

against National Guard officers in a state status and a determination by the Secretary of Defense as to whether changes are needed in those policies; to the Committee on Armed Services.

EC-4592. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, pursuant to law, a list of 24 officers authorized to wear the insignia of the grade of brigadier general; to the Committee on Armed Services.

EC-4593. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, authorization of Lieutenant General William T. Hobbins, United States Air Force, to wear the insignia of the grade of general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-4594. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, authorization of Major General Michael W. Peterson, United States Air Force, to wear the insignia of the grade of lieutenant general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-4595. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, authorization of Major General Michael D. Maples, United States Army, to wear the insignia of the grade of lieutenant general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-4596. A communication from the Under Secretary of Defense for Personnel and Readiness, transmitting, authorization of Rear Admiral Patrick M. Walsh, United States Navy, to wear the insignia of the grade of vice admiral in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

EC-4597. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report relative to advance billing in the month of September, 2005; to the Committee on Armed Services.

EC-4598. A communication from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Addition of San Marino to the List of Countries Eligible to Export Meat Products to the United States" (RIN0583-AC91) received on November 4, 2005 to the Committee on Agriculture, Nutrition, and Forestry.

EC-4599. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Congressionally Mandated Evaluation of the State Children's Health Insurance Program: Final Report to Congress"; to the Committee on Health, Education, Labor, and Pensions.

EC-4600. A communication from the Regulations Coordinator, Centers for Disease Control, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Possession, Use, and Transfer of Select Agents and Toxins—Reconstructed Replication Competent Forms of the 1918 Pandemic Influenza Virus Containing Any Portion of the Coding Regions of All Eight Gene Segments" received on November 4, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-4601. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, pursuant to law, a report entitled "Statistical Programs of the United States Government: Fiscal Year 2006"; to the Committee on Homeland Security and Governmental Affairs.

EC-4602. A communication from the Director, Office of Personnel Management, trans-

mitting, pursuant to law, the report of a rule entitled "Prevailing Rate Systems; Redefinition of the Central North Carolina Appropriated Fund Wage Area" (RIN3206-AK83) received on November 4, 2005; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. LUGAR, from the Committee on Foreign Relations: Agreement with Canada on Pacific Hake/Whiting (Treaty Doc. 108-24) (Ex. Rept. 109-5). Text of the resolution of ratification as reported by the Committee on Foreign Relations:

Resolved (two-thirds of the Senators present concurring therein),

That the Senate advises and consents to the ratification of the Agreement between the Government of the United States of America and the Government of Canada on Pacific Hake/Whiting, done at Seattle, November 21, 2003.

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 Ms. STABENOW:

S. 1973. A bill to provide an immediate Federal income tax rebate to help taxpayers with higher fuel costs, to express the sense of the Senate regarding full funding of LIHEAP, and to provide consumer protections against fuel price gouging, and for other purposes; to the Committee on Finance.

By Mr. NELSON of Florida:

S. 1974. A bill to provide States with the resources needed to rid our schools of performance-enhancing drug use; to the Committee on Health, Education, Labor, and Pensions.

By Mr. OBAMA:

S. 1975. A bill to prohibit deceptive practices in Federal elections; to the Committee on Rules and Administration.

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

S. 1976. A bill to make amendments to the Iran Nonproliferation Act of 2000; to the Committee on Foreign Relations.

By Mr. STEVENS:

S. 1977. A bill to repeal section 5 of the Marine Mammal Protection Act of 1972; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. CHAFFEE (for himself, Ms. STABENOW, Ms. SNOWE, Mrs. BOXER, Mr. CARPER, Mr. NELSON of Florida, Mr. MARTINEZ, Mr. JEFFORDS, Mr. KERRY, Mr. FEINGOLD, Mr. DURBIN, Mrs. FEINSTEIN, Mr. SCHUMER, Mrs. CLINTON, Ms. COLLINS, Ms. CANTWELL, Mr. LIEBERMAN, Mr. DEWINE, Mr. CRAPO, Mr. BOND, Ms. LANDRIEU, and Mr. VITTER):

S. Res. 301. A resolution commemorating the 100th anniversary of the National Audubon Society; to the Committee on Environment and Public Works.

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

S. Con. Res. 62. A concurrent resolution directing the Joint Committee on the Library to procure a statue of Rosa Parks for placement in the Capitol; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 103

At the request of Mrs. FEINSTEIN, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 103, a bill to respond to the illegal production, distribution, and use of methamphetamine in the United States, and for other purposes.

S. 368

At the request of Mr. LAUTENBERG, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 368, a bill to provide assistance to reduce teen pregnancy, HIV/AIDS, and other sexually transmitted diseases and to support healthy adolescent development.

S. 431

At the request of Mr. DEWINE, the names of the Senator from Oregon (Mr. SMITH), the Senator from Tennessee (Mr. ALEXANDER) and the Senator from Kentucky (Mr. BUNNING) were added as cosponsors of S. 431, a bill to establish a program to award grants to improve and maintain sites honoring Presidents of the United States.

S. 633

At the request of Mr. JOHNSON, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 633, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 709

At the request of Mr. DEWINE, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 709, a bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals, and for other purposes.

S. 1014

At the request of Ms. SNOWE, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 1014, a bill to provide additional relief for small business owners ordered to active duty as members of reserve components of the Armed Forces, and for other purposes.

S. 1082

At the request of Mrs. HUTCHISON, the names of the Senator from Kansas (Mr. BROWNBACK) and the Senator from West Virginia (Mr. BYRD) were added as cosponsors of S. 1082, a bill to restore Second Amendment rights in the District of Columbia.

S. 1110

At the request of Mr. ALLEN, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor

of S. 1110, a bill to amend the Federal Hazardous Substances Act to require engine coolant and antifreeze to contain a bittering agent in order to render the coolant or antifreeze unpalatable.

S. 1120

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 1120, a bill to reduce hunger in the United States by half by 2010, and for other purposes.

S. 1351

At the request of Mrs. CLINTON, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1351, a bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War era.

S. 1394

At the request of Mr. SMITH, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 1394, a bill to reform the United Nations, and for other purposes.

S. 1399

At the request of Mr. THOMAS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1399, a bill to improve the results the executive branch achieves on behalf of the American people.

S. 1418

At the request of Mr. ENZI, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1418, a bill to enhance the adoption of a nationwide interoperable health information technology system and to improve the quality and reduce the costs of health care in the United States.

S. 1424

At the request of Mr. ENSIGN, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 1424, a bill to remove the restrictions on commercial air service at Love Field, Texas.

S. 1449

At the request of Mr. DURBIN, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1449, a bill to amend the Internal Revenue Code of 1986 with respect to the eligibility of veterans for mortgage bond financing, and for other purposes.

S. 1512

At the request of Mr. SARBANES, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1512, a bill to grant a Federal charter to Korean War Veterans Association, Incorporated.

S. 1631

At the request of Mr. DORGAN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1631, a bill to amend the Internal Revenue Code of 1986 to impose a temporary windfall profit tax on

crude oil and to rebate the tax collected back to the American consumer, and for other purposes.

S. 1687

At the request of Ms. MIKULSKI, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1687, a bill to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers.

S. 1780

At the request of Mr. SANTORUM, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1780, a bill to amend the Internal Revenue Code of 1986 to provide incentives for charitable contributions by individuals and businesses, to improve the public disclosure of activities of exempt organizations, and to enhance the ability of low-income Americans to gain financial security by building assets, and for other purposes.

S. 1791

At the request of Mr. SMITH, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1791, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for qualified timber gains.

S. 1800

At the request of Ms. SNOWE, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 1800, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit.

S. 1807

At the request of Ms. SNOWE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1807, a bill to provide assistance for small businesses damaged by Hurricane Katrina or Hurricane Rita, and for other purposes.

S. 1959

At the request of Mr. REID, his name was added as a cosponsor of S. 1959, a bill to direct the Architect of the Capitol to obtain a statue of Rosa Parks and to place the statue in the United States Capitol in National Statuary Hall.

At the request of Mr. KERRY, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from Florida (Mr. NELSON) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1959, *supra*.

S. 1960

At the request of Mr. BUNNING, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1960, a bill to protect the health and safety of all athletes, to promote the integrity of professional sports by establishing minimum standards for the testing of steroids and other performance-enhancing substances and methods by professional sports leagues, and for other purposes.

S. 1961

At the request of Mr. BIDEN, the name of the Senator from Texas (Mr.

CORNYN) was added as a cosponsor of S. 1961, a bill to extend and expand the Child Safety Pilot Program.

S. CON. RES. 48

At the request of Mr. DURBIN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. CON. RES. 48, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued to promote public awareness of Down syndrome.

S. RES. 155

At the request of Mr. BIDEN, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. RES. 155, a resolution designating the week of November 6 through November 12, 2005, as “National Veterans Awareness Week” to emphasize the need to develop educational programs regarding the contributions of veterans to the country.

S. RES. 219

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. RES. 219, a resolution designating March 8, 2006, as “Endangered Species Day”, and encouraging the people of the United States to become educated about, and aware of, threats to species, success stories in species recovery, and the opportunity to promote species conservation worldwide.

S. RES. 261

At the request of Mr. KERRY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. RES. 261, a resolution expressing the sense of the Senate that the crisis of Hurricane Katrina should not be used to weaken, waive, or roll back Federal public health, environmental, and environmental justice laws and regulations, and for other purposes.

S. RES. 273

At the request of Mr. COLEMAN, the name of the Senator from Kentucky (Mr. BUNNING) 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. 2424

At the request of Mr. NELSON of Florida, the names of the Senator from Ohio (Mr. DEWINE) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of amendment No. 2424 proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

At the request of Mr. BAUCUS, his name was added as a cosponsor of amendment No. 2424 proposed to S. 1042, *supra*.

AMENDMENT NO. 2430

At the request of Mr. LEVIN, the names of the Senator from New Jersey

(Mr. LAUTENBERG), the Senator from California (Mrs. FEINSTEIN), the Senator from Delaware (Mr. BIDEN) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of amendment No. 2430 proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 2431

At the request of Mr. MARTINEZ, the names of the Senator from Florida (Mr. NELSON), the Senator from Arizona (Mr. KYL), the Senator from Missouri (Mr. TALENT) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of amendment No. 2431 intended to be proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 2432

At the request of Mr. INHOFE, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of amendment No. 2432 proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 2433

At the request of Mr. CHAMBLISS, the names of the Senator from South Carolina (Mr. GRAHAM), the Senator from Vermont (Mr. LEAHY) and the Senator from Virginia (Mr. ALLEN) were added as cosponsors of amendment No. 2433 proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 2436

At the request of Mr. LAUTENBERG, his name was added as a cosponsor of amendment No. 2436 proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

AMENDMENT NO. 2438

At the request of Mr. HARKIN, the names of the Senator from Illinois (Mr.

DURBIN), the Senator from Colorado (Mr. SALAZAR) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of amendment No. 2438 proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

lating to rules of special application in the case of abatements, credits, and refunds) is amended by adding at the end the following new section:

“SEC. 6430. ENERGY TAX REBATE.

“(a) GENERAL RULE.—Except as otherwise provided in this section, each individual shall be treated as having made a payment against the tax imposed by chapter 1 for the taxable year beginning in 2005 in an amount equal to the lesser of—

“(1) the amount of the taxpayer’s liability for tax for such taxpayer’s preceding taxable year, or

“(2) \$500.

“(b) LIABILITY FOR TAX.—For purposes of this section, the liability for tax for any taxable year shall be the excess (if any) of—

“(1) the sum of—

“(A) the taxpayer’s regular tax liability (within the meaning of section 26(b)) for the taxable year,

“(B) the tax imposed by section 55(a) with respect to such taxpayer for the taxable year, and

“(C) the taxpayer’s social security taxes (within the meaning of section 24(d)(2)) for the taxable year, over

“(2) the sum of the credits allowable under part IV of subchapter A of chapter 1 (other than the credits allowable under subpart C thereof, relating to refundable credits) for the taxable year.

“(c) TAXABLE INCOME LIMITATION.—

“(1) IN GENERAL.—If the taxable income of the taxpayer for the preceding taxable year exceeds the maximum taxable income in the table under subsection (a), (b), (c), or (d) of section 1, whichever is applicable, to which the 25 percent rate applies, the dollar amount otherwise determined under subsection (a) for such taxpayer shall be reduced (but not below zero) by the amount of the excess.

“(2) CHANGE IN RETURN STATUS.—In the case of married individuals filing a joint return for the taxable year who did not file such a joint return for the preceding taxable year, paragraph (1) shall be applied by reference to the taxable income of both such individuals for the preceding taxable year.

“(d) DATE PAYMENT DEEMED MADE.—

“(1) IN GENERAL.—The payment provided by this section shall be deemed made on the date of the enactment of the Energy Tax Rebate Act of 2005.

“(2) REMITTANCE OF PAYMENT.—The Secretary shall remit to each taxpayer the payment described in paragraph (1) not later than the date which is 30 days after the date specified in paragraph (1).

“(e) CERTAIN PERSONS NOT ELIGIBLE.—This section shall not apply to—

“(1) any individual with respect to whom a deduction under section 151 is allowable to another taxpayer for a taxable year beginning in the calendar year in which such individual’s taxable year begins,

“(2) any estate or trust, or

“(3) any nonresident alien individual.”.

“(b) CONFORMING AMENDMENT.—Section 1324(b)(2) of title 31, United States Code, is amended by inserting before the period “, or enacted by the Energy Tax Rebate Act of 2005”.

“(c) CLERICAL AMENDMENT.—The table of sections for subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:

“Sec. 6430. Energy tax rebate.”.

“(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. STABENOW:

S. 1973. A bill to provide an immediate Federal income tax rebate to help taxpayers with higher fuel costs, to express the sense of the Senate regarding full funding of LIHEAP, and to provide consumer protections against fuel price gouging, and for other purposes; to the Committee on Finance.

Ms. STABENOW. Mr. President, I rise today to introduce the Energy Tax Rebate Act of 2005 and I ask unanimous consent that the text of the bill be printed in the RECORD.

Michigan families and families across America are being delivered a one-two punch when it comes to energy prices. First, they continue to be hit hard by high gasoline prices. Now they are facing home heating costs this winter that are expected to rise dramatically compared to last year.

We can do better than this for our families. So today I am introducing a bill that will provide families with an immediate \$500 tax rebate to help them pay for rising energy costs. My legislation also includes important consumer protections to make sure Americans are not the victims of unfair market practices and consumer price gouging. Finally, my bill includes a Sense of the Senate that the Low-Income Home Energy Assistance Program, known as LIHEAP, should be fully funded to its authorized level of \$5.1 billion. LIHEAP is a successful program that makes sure our most vulnerable families, those living on low incomes or fixed-incomes, are able to heat their homes during the cold winter months.

Filling our cars with gasoline to take our children to school and heating our homes in the winter are not luxuries. They are necessities. Energy is a necessity. Together we can do better and together we will do better.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1973

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Energy Tax Rebate Act of 2005”.

TITLE I—ENERGY TAX REBATE

SEC. 101. ENERGY TAX REBATE.

(a) IN GENERAL.—Subchapter B of chapter 65 of the Internal Revenue Code of 1986 (re-