

S. RES. 292

Whereas, on October 26, 2005, the President of Iran, Mahmoud Ahmadinejad, said that Israel must be “wiped off the map” and that “[a]nybody who recognizes Israel will burn in the fire of the Islamic nations’ fury”;

Whereas the Department of State has designated Iran as a state sponsor of terrorism that has repeatedly provided support for acts of international terror;

Whereas the Government of Iran sponsors terrorist organizations such as Hezbollah, Hamas, Islamic Jihad, the al-Aqsa Martyrs Brigades, and PFLP-GC by providing funding, training, weapons, and safe haven to such organizations; and

Whereas the outrageous statements of Mr. Ahmadinejad are not in accord with the expressions of the Palestinian leadership in the peace process: Now, therefore, be it

Resolved, That the Senate—

(1) thoroughly repudiates the anti-Israel sentiments expressed by the President of Iran, Mahmoud Ahmadinejad, on October 26, 2005; and

(2) calls on the President, on behalf of the United States, to thoroughly repudiate, in the strongest terms possible, the statement by Mr. Ahmadinejad.

SENATE RESOLUTION 293—CALLING FOR A FREE AND FAIR PRESIDENTIAL ELECTION IN THE REPUBLIC OF KAZAKHSTAN

Mr. MCCAIN (for himself, Mr. BIDEN, Mr. SUNUNU, Mr. BAYH, Mr. LEAHY, Mr. SMITH, Mr. GRAHAM, and Mr. LIEBERMAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 293

Whereas the Republic of Kazakhstan is scheduled to hold a presidential election on December 4, 2005;

Whereas Kazakhstan freely accepted commitments on democracy, human rights, the rule of law, and other fundamental freedoms and rights when it joined the Organization for Security and Cooperation in Europe (OSCE) as a participating state in 1992;

Whereas the United States supports the promotion of democracy and transparent, free, and fair elections in Kazakhstan, consistent with that country’s OSCE commitments;

Whereas the OSCE declared that, while the 2004 parliamentary elections in Kazakhstan reflected improvement over past parliamentary elections, the election process “fell short of OSCE commitments and other international standards for democratic elections in many respects”;

Whereas the OSCE election monitoring mission documented a number of shortcomings in the parliamentary elections in Kazakhstan, including the government’s barring of 2 opposition leaders from running, a lack of transparency in the work of the Central Election Commission, discrepancies in voter lists, a lack of political balance in the composition of election commissions, a strong media bias in favor of pro-presidential parties, pressure placed on voters to support pro-presidential parties by local government officials and workplace supervisors, and other shortcomings;

Whereas in April 2005, Kazakhstan amended its election law to ban political demonstrations in the period between the end of election campaigns and the announcement of official election results;

Whereas on September 9, 2005, President Nursultan Nazarbaev issued a decree directing state authorities to undertake actions,

which, if fully implemented, could improve on many of the shortcomings found in previous elections;

Whereas other elements of Kazakhstan’s stated commitments to OSCE principles and to fulfilling the goals of democracy remain unfulfilled;

Whereas there is currently no representation of the opposition in either the Majilis or the Senate, the lower and upper houses of the Kazakh Parliament, respectively;

Whereas some independent media exists in Kazakhstan, but self-censorship is common due to fears of official reprisal;

Whereas the Department of State concluded in its Country Reports on Human Rights Practices for 2004 that “the [Kazakhstan] Government’s human rights record remained poor, and it continued to commit numerous abuses”;

Whereas a transparent, free, and fair presidential election process in Kazakhstan would mark an important step in that country’s progress toward its integration into the democratic community of nations;

Whereas a genuinely free and fair election requires that citizens be guaranteed the right and opportunity to exercise their civil and political rights, free from intimidation, undue influence, threats of political retribution, or other forms of coercion by national or local authorities or others; and

Whereas a genuinely free and fair election requires government and public authorities to ensure that candidates and political parties enjoy equal treatment before the law and that government resources are not employed to the advantage of individual candidates or political parties: Now, therefore, be it

Resolved, That the Senate—

(1) calls on the Government of Kazakhstan to hold an orderly, peaceful, free, and fair presidential election in December 2005, in accordance with all Organization for Security and Cooperation in Europe (OSCE) guidelines;

(2) calls upon the Government of Kazakhstan to guarantee the full participation of opposition figures and parties in the upcoming election, and to permit the return of political exiles;

(3) believes that it is vital that the December election be viewed by the people of Kazakhstan as fully free and fair, and that all sides refrain from violence or intimidation before, during, or after election day;

(4) calls upon the Government of Kazakhstan to guarantee unimpeded access to all aspects of the election process for election monitors from the Office for Democratic Institutions and Human Rights of the OSCE, Kazakh political parties, representatives of candidates, nongovernmental organizations, and other private institutions and organizations, both foreign and domestic;

(5) urges the international community and domestic nongovernmental organizations to provide a sufficient number of election observers to ensure credible monitoring and reporting of the December presidential election;

(6) calls upon the Government of Kazakhstan to guarantee freedom of speech and assembly; and

(7) calls upon the Government of Kazakhstan to meet all of its freely accepted OSCE commitments on democracy, human rights, and the rule of law.

SENATE CONCURRENT RESOLUTION 61—AUTHORIZING THE REMAINS OF ROSA PARKS TO LIE IN HONOR IN THE ROTUNDA OF THE CAPITOL

Mr. FRIST (for himself, Mr. REID, Mr. DODD, Mr. DEWINE, Mr. LEVIN, Mr. BROWNBACK, Ms. STABENOW, Mr. SANTORUM, Mr. OBAMA, Mr. TALENT, Mrs. CLINTON, Mr. ALLEN, Mr. KENNEDY, Mr. HARKIN, Mr. BIDEN, Mrs. BOXER, Mr. PRYOR, Mr. JEFFORDS, Mr. FEINGOLD, Mr. LAUTENBERG, Mr. SCHUMER, Mr. CORZINE, Mr. DORGAN, Mr. ROCKEFELLER, Mr. BAYH, Mr. LIEBERMAN, Mr. LEAHY, Mr. DURBIN, and Mr. AKAKA) submitted the following concurrent resolution; which was considered and agreed to:

Resolved by the Senate (the House of Representatives concurring), That, in recognition of the historic contributions of Rosa Parks, her remains be permitted to lie in honor in the rotunda of the Capitol from October 30 to October 31, 2005, so that the citizens of the United States may pay their last respects to this great American. The Architect of the Capitol, under the direction and supervision of the President pro tempore of the Senate and the Speaker of the House of Representatives, shall take all necessary steps for the accomplishment of that purpose.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2335. Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 2280 proposed by Mr. HARKIN to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 2336. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 2234 proposed by Mr. COBURN to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2337. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 2285 submitted by Mrs. MURRAY to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2338. Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 2319 submitted by Mrs. CLINTON and intended to be proposed to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2339. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2340. Mr. MARTINEZ (for Ms. COLLINS (for herself, Mr. MARTINEZ, Mr. LOTT, and Mr. NELSON, of Florida)) proposed an amendment to the bill S. 939, to expedite payments of certain Federal emergency assistance authorized pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act, to authorize the reimbursement under that Act of certain expenditures, and for other purposes.

SA 2341. Mr. MARTINEZ proposed an amendment to the bill S. 939, supra.

SA 2342. Mr. SPECTER submitted an amendment intended to be proposed to amendment SA 2283 proposed by Mr. HARKIN (for himself Mr. KENNEDY, Mr. REID, Mr. DURBIN, Mr. OBAMA, Mr. BAYH, Mr. KOHL, Ms. MIKULSKI, Mrs. CLINTON, Mr. JOHNSON, and Mr. DAYTON) to the bill H.R. 3010, making appropriations for the Departments of Labor,

Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 2343. Mr. MCCONNELL (for Ms. SNOWE (for herself, Ms. CANTWELL, Mr. STEVENS, and Mr. INOUE)) proposed an amendment to the bill S. 1280, to authorize appropriations for fiscal years 2006 and 2007 for the United States Coast Guard, and for other purposes.

SA 2344. Mr. MCCONNELL (for Mr. INOUE) proposed an amendment to the bill S. 1280, supra.

TEXT OF AMENDMENTS

SA 2335. Mr. HARKIN submitted an amendment intended to be proposed to amendment SA 2280 proposed by Mr. HARKIN to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

SEC. 222. (a) Section 640(i) of the Head Start Act (42 U.S.C. 9835(i)) is amended—

(1) by striking “(i) The” and inserting the following:

“(i) TRANSPORTATION SAFETY.—

“(1) REGULATIONS.—The”; and

(2) by adding at the end the following:

“(2) WAIVER AUTHORITY.—

“(A) IN GENERAL.—The Secretary may waive for a period of up to one year the requirements of regulations promulgated under paragraph (1) for one or more vehicles used by the agency or its designee in transporting children enrolled in a Head Start program or an Early Head Start program if—

“(i) such requirements pertain to child restraint systems and bus monitors;

“(ii) the agency demonstrates that compliance with such requirements will result in a significant disruption to the Head Start program or the Early Head Start program; and

“(iii) the waiver is in the best interest of the child.

“(B) RENEWAL.—The Secretary may renew a waiver under subparagraph (A).”.

(b) Section 1310.12(a) of the Code of Federal Regulations shall be effective beginning on the date that is 120 days after the first reauthorization of the Head Start Act occurring after the date of enactment of this Act.

SA 2336. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 2234 proposed by Mr. COBURN to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 222, between lines 5 and 6, insert the following:

SEC. ____ . DEPARTMENT OF HEALTH AND HUMAN SERVICES AND DEPARTMENT OF EDUCATION RISK ASSESSMENT.

(a) ESTIMATE.—The Secretary of Health and Human Services and the Secretary of Education shall estimate improper payments pursuant to section 2 of the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note, Public Law 107-300) under—

(1) in the case of the Secretary of Health and Human Services, the Temporary Assistance for Needy Families Program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the Foster Care and Adoption Assistance Program under part E of title IV of such Act (42 U.S.C. 670 et seq.), the

Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.), the State Children's Health Insurance Program under title XXI of such Act (42 U.S.C. 1397aa et seq.), and the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.); and

(2) in the case of the Secretary of Education, title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

(b) REPORT.—Not later than 60 days after the date of enactment of this Act, the Secretary of Health and Human Services, in the case of the programs specified in subsection (a)(1), and the Secretary of Education, in the case of the program specified in subsection (a)(2), shall report to Congress on the specific actions taken under each such program to comply with section 2 of the Improper Payments Information Act of 2002, including a schedule for full compliance with such Act within fiscal year 2006.

(c) FAILURE TO REPORT.—If the Secretary of Health and Human Services, in the case of a program specified in subsection (a)(1), or the Secretary of Education, in the case of the program specified in subsection (a)(2), fails to report to Congress on specific actions taken to estimate improper payments under such a program by the date described in subsection (b), none of the funds made available in this Act for that program shall be obligated or expended after such date until a report regarding the program that contains the information specified in subsection (b) is submitted to Congress.

SA 2337. Mr. COBURN submitted an amendment intended to be proposed to amendment SA 2285 proposed by Mrs. MURRAY to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, line 5 of the amendment, strike the period and insert “, and a review of the approval process under section 314.510 of title 21, Code of Federal Regulations, of the drug known as RU-486.”.

SA 2338. Mr. BROWNBACK submitted an amendment intended to be proposed to amendment SA 2319 submitted by Mrs. CLINTON to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 3 of the amendment, between lines 5 and 6, insert the following:

(c) CONSCIENCE PROTECTION.—Nothing in this section shall be construed to require any hospital that receives Federal funds or any individual to offer, provide, refer for or administer any treatment that has as its effect the destruction or interference with the implantation of a newly conceived human embryo if the offering, provision, referral or administering of such treatment is contrary to the religious beliefs or moral convictions of such hospital or individual.

SA 2339. Mrs. CLINTON submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30,

2006, and for other purposes; which was ordered to lie on the table; as follows:

In the amendment strike all after the first word and insert the following:

____. SURVIVORS OF SEXUAL ASSAULT; PROVISION BY HOSPITALS OF EMERGENCY CONTRACEPTIVES.

(a) IN GENERAL.—No Federal funds appropriated in this Act may be provided to a hospital under any health-related program, unless the hospital meets the conditions specified in subsection (b) in the case of—

(1) any woman who presents at the hospital and states that she is a victim of sexual assault, or is accompanied by someone who states she is a victim of sexual assault; and

(2) any woman who presents at the hospital whom hospital personnel have reason to believe is a victim of sexual assault.

(b) ASSISTANCE FOR VICTIMS.—The conditions specified in this subsection regarding a hospital and a woman described in subsection (a) are as follows:

(1) The hospital promptly provides the woman with medically and factually accurate and unbiased written and oral information about emergency contraception, including information explaining that—

(A) emergency contraception does not cause an abortion; and

(B) emergency contraception is effective in most cases in preventing pregnancy after unprotected sex.

(2) The hospital promptly offers emergency contraception to the woman, and promptly provides such contraception to her on her request.

(3) The information provided pursuant to paragraph (1) is in clear and concise language, is readily comprehensible, and meets such conditions regarding the provision of the information in languages other than English as the Secretary may establish.

(4) The services described in paragraphs (1) through (3) are not denied because of the inability of the woman or her family to pay for the services.

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

(1) The term “emergency contraception” means a drug, drug regimen, or device that—

(A) is used postcoitally;

(B) prevents pregnancy by delaying ovulation, preventing fertilization of an egg, or preventing implantation of an egg in a uterus; and

(C) is approved by the Food and Drug Administration.

(2) The term “hospital” has the meanings given such term in title XVIII of the Social Security Act, including the meaning applicable in such title for purposes of making payments for emergency services to hospitals that do not have agreements in effect under such title.

(3) The term “Secretary” means the Secretary of Health and Human Services.

(4) The term “sexual assault” means coitus in which the woman involved does not consent or lacks the legal capacity to consent.

(d) EFFECTIVE DATE; AGENCY CRITERIA.—This section takes effect upon the expiration of the 180-day period beginning on the date of enactment of this Act. Not later than 30 days prior to the expiration of such period, the Secretary shall publish in the Federal Register criteria for carrying out this section.

SA 2340. Mr. MARTINEZ (for Ms. COLLINS (for herself, Mr. MARTINEZ, Mr. LOTT, and Mr. NELSON of Florida)) proposed an amendment to the bill S. 939, to expedite payments of certain Federal emergency assistance authorized pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance