

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, October 19 at 10 a.m.

The purpose of this meeting is to consider reconciliation legislation and any other pending calendar business which may be ready for consideration.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 19, 2005, at 10 a.m. to hold a hearing on Iraq in U.S. Foreign Policy.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, October 19, 2005, at 2:30 p.m. to hold a hearing on Nominations.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Employment and Workplace Safety, be authorized to hold a hearing during the session of the Senate on Wednesday, October 19th, at 2 p.m. in SD-430.

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

COMMITTEE ON THE JUDICIARY

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on "Reporters' Privilege Legislation: An Additional Investigation of Issues and Implications" on Wednesday, October 19, 2005 at 10:30 a.m. in the Dirksen Senate Office Building Room 226.

Witness List

Panel I: Chuck Rosenberg, United States Attorney for the Southern District of Texas, on behalf of the United States Department of Justice Houston, TX.

Panel II: Judith Miller, Investigative Reporter and Senior Writer, The New York Times, New York, NY; David Westin, President, ABC News, New York, NY; Joseph E. diGenova, Founding Partner, diGenova & Toensing LLP, Washington, DC; Anne Gordon, Managing Editor, Philadelphia Inquirer, Philadelphia, PA; Dale Davenport, Editorial Page Editor, The Patriot-News, Harrisburg, PA; and Steven D. Clymer, Professor of Law, Cornell Law School Myron Taylor Hall, Ithaca, NY.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. BOND. Mr. President, I ask unanimous consent that the Select Com-

mittee on Intelligence be authorized to meet during the session of the Senate on October 19, 2005, at 2:30 p.m. to hold a closed briefing.

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

SUBCOMMITTEE ON ANTITRUST, COMPETITION
POLICY AND CONSUMER RIGHTS

Mr. BOND. Mr. President, I ask unanimous consent that the Subcommittee on Antitrust, Competition Policy and Consumer Rights be authorized to meet on Wednesday, October 19, 2005, to conduct a hearing on "Video Competition in 2005—More Consolidation, or New Choices for Consumers?" at 2 p.m. in Room 226 of the Dirksen Senate Office Building.

Witness List

Mr. Glenn Britt, Chairman and CEO, Time Warner Cable, Stamford, CT; Mr. Kyle McSlarrow, President and CEO, NCTA, Washington, DC; Mr. Walter McCormick, Jr., President and CEO, United States Telecom Association, Washington, DC; Mr. Doron Gorshein, President and CEO, The America Channel, LLC, Heathrow, FL; Mr. Peter Aquino, President and CEO, RCN Corporation, Herndon, VA; Mr. Scott Cleland, Chief Executive Officer, Precursor, Washington, DC; and Dr. Mark Cooper, Director of Research, Consumer Federation of America, Washington, DC.

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

PRIVILEGE OF THE FLOOR

Mr. ALLARD. Mr. President, I ask unanimous consent that Sam Tatevosyan of my staff be given floor privileges for the duration of morning business today.

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

Mr. HARKIN. I ask unanimous consent that Cathy Poon of my staff be granted the privilege of the floor for the duration of this debate.

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

Mrs. CLINTON. Mr. President, I ask unanimous consent for floor privileges for a fellow in my office, Chelsea Maughan.

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

AUTHORITY TO SIGN ENROLLED
BILLS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that during the adjournment of the Senate, the majority leader and the junior Senator from Oklahoma be authorized to sign duly enrolled bills.

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

MEDICARE COST SHARING AND
WELFARE EXTENSION ACT OF 2005

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Chair now lay before the Senate the House message to accompany H.R. 3971.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

H.R. 3971

Resolved, That the House agree to the amendment of the Senate to the bill (H.R. 3971) entitled "An Act to provide assistance to individuals and States affected by Hurricane Katrina", with House amendments to Senate amendments.

Mr. MCCONNELL. I ask unanimous consent that the Senate concur in the House amendments, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

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

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Democratic Leader, pursuant to Public Law 109-59, Sec. 1909(b)(2)(A)(vi), appoints the following individuals to serve as members of the National Surface Transportation Policy and Revenue Study Commission: Francis McArdle of New York and Tom R. Shancke of Nevada.

PARTICIPATION OF JUDICIAL
BRANCH EMPLOYEES IN FED-
ERAL LEAVE TRANSFER PRO-
GRAM

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 227, S. 1736.

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

The legislative clerk read as follows:

A bill (S. 1736) to provide for the participation of employees in the judicial branch in the Federal leave transfer program for disasters and emergencies.

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

Mr. MCCONNELL. 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 any statements relating to the bill be printed in the RECORD.

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

The bill (S. 1736) was read the third time and passed, as follows:

S. 1736

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

SECTION 1. LEAVE TRANSFER PROGRAM IN DIS-
ASTERS AND EMERGENCIES.

Section 6391 of title 5, United States Code, is amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

"(f) After consultation with the Administrative Office of the United States Courts, the Office of Personnel Management shall provide for the participation of employees in the judicial branch in any emergency leave transfer program under this section."

SUPPORTING THE GOALS AND IDEALS OF LIGHTS ON AFTERSCHOOL

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 280 which was submitted earlier today.

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

The legislative clerk read as follows: A resolution (S. Res. 280) supporting "Lights on Afterschool," a national celebration of after school programs.

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

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 280) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 280

Whereas high quality after school programs provide safe, challenging, engaging, and fun learning experiences to help children and youth develop their social, emotional, physical, cultural, and academic skills;

Whereas high quality after school programs support working families by ensuring that the children in such families are safe and productive after the regular school day ends;

Whereas high quality after school programs build stronger communities by involving the Nation's students, parents, business leaders, and adult volunteers in the lives of the Nation's youth, thereby promoting positive relationships among children, youth, families, and adults;

Whereas high quality after school programs engage families, schools, and diverse community partners in advancing the well-being of the Nation's children;

Whereas "Lights On Afterschool!," a national celebration of after school programs held on October 20, 2005, promotes the critical importance of high quality after school programs in the lives of children, their families, and their communities;

Whereas more than 28,000,000 children in the United States have parents who work outside the home and 14,300,000 children in the United States have no place to go after school; and

Whereas many after school programs across the United States are struggling to keep their doors open and their lights on: Now, therefore, be it

Resolved That the Senate supports the goals and ideals of "Lights On Afterschool!" a national celebration of after school programs.

HONORING AND THANKING JAMES PATRICK ROHAN

Mr. McCONNELL. Mr. President, I ask unanimous consent the Senate now proceed to the consideration of S. Res. 281 which was submitted earlier today.

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

The legislative clerk read as follows: A resolution (S. Res. 281) honoring and thanking James Patrick Rohan.

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

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 281) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

Whereas Assistant Chief of Police James Patrick Rohan, a native of the State of Maryland, has served the United States Capitol Police for thirty (30) years with distinction, having been appointed as a Private on December 8, 1975;

Whereas Assistant Chief Rohan, having risen through the ranks to his current position over his longstanding career, has been instrumental in a variety of initiatives designed to enhance the security of the Congress;

Whereas Assistant Chief Rohan, who holds a Master of Science Degree in Justice/Law Enforcement from the American University and a Bachelor of Arts Degree in Law Enforcement from the University of Maryland, as well as numerous specialized law enforcement and security training accomplishments and honors: Now, therefore, be it

Resolved, That the Senate hereby honors and thanks James Patrick Rohan and his wife, Cecilia, and children, Ben, Natalie, Eric and David, and his entire family, for a lifelong professional commitment of service to the United States Capitol Police and the United States Congress.

FAIR ACCESS FOSTER CARE ACT OF 2005

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1894 introduced earlier today.

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

The legislative clerk read as follows:

A bill (S. 1894) 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.

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

Mr. INHOFE. Mr. President, I rise today in support of the Fair Access Foster Care Act of 2005.

Therapeutic foster care is foster care for children with special medical, psychological, emotional, and social needs. These children need comprehensive support and attention, requiring a great deal of commitment and sacrifice from foster care parents.

Prior to the placement of a child, a potential therapeutic foster care parent must complete a certification process that involves a background check, a training program, and at least two home studies.

At Choices for Life Foster Care, Inc., a for-profit provider in Oklahoma City, counselors are in the home a minimum

of 2 hours every other week once a child has been placed.

Generally therapeutic foster care children are not permitted to attend daycare and require "line of sight" supervision. That is, therapeutic foster care children must be in view of the foster parents at all times, except when attending school and other approved activities.

Recruiting parents to provide therapeutic foster care is a never-ending job. There are always children waiting for a match to be found. Therapeutic foster care children stay in crisis shelters for the transition period, adding a great deal of stress to their lives.

Each State has a different standard for determining whether children need therapeutic foster care. Once a child is identified, most State governments contract with private agencies to place the child in a home.

In my State of Oklahoma, fifteen agencies contract with the State government to provide therapeutic foster care services. Of those 15 agencies, 5 operate under a for-profit status, 10 operate under a nonprofit status. The bottom line is that 62 percent of therapeutic foster care children are managed by for-profit agencies, and we must maintain the availability of care for these children.

Therapeutic foster care agencies receive funding from Medicaid and Title IV-E maintenance payments from the United States Department of Health and Human Service, HHS. The 1996 Welfare Reauthorization Act attempted to correct a discrepancy between treatment of children managed by for-profit agencies and by nonprofit agencies via removing the word "non-profit" from title 42 of the United States Social Security Code. Unfortunately, the deletion was only made in one of the three sections addressing this issue, thus causing therapeutic foster care agencies to remain subjected to arbitrary regulation.

Only recently was it brought to the attention of Oklahoma's Department of Human Services that additional legal changes were needed. Most State governments face the same problem.

My bill amends the United States Code to allow all therapeutic foster care agencies to receive maintenance payments from the United States Department of Health and Human Services.

The Congressional Budget Office has indicated that any costs associated with this legislation would be insignificant.

There are over 500,000 children in foster care today. A large number of these children require therapeutic care. The business model of for-profit agencies should not prohibit Title IV-E maintenance cost reimbursement. Now is not the time to prevent highly qualified agencies from placing these children in safe homes.

I have long been dedicated to quality care for my constituents in Oklahoma and across America. My bill to help alleviate the flu vaccine shortage, my