

at Rocky Flats who worked long hours under very difficult conditions must be recognized by providing them with these benefits.

We believe these workers are entitled to receive these benefits because the cleanup of Rocky Flats, which was expected to be completed by December 15, 2006, has now been completed. We believe it is important that we recognize the employees at Rocky Flats who, at significant sacrifice to themselves and their families, created an opportunity for this Nation to learn how we can clean up our Department of Energy facilities.

In sum, what I would say to my colleagues here in the Senate is that what we have done at Rocky Flats, through the cleanup effort there, is to demonstrate to the Nation how we can move forward in an expedited fashion and clean up contaminated sites such as the one we had at Rocky Flats. I am grateful for the work of my colleague from Colorado, Senator ALLARD, who has been leading our joint efforts on this amendment. At the end of the day, we hope all of our colleagues will recognize that these employees have done a very valuable job for our national security.

I urge my colleagues to vote in support of this amendment.

I yield the floor.

Mr. WARNER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Utah (Mr. HATCH) and the Senator from Arizona (Mr. MCCAIN).

Mr. DURBIN. I announce that the Senator from Indiana (Mr. BAYH), the Senator from Delaware (Mr. BIDEN), the Senator from New Jersey (Mr. CORZINE), the Senator from North Dakota (Mr. DORGAN), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KENNEDY), and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER (Mr. CORNYN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 38, nays 53, as follows:

[Rollcall Vote No. 304 Leg.]

YEAS—38

Alexander	DeWine	Leahy
Allard	Domenici	Lieberman
Baucus	Durbin	Mikulski
Bingaman	Feingold	Murkowski
Bond	Feinstein	Murray
Boxer	Graham	Obama
Burns	Harkin	Pryor
Cantwell	Jeffords	Salazar
Conrad	Johnson	Sarbanes
Craig	Kerry	Specter
Crapo	Kohl	Talent
Dayton	Landrieu	Wyden
DeMint	Lautenberg	

NAYS—53

Akaka	Ensign	Reed
Allen	Enzi	Reid
Bennett	Frist	Roberts
Brownback	Grassley	Rockefeller
Bunning	Gregg	Santorum
Burr	Hagel	Schumer
Byrd	Hutchison	Sessions
Carper	Inhofe	Shelby
Chafee	Isakson	Smith
Chambliss	Kyl	Snowe
Clinton	Levin	Stevens
Coburn	Lincoln	Sununu
Cochran	Lott	Thomas
Coleman	Lugar	Thune
Collins	Martinez	Vitter
Cornyn	McConnell	Voinovich
Dodd	Nelson (FL)	Warner
Dole	Nelson (NE)	

NOT VOTING—9

Bayh	Dorgan	Kennedy
Biden	Hatch	McCain
Corzine	Inouye	Stabenow

The amendment (No. 2423) was rejected.

Mr. WARNER. I move to reconsider the vote.

Mr. STEVENS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, my understanding is that the majority leader and minority leader have determined that we will not have further votes tonight, but I advise colleagues we have a number of amendments which are almost completed and ready for a vote tomorrow. We anticipate—and I will, hopefully, be joined by my ranking member here—we can, during the course of business tomorrow, hear out the remainder of the amendments. I would hope so.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I wonder if we could get a list of pending amendments made, unless the chairman has already done that, as to what amendments are already pending and how much time is left on those amendments.

Mr. WARNER. Mr. President, my understanding is that the clerk will require a period of time within which to compile this list.

MORNING BUSINESS

Mr. WARNER. Given that, Mr. President, I suggest that this bill now be laid aside, and I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

ORDER OF BUSINESS

Mr. WARNER. Mr. President, informally, I have been advised that tomorrow morning, in all likelihood, there will be a period for morning business, and that this bill will be brought up somewhere in the area of around 11 o'clock in the morning. So again, I am

joined by my colleague from Michigan in urging Senators to complete the remainder of the debate time, an hour being given to each amendment. There are several amendments which have been debated in part. We will provide for the RECORD tonight the list of those amendments and the time remaining. Quite frankly, I am of the opinion we will have been able to have had the full hour of debate on all of the 12 amendments each side has had by the close of business tomorrow.

Now, "close of business" leaves a little bit to definition. We will certainly receive some recommendations from our joint leadership, but I would hope we could complete this bill tomorrow night.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Well, Mr. President, if the chairman will yield, that may be optimistic, but I think we are making progress. I will work overnight—I know the chairman will—to try to line up speakers to complete the pending amendments so we can at least have, hopefully, one vote before the caucuses tomorrow, regardless of what hour we start. I am going to try to line up some speakers to complete at least one of these amendments before the caucuses.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I might suggest the Harkin amendment, which was debated very thoroughly today. The Senator from Oklahoma, Mr. INHOFE, desires to speak to that amendment and might possibly have an amendment in the second degree. So that one, in all likelihood, could be concluded. The Chambliss amendment is another amendment that I think will not require a great deal of further debate. It is a very strong amendment. It appears to me at this point to be one which I will recommend colleagues support.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I understand there may be a second-degree amendment to the Chambliss amendment.

Mr. WARNER. Coming from your side?

Mr. LEVIN. That is my understanding. There may be such an amendment, a second-degree amendment. But I would agree with you in identifying the Harkin amendment as a good prospect for completion tomorrow morning. We do have a speaker on our side—at least one—and I am going to try to line that speaker up for the morning.

Mr. WARNER. Well, then, let's work together with a priority to try to have that done.

Mr. President, at this time, my understanding is the parliamentary situation is the bill is no longer before the Senate, to be brought up again tomorrow morning, and that at this point we are in morning business; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. WARNER. Mr. President, seeing no one seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

INTEGRITY IN PROFESSIONAL SPORTS ACT

Mr. GRASSLEY. Mr. President, I am pleased to join my colleagues Senator BUNNING, Senator MCCAIN, Senator STEVENS and Senator ROCKEFELLER, as a cosponsor of the Integrity in Professional Sports Act. While it is unfortunate that it has come to this, it is becoming abundantly clear that Major League Baseball and other professional leagues are still more concerned about protecting their own collective bargaining rights than cleaning up their sport.

I have said it before and I will say it again. The abuse of illegal steroids by professional athletes is inexcusable and has no place in competition at any level. Unfortunately, this has become a problem that we can no longer afford to ignore. The most recent studies indicate that possibly up to five to seven percent of students, even as young as middle school, have admitted to using steroids. This is an alarming statistic. If Major League Baseball won't step up to the plate on this issue, we will do it for them.

Every day, millions of young people in this country dream of one day playing ball in the big leagues. When superstar athletes, with their multi-million dollar contracts and lucrative endorsements are seen using steroids to improve their performance, it should come as no surprise that many young athletes would choose to use steroids to improve their own performance.

Professional athletes must be held to a higher standard when it comes to illegal substances such as steroids. Like it or not, young people look up to professional athletes as role models. The Integrity in Professional Sports Act will require all professional sports leagues to adopt a unified standard for testing as well as tougher penalties for any athlete found in violation of these standards. Unlike testing today, this act will require athletes to test during the off-season and frequently during their season of play. Athletes will face severe penalties for a positive test: a two-year ban for the first offense and a lifetime ban for the second.

I have little doubt that this act will aid in the effort to rid professional sports of these dangerous substances and bring integrity back to the game. We must send a strong message to professional athletes. If you choose to cheat and use illegal steroids, you risk ending your career. In turn, our young

people will hopefully get the message that using steroids to improve athletic performance is absolutely the wrong way to go.

While this bill specifically addresses professional athletics, the importance of stopping steroid abuse extends well beyond the track, baseball diamond, or football field. We must continue to focus on the health and future of our children. I encourage my colleagues to join in support of this legislation to set the standard for fair competition.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On July 1999, in Palm Springs, CA, Steven Cagle and a companion were attacked by Randy Reyes and Juan Rios in a Carrow's Restaurant. It is believed that the beating was motivated by the victims' sexual orientation. Cagle stated that it was inhumane and, "For no other reason than I am a gay man." Prosecutors are calling this a hate crime and are asking for the maximum sentence.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

MEDICARE BAD DEBT POLICY

Mrs. LINCOLN. Mr. President, I rise today with my distinguished colleague from Idaho, Senator CRAPO, to discuss the change in Medicare bad debt policy as proposed in the budget reconciliation bill. I feel there is a need to differentiate between debt owed by individuals and debt owed by States. The sponsors of this policy argue that it will encourage skilled nursing facilities to be more efficient in the collection of bad debt. However, how can the facility be more efficient if the State simply refuses to pay the Medicare copayments through its Medicaid program? This body should examine the root of this problem before implementing the bad debt policy in this bill. It is my hope that the conference committee considers this when examining this policy.

Mr. CRAPO. Senator LINCOLN makes a good point. While I support the Finance Committee's goal of encouraging accountability and incentivizing the collection of Medicare bad debt by skilled nursing facilities, I do see the

need to differentiate between debt owed by individuals and debt owed by States. I believe this conference should consider this point as well.

LIVE 8 CHARITY CONCERT IN PHILADELPHIA

Mr. SPECTER. Mr. President, I would like to acknowledge the tremendous work accomplished by Larry Magid and his staff at Electric Factory Concerts, who produced the original LIVE AID concert in Philadelphia's JFK Stadium in 1985, which raised awareness of poverty around the world.

On July 2, 2005, Larry Magid and his staff, including Adam Spivak, John Stevenson and Jim Sutcliffe, were instrumental in producing the U.S. portion of LIVE 8 which was held in Philadelphia on the Benjamin Franklin Parkway.

This concert, which was attended by over 1 million people, was part of eight other concerts on the same night in nine different countries including the U.K., Japan, Russia, South Africa, Canada, Germany, France, and Italy.

I again would like to commend Electric Factory Concerts for their success in helping to raise awareness of the global poverty epidemic, and they are to be commended for their efforts in this worthwhile undertaking.

ADDITIONAL STATEMENTS

RECOGNIZING EBONY MAGAZINE

• Mrs. BOXER. Mr. President, I am very pleased to take a few moments to recognize Ebony magazine as this venerable publication celebrates its 60th anniversary.

In 1945, at a time when segregation was the law of the land, an outlet for the positive portrayal of Black life in American popular culture was long overdue. With the birth of Ebony, Publisher John H. Johnson forced the world to consider real African Americans, including their diverse success stories. These same stories, which filled each month's edition of Ebony, gave African Americans a deeper sense of pride in their heritage and their growing prosperity.

Ebony also provided millions with a rich, firsthand account of key moments in the struggle for civil rights. Whether it was a sit-in at a lunch counter in the South or the historic March on Washington, the intrepid journalists and photographers of Ebony were present to bear witness and to report the news through a prism different from the mainstream press. In fact, it was an Ebony photographer who captured the now iconic photo of a grieving Coretta Scott King, with one of her children, at the funeral of Rev. Dr. Martin Luther King, Jr. Not only did this photograph capture the emotions of a nation, but it resulted in the first Pulitzer Prize awarded to an African-American man.

Since Ebony was founded 60 years ago, its circulation has grown from