing, development, production, and economically feasible and prudent transportation of oil and gas in and from the Coastal Plain, and

for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MCCAIN (for himself and Mr. DORGAN):

S. 1892. A bill to amend Public Law 107-153 to modify a certain date; to the Committee on Indian Affairs.

By Mr. SANTORUM:

S. 1893. A bill to permit biomedical research corporations to engage in certain financings and other transactions without incurring limitations on net operating loss carryforwards and certain built-in losses, and for other purposes; to the Committee on Finance.

By Mr. INHOFE (for himself, Mr. ROCKEFELLER, Ms. LANDRIEU, and Mr. CRAIG):

S. 1894. A bill to amend part E of title IV of the Social Security Act to provide for the making of foster care maintenance payments to private for-profit agencies; considered and passed.

By Mr. ENSIGN (for himself, Mr. INHOFE, and Mr. DEMINT):

S. 1895. A bill to return meaning to the Fifth Amendment by limiting the power of eminent domain; to the Committee on Finance.

By Mr. SANTORUM:

S. 1896. A bill to permit access to Federal crime information databases by educational agencies for certain purposes; to the Committee on the Judiciary.

By Mr. CORZINE (for himself and Mr. DODD):

S. 1897. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 and related laws to strengthen the protection of native biodiversity and ban clearcutting on Federal land, and to designate certain Federal land as Ancient forests, roadless areas, watershed protection areas, and special areas where logging and other intrusive activities are prohibited; to the Committee on Energy and Natural Resources.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DODD (for himself, Mr. ENSIGN, Mr. AKAKA, Mrs. BOXER, Mr. BURNS, Mr. BURR, Ms. CANTWELL, Mr. CARPER, Mrs. CLINTON, Mr. COCHRAN, Ms. COLLINS, Mr. CORNYN, Mr. CORZINE, Mr. DAYTON, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. INOUE, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. REID, Mr. SALAZAR, Ms. SNOWE, Mr. SPECTER, and Ms. STABENOW):

S. Res. 280. A resolution supporting "Lights On Afterschool", a national celebration of after school programs; considered and agreed to.

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

S. Res. 281. A resolution honoring and thanking James Patrick Rohan; considered and agreed to.

By Mr. BROWNBACK:

S. Con. Res. 59. A concurrent resolution recognizing the 40th anniversary of the White House Fellows Program; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 385

At the request of Mr. FEINGOLD, his name was added as a cosponsor of S.

385, a bill to amend the Food Security Act of 1985 to restore integrity to and strengthen payment limitation rules for commodity payments and benefits.

S. 513

At the request of Mr. GREGG, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 513, a bill to provide collective bargaining rights for public safety officers employed by States or their political subdivisions.

S. 769

At the request of Ms. SNOWE, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 769, a bill to enhance compliance assistance for small businesses.

S. 859

At the request of Mr. SANTORUM, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 859, a bill to amend the Internal Revenue Code of 1986 to allow an income tax credit for the provision of homeownership and community development, and for other purposes.

S. 1016

At the request of Mr. MARTINEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1016, a bill to direct the Secretary of Energy to make incentive payments to the owners or operators of qualified desalination facilities to partially offset the cost of electrical energy required to operate the facilities, and for other purposes.

S. 1038

At the request of Mr. LUGAR, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1038, a bill to amend the Farm Security and Rural Investment Act of 2002 to enhance the ability to produce fruits and vegetables on covered commodity base acres.

S. 1081

At the request of Mr. KYL, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. 1081, a bill to amend title XVIII of the Social Security Act to provide for a minimum update for physicians' services for 2006 and 2007.

S. 1120

At the request of Mr. DURBIN, the names of the Senator from Massachusetts (Mr. KENNEDY) and the Senator from North Dakota (Mr. DORGAN) were added as cosponsors of S. 1120, a bill to reduce hunger in the United States by half by 2010, and for other purposes.

S. 1139

At the request of Mr. SANTORUM, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1139, a bill to amend the Animal Welfare Act to strengthen the ability of the Secretary of Agriculture to regulate the pet industry.

S. 1272

At the request of Mr. NELSON of Nebraska, the names of the Senator from Minnesota (Mr. COLEMAN) and the Senator from California (Mrs. FEINSTEIN)

were added as cosponsors of S. 1272, a bill to amend title 46, United States Code, and title II of the Social Security Act to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 1353

At the request of Mr. REID, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 1353, a bill to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1405

At the request of Mr. NELSON of Nebraska, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from Montana (Mr. BURNS) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1405, a bill to extend the 50 percent compliance threshold used to determine whether a hospital or unit of a hospital is an inpatient rehabilitation facility and to establish the National Advisory Council on Medical Rehabilitation.

S. 1597

At the request of Mrs. CLINTON, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 1597, a bill to award posthumously a Congressional gold medal to Constantino Brumidi.

S. 1700

At the request of Mr. COBURN, the name of the Senator from Missouri (Mr. TALENT) was added as a cosponsor of S. 1700, a bill to establish an Office of the Hurricane Katrina Recovery Chief Financial Officer, and for other purposes.

S. 1706

At the request of Mr. ALLEN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1706, a bill to amend the Internal Revenue Code of 1986 to provide that distributions from a section 401(k) plan or a section 403(b) contract shall not be includible in gross income to the extent used to pay long-term care insurance premiums.

S. 1735

At the request of Ms. CANTWELL, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1735, a bill to improve the Federal Trade Commission's ability to protect consumers from price-gouging during energy emergencies, and for other purposes.

S. 1740

At the request of Mr. CRAPO, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. 1740, a bill to amend the Internal Revenue Code of 1986 to allow individuals to defer recognition of reinvested capital gains distributions from regulated investment companies.

S. 1793

At the request of Mr. BINGAMAN, the names of the Senator from Kansas (Mr. BROWNBACK) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1793, a bill to extend certain apportionments to primary airports.

S. 1795

At the request of Mr. JOHNSON, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1795, a bill to amend the Social Security Act to protect Social Security cost-of-living adjustments (COLA).

S. 1813

At the request of Mr. CRAIG, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1813, a bill to amend titles 10 and 38 of the United States Code, to modify the circumstances under which a person who has committed a capital offense is denied certain burial-related benefits and funeral honors.

S. 1841

At the request of Mr. NELSON of Florida, the names of the Senator from Illinois (Mr. DURBIN), the Senator from New York (Mrs. CLINTON) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1841, a bill to amend title XVIII of the Social Security Act to provide extended and additional protection to Medicare beneficiaries who enroll for the Medicare prescription drug benefit during 2006.

S. 1860

At the request of Mr. DOMENICI, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1860, a bill to amend the Energy Policy Act of 2005 to improve energy production and reduce energy demand through improved use of reclaimed waters, and for other purposes.

S. 1873

At the request of Mr. BURR, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1873, a bill to prepare and strengthen the biodefenses of the United States against deliberate, accidental, and natural outbreaks of illness, and for other purposes.

S. 1880

At the request of Mr. KENNEDY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1880, a bill to amend the Public Health Service Act to enhance biodefense and pandemic preparedness activities, and for other purposes.

S. CON. RES. 46

At the request of Mr. BROWNBACK, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S. Con. Res. 46, a concurrent resolution expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian

Constitution and international standards.

S. RES. 180

At the request of Mr. SCHUMER, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. Res. 180, a resolution supporting the goals and ideals of a National Epidermolysis Bullosa Awareness Week to raise public awareness and understanding of the disease and to foster understanding of the impact of the disease on patients and their families.

S. RES. 273

At the request of Mr. COLEMAN, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. Res. 273, a resolution expressing the sense of the Senate that the United Nations and other international organizations shall not be allowed to exercise control over the Internet.

AMENDMENT NO. 2063

At the request of Mr. KENNEDY, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of amendment No. 2063 proposed to H.R. 3058, a bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

At the request of Mr. DURBIN, his name was added as a cosponsor of amendment No. 2063 proposed to H.R. 3058, supra.

AMENDMENT NO. 2065

At the request of Mr. BINGAMAN, the names of the Senator from Pennsylvania (Mr. SPECTER), the Senator from West Virginia (Mr. ROCKEFELLER) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of amendment No. 2065 intended to be proposed to H.R. 3058, a bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 2070

At the request of Ms. COLLINS, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 2070 proposed to H.R. 3058, a bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 2072

At the request of Mr. BOND, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of amendment No. 2072 proposed to H.R. 3058, a bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies

for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 2074

At the request of Mr. SANTORUM, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of amendment No. 2074 intended to be proposed to H.R. 3058, a bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 2075

At the request of Mr. FRIST, the names of the Senator from North Carolina (Mrs. DOLE), the Senator from Michigan (Ms. STABENOW) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of amendment No. 2075 intended to be proposed to H.R. 3058, a bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 2077

At the request of Mr. REED, the names of the Senator from Connecticut (Mr. DODD), the Senator from Illinois (Mr. OBAMA), the Senator from Rhode Island (Mr. CHAFEE) and the Senator from Maryland (Mr. SARBANES) were added as cosponsors of amendment No. 2077 proposed to H.R. 3058, a bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 2078

At the request of Mr. DORGAN, the names of the Senator from Minnesota (Mr. DAYTON) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of amendment No. 2078 proposed to H.R. 3058, a bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 2108

At the request of Mr. VOINOVICH, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of amendment No. 2108 intended to be proposed to H.R. 3058, a bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself, Mr. KENNEDY, and Mr. JEFFORDS):

S. 1887. A bill to authorize the conduct of small projects for the rehabili-

tation or removal of dams; to the Committee on Environment and Public Works.

Mr. KERRY. Mr. President, today I joined Senator KENNEDY, Representative FRANK, Governor Romney and Mayor Robert Nunes on a tour of the deteriorating dam in Taunton, MA. The dam buckled earlier this week under the pressure of heavy rain. Since the beginning of this month, Taunton has received 11½ inches of rain, with more than 7 inches of that from Friday through Sunday.

As of this morning, the city remained under a state of emergency and there was still a significant amount of water behind the Whittenton Pond Dam on the Mill River. In speaking with local officials, they expressed fear that a major break in the dam could send 6 feet of water surging through downtown Taunton, flooding businesses and destroying homes.

For now, the situation is under control but still extremely volatile. It appears we may have gotten lucky—but just because the waters are receding doesn't mean our work is through. Doing everything possible means the Federal Government has to give mayors and governors every tool they need to protect their communities.

Today, the Army Corps of Engineers can help in Taunton only because it's an emergency—and everyone who has been praying that the dam doesn't break knows just what an emergency this has been. But according to the law, it's only at that point of no return that the Corps can step in. The Army Corps of Engineers has no authority to try to prevent a situation like this. Before the water came pouring through and 2,000 people were evacuated from their homes, the Corps was powerless to fix this dam.

But it's not just on the Mill River—we have 3,000 privately-owned dams in Massachusetts. The Army Corps of Engineers shouldn't be handcuffed by bureaucratic red tape until we reach the point of a make-it-or-break-it crisis. If Hurricane Katrina taught us anything, it's that we can't let bureaucracy get in the way of preventing a pending disaster or responding to a looming threat.

For that reason, I am introducing a bill to give the Army Corps of Engineers the ability to intervene to repair privately-owned dams for the sake of public safety. That way, the Corps can help in the kind of effort Governor Romney is now undertaking to inspect and strengthen dams across the State. Senator KENNEDY is co-sponsoring this bill, and we will work together to make it law.

By Mr. JEFFORDS (for himself and Mr. FEINGOLD):

S. 1888. A bill to provide for 2 programs to authorize the use of leave by caregivers for family members of certain individuals performing military service, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Mr. JEFFORDS. Mr. President, today I am pleased to introduce the Military Family Support Act of 2005 with my colleague and friend from Wisconsin, Senator RUSS FEINGOLD. Our bill will help military families ease the stress caused by long-term absences due to deployments overseas.

I was contacted a few months back by a group of Vermonters looking for a way to help their coworkers with family in the Vermont National Guard. When a member of the armed forces is activated and deployed, family structures and daily functioning are severely affected. The day-to-day life of families is, in many cases, more than a one-person job. Any absence, especially absences of several months due to a deployment overseas, can be debilitating to family life. The stories of soldiers and their families from Enosburg Falls, VT, were told very poignantly in a piece reported by the Los Angeles Times. Enosburg and neighboring communities have contributed a disproportionately high number of National Guard troops to Operation Iraqi Freedom. Because of this, Enosburg's men and women have felt the pains of separation and long deployments more than most. Enosburg and surrounding towns and villages should be proud of the sacrifices made by their men and women in uniform and by those employers and family members who remained at home. Vermont is a place where neighbors help neighbors and I am proud of all the people throughout the state who have given so much support to Guard families.

The Military Family Support Act of 2005 is a straightforward bill that proposes two pilot programs. The first pilot program, administered by the Office of Personnel Management, OPM, would authorize Federal employees, who have been designated by a member of the Armed Forces as "caregivers", as defined by the Department of Defense, DOD, to use their leave in a more flexible manner. No new leave would be conferred to any employees. This bill simply makes leave already available more useful during stressful times for military families. The second pilot program would be established by the Department of Labor, DOL, to solicit businesses to voluntarily take part in a program to offer more accommodating leave to their employees. This bill does not include in its scope the Family Medical Leave Act, FMLA, and it does not require any private sector entity to participate. The goal of the Military Family Support Act is to make life a little easier for those who are already giving so much to our country and to their communities.

I ask unanimous consent that a May 2, 2005, article from the Los Angeles Times be printed in the RECORD. I also ask unanimous consent that the text of the Military Family Support Act of 2005 be printed in RECORD.

There being no objection, the materials were printed in the RECORD, as follows: