cosponsor of S. 358, a bill to maintain and expand the steel import licensing and monitoring program.

S. 361

At the request of Ms. SNOWE, the names of the Senator from Maryland (Mr. SARBANES) and the Senator from New Jersey (Mr. LAUTENBERG) were added as cosponsors of S. 361, a bill to develop and maintain an integrated system of ocean and coastal observations for the Nation's coasts, oceans and Great Lakes, improve warnings of tsunamis and other natural hazards, enhance homeland security, support maritime operations, and for other purposes.

S. CON. RES. 8

At the request of Mr. SARBANES, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. Con. Res. 8, a concurrent resolution expressing the sense of Congress that there should continue to be parity between the adjustments in the pay of members of the uniformed services and the adjustments in the pay of civilian employees of the United States.

S. RES. 40

At the request of Ms. LANDRIEU, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 40, a resolution supporting the goals and ideas of National Time Out Day to promote the adoption of the Joint Commission on Accreditation of Healthcare Organizations' universal protocol for preventing errors in the operating room.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KENNEDY (for himself, Mr. DODD, Mr. BINGAMAN, Mrs. MURRAY, Mr. REED, Mrs. CLINTON, and Ms. MIKULSKI):

S. 371. A bill to provide for college quality, affordability, and diversity, and for other purposes; to the Committee on Finance.

Mr. KENNEDY. Mr. President, it should be our common purpose to extend the promise of a quality education to all from birth through college. The strength, security, and future of our Nation lie in the education and character of our people.

Every student with the talent, desire, and drive to go to college should be able to go to college, unstopped by inability to pay.

Jobs requiring post-secondary education are expected to account for over 40 percent of total job growth over the next decade. Workers with a bachelor's degree earn $1 million more over a lifetime than workers without a degree.

But only 40 percent of whites, 30 percent of African Americans, and 16 percent of Latinos age 18 to 24 attend college. Just as unsettling, is that over 40 percent of those who do attend college fail to earn a bachelor's degree within 6 years of their initial enrollment, and for minorities the percentage is far worse.

We have to do more to help qualified students attend and finish college unburdened by crushing debt, and we must do more to help colleges train more and better teachers so that future college students are better prepared.

Today, along with Democratic colleagues on the Health, Education, Labor and Pensions Committee, I am introducing the College Quality, Affordability, and Diversity Improvement, QUAD, Act of 2005 to highlight our proposals to extend college opportunity.

First and foremost, our bill helps more needy and middle class students be able to attend college. It increases the maximum Pell grant by $1,000 next year in order to keep pace with tuition increases. It doubles the maximum Hope Scholarship Tax Credit, makes it available for 4 years of education instead of the current 2, and makes it refundable.

Our bill helps alleviate student debt burden by eliminating origination fees on subsidized loans. It enables over 5 million borrowers with consolidated loans to refinance their loans just as they would a home mortgage to take advantage of lower interest rates.

Our bill provides a new incentive to colleges to go into the Direct Loan program. The Direct Loan program saves the government and taxpayers money—11 cents on every dollar lent, according to the President's latest budget and Congressional Budget Office estimates. Under this bill, no one is forced into the Direct Loan program, but colleges in that cost-efficient program will get more funding dedicated to helping needy students. If private lenders are inspired to match or beat Direct Loan program associated benefits with their ''school as lender'' program, so be it. Either way, this proposal is a win for colleges, students and taxpayers.

Our bill provides increased support for minority and first-generation college students through increased funding for successful programs such as TRIO and GEAR Up, as well as support for minority-serving institutions. It also creates a new program to help ensure poor and minority students stay in and finish college.

To help meet our goal under No Child Left Behind to ensure a qualified teacher in every classroom, the bill expands and strengthens programs to recruit, train, and retain highly qualified teachers, paraprofessionals, principals, and superintendents.

Because of the high costs of higher education for everyone, and because each individual's private interest in a college education is in our common interest, our bill works to help both low-income and hard-pressed middle income families send their children to college and graduate.

I hope the majority will look carefully at all the proposals contained in this legislation to see where we can find common ground.

We should all commit that cost will never be a barrier to a college degree. Just as Social Security is a promise to senior citizens, we should make ''education security'' a promise to every young American. If you work hard, if you finish high school, if you are admitted to a college, we will guarantee that you can afford the cost of college education.

That should be a goal we can all agree on.

By Mr. LEAHY (for himself, Mr. BENNETT, Mr. BINGAMAN, Ms. CANTWELL, Mr. COCHRAN, Mr. CONRAD, Mr. DODD, Mr. DURBIN, Mr. JEFFORDS, Mr. KENNEDY, Mr. KERRY, Mr. LIEBERMAN, Mr. LUGAR, Mr. STEVENS, and Mr. WARNER):

S. 372. A bill to amend the Internal Revenue Code of 1986 to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor; to the Committee on Finance.

Mr. LEAHY. Mr. President, I rise today again with Senator BENNETT to introduce the ''Artist-Museum Partnership Act.'' This bipartisan legislation will enable our country to keep cherished art works in the United States and to preserve them in our public institutions, while erasing an inequity in our tax code that currently serves as a disincentive for artists to donate their works to museums and libraries. This is the same bill we introduced the past three Congresses. It was also included in the Senate-passed version of the President's 2001 tax cut bill, and in the Senate-passed version of the 2003 Charity Aid, Recovery, and Empowerment, CARE, Act. I would like to thank Senators BINGAMAN, CANTWELL, COCHRAN, CONRAD, DODD, DURBIN, JEFFORDS, KENNEDY, KERRY, LIEBERMAN, LUGAR, STEVENS and WARNER for cosponsoring this bipartisan bill.

Our bill is sensible and straightforward. It would allow artists, writers, and composers who donate works to museums and libraries to take a tax deduction equal to the fair market value of the work. This is something that collectors who make similar donations are already able to do. Under current law, artists who donate self-created works are only able to deduct the cost of supplies such as canvas, pen, paper and ink, which does not even come close to their true value. This is unfair to artists and it hurts museums and libraries—large and small—that are dedicated to preserving works for posterity. If we as a nation want to ensure that art works created by living artists are available to the public in the future—for study or for pleasure—this is something that artists should be allowed to do.

In my State of Vermont, we are incredibly proud of the great works produced by hundreds of local artists who choose to live and work in the Green Mountain State. Displaying their creations in museums and libraries helps

develop a sense of pride among Vermonters and strengthens a bond with Vermont, its landscape, its beauty, and its cultural heritage. Anyone who has contemplated a painting in a museum or examined an original manuscript or composition, and has gained a greater understanding of both the artist and the subject as a result, knows the tremendous value of these works. I would like to see more of them, not fewer, preserved in Vermont and across the country.

Prior to 1969, artists and collectors alike were able to take a deduction equivalent to the fair market value of a work, but Congress changed the law with respect to artists in the Tax Reform Act of 1969. Since then, fewer and fewer artists have donated their works to museums and cultural institutions. The sharp decline in donations to the Library of Congress clearly illustrates this point. Until 1969, the Library of Congress received 15 to 20 large gifts of manuscripts from authors each year. In the four years following the elimination of the deduction, the Library received only one such gift. Instead, many of these works have been sold to private collectors and are no longer available to the general public.

For example, prior to the enactment of the 1969 law, Igor Stravinsky planned to donate his papers to the Music Division of the Library of Congress. But after the law passed, his papers were sold instead to a private foundation in Switzerland. We can no longer afford this massive loss to our cultural heritage. Losses like this are an unintended consequence of the 1969 tax bill that should now be corrected.

Congress changed the law for artists more than 30 years ago in response to the perception that some taxpayers were taking advantage of the law by inflating the market value of self-created works. Since that time, however, the government has cut down significantly on the abuse of fair market value determinations. Under this legislation, artists who donate their own paintings, manuscripts, compositions, or scholarly compositions would be subject to the same new rules that all taxpayer/collectors who donate such works must now follow. This includes providing relevant information as to the value of the gift, providing appraisals by qualified appraisers, and, in some cases, subjecting them to review by the Internal Revenue Service's Art Advisory Panel.

In addition, donated works must be accepted by museums and libraries, which often have strict criteria in place for works they intend to display. The institution must certify that it intends to put the work to a use that is related to the institution's tax exempt status. For example, a painting contributed to an educational institution must be used by that organization for educational purposes and could not be sold by the institution for profit. Similarly, a work could not be donated to a hospital or other charitable institution that did not intend to use the work in a manner related to the function constituting the recipient's exemption under Section 501 of the tax code. Finally, the fair market value of the work could only be deducted from the portion of the artist's income that has come from the sale of similar works or related activities.

This bill would also correct another disparity in the tax treatment of self-created works—how the same work is treated before and after an artist's death. While living artists may only deduct the material costs of donations, donations of those same works after death are deductible from estate taxes at the fair market value of the work. In addition, when an artist dies, works that are part of his or her estate are taxed on the fair market value.

The Joint Committee on Taxation has previously estimated that our bill would cost $50 million over 10 years. This is a moderate price to pay for our education and the preservation of our cultural heritage.

I want to thank my colleagues again for cosponsoring this bipartisan legislation. The time has come for us to correct an unintended consequence of the 1969 law and encourage rather than discourage the donations of art works by their creators. This bill will make a critical difference in an artist's decision to donate his or her work, rather than sell it to a private party where it may become lost to the public forever. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 372

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 ''Artist-Museum Partnership Act''.

SEC. 2. CHARITABLE CONTRIBUTIONS OF CERTAIN ITEMS CREATED BY THE TAXPAYER.

(a) IN GENERAL.—Subsection (e) of section 170 of the Internal Revenue Code of 1986 (relating to certain contributions of ordinary income and capital gain property) is amended by adding at the end the following new paragraph:

''(7) SPECIAL RULE FOR CERTAIN CONTRIBUTIONS OF LITERARY, MUSICAL, OR ARTISTIC COMPOSITIONS.—

''(A) IN GENERAL.—In the case of a qualified artistic charitable contribution—

''(i) the amount of such contribution shall be the fair market value of the property contributed (determined at the time of such contribution), and

''(ii) no reduction in the amount of such contribution shall be made under paragraph (1).

''(B) QUALIFIED ARTISTIC CHARITABLE CONTRIBUTION.—For purposes of this paragraph, the term 'qualified artistic charitable contribution' means a charitable contribution of any literary, musical, artistic, or scholarly composition, or similar property, or the copyright thereon (or both), but only if—

''(i) such property was created by the personal efforts of the taxpayer making such contribution no less than 18 months prior to such contribution,

''(ii) the taxpayer—

''(I) has received a qualified appraisal of the fair market value of such property in accordance with the regulations under this section, and

''(II) attaches to the taxpayer's income tax return for the taxable year in which such contribution was made a copy of such appraisal,

''(iii) the donee is an organization described in subsection (b)(1)(A),

''(iv) the use of such property by the donee is related to the purpose or function constituting the basis for the donee's exemption under section 501 (or, in the case of a governmental unit, to any purpose or function described under subsection (c)),

''(v) the taxpayer receives from the donee a written statement representing that the donee's use of the property will be in accordance with the provisions of clause (iv), and

''(vi) the written appraisal referred to in clause (ii) includes evidence of the extent (if any) to which property created by the personal efforts of the taxpayer and of the same type as the donated property is or has been—

''(I) owned, maintained, and displayed by organizations described in subsection (b)(1)(A), and

''(II) sold to or exchanged by persons other than the taxpayer, donee, or any related person (as defined in section 465(b)(3)(C)).

''(C) MAXIMUM DOLLAR LIMITATION; NO CARRYOVER OF INCREASED DEDUCTION.—The increase in the deduction under this section by reason of this paragraph for any taxable year—

''(i) shall not exceed the artistic adjusted gross income of the taxpayer for such taxable year, and

''(ii) shall not be taken into account in determining the amount which may be carried from such taxable year under subsection (d).

''(D) ARTISTIC ADJUSTED GROSS INCOME.—For purposes of this paragraph, the term 'artistic adjusted gross income' means that portion of the adjusted gross income of the taxpayer for the taxable year attributable to—

''(i) income from the sale or use of property created by the personal efforts of the taxpayer which is of the same type as the donated property, and

''(ii) income from teaching, lecturing, performing, or similar activity with respect to property described in clause (i).

''(E) PARAGRAPH NOT TO APPLY TO CERTAIN CONTRIBUTIONS.—Subparagraph (A) shall not apply to any charitable contribution of any letter, memorandum, or similar property which was written, prepared, or produced by or for an individual while the individual is an officer or employee of any person (including any government agency or instrumentality) unless such letter, memorandum, or similar property is entirely personal.

''(F) COPYRIGHT TREATED AS SEPARATE PROPERTY FOR PARTIAL INTEREST RULE.—In the case of a qualified artistic charitable contribution, the tangible literary, musical, artistic, or scholarly composition, or similar property and the copyright on such work shall be treated as separate properties for purposes of this paragraph and subsection (f)(3).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to contributions made after the date of the enactment of this Act in taxable years ending after such date.

By Mr. HARKIN:

S. 373. A bill to amend the Farm Security and Rural Investment Act of 2002 to provide for a program to develop and demonstrate the cost-effective operation of a fleet of renewable

hydrogen passenger vehicles; to the Committee on Energy and Natural Resources.

Mr. HARKIN. Mr. President, over the past several years, among the most challenging issues for this Congress has been reform of the Nation's energy policy.

Despite rising fuel costs and growing dependence on imported oil, despite evidence of global warming and concerns about the quality of our air and water, despite all the recent advances in renewable energy technology, we hobble along on an energy policy that is more than a decade out of date.

Fortunately, there are several initiatives in energy policy on which there is wide bipartisan support.

Perhaps the best example of an idea on which there is solid agreement is the importance of developing our hydrogen economy.

Hydrogen has the potential to transform completely the way we think of transportation, with vehicles that consume no foreign oil, spew no smog, no toxic emissions, and zero greenhouse gases. But only if we make it the right way.

You see, to get energy out of hydrogen, first you have to make it. And the way we make it is going to make all the difference to our energy future.

Right now, the main way we make hydrogen is from natural gas.

Natural gas is a clean-burning fuel, but its price is volatile. And as a fossil fuel, it is a finite resource and releases carbon dioxide and other greenhouse gases when burned.

Ultimately, we hope to form hydrogen from pollution-free water, using wind or solar energy to extract the hydrogen—the H2—from the H2O. But this technology is still too expensive to make a significant contribution to our energy needs today.

Thanks to research at some of the country's leading institutions, including those in my state of Iowa, a cost-effective technology is now available to produce hydrogen from another clean, renewable energy source: one that we grow right here at home.

Hydrogen can now be formed from ethanol made entirely from corn and other agricultural products grown right here on American farms.

Ethanol is an increasingly important source of fuel. It is made from corn and other agricultural products from farms throughout the Midwest and increasingly in other parts of the country. It is manufactured in plants scattered across rural America, and has become one of the most important value-added enterprises for our rural economies.

Today, ethanol is made from corn, as well as from crop residues, stalks, and other low-cost biomass.

By blending ethanol into conventional gasoline we reduce our dependence on foreign oil, support rural economies, and make a cleaner-burning fuel. But even blended fuel produces some pollution, and we still depend on imported oil for the gasoline component.

A vital next step is to begin using ethanol to make hydrogen. Hydrogen from ethanol produces little in the way of pollution. Whatever carbon dioxide is released gets absorbed by next year's crop as it grows; and it's possibly the most economical way to make renewable hydrogen for the foreseeable future.

Imagine hydrogen ''Made in the USA'' from crops ''Grown in the USA'' with generating facilities in rural communities in desperate need of jobs and economic growth.

So why aren't all of our cars being converted to run on renewable farm-based hydrogen? As we all know, the fuel cells needed to convert that hydrogen efficiently into usable energy are still years from being commercially ready.

However, hydrogen-powered internal combustion hybrid electric engines have been developed that can achieve over 90 percent of the environmental benefits and 100 percent of the reduced oil import benefits of fuel cells, and this technology is ready for demonstration right now.

American businesses are ready to show the world that hydrogen can be produced from clean, farm-based renewable sources, and that renewable hydrogen can be used as a fuel for our cars and trucks.

As we debate the bigger picture of our Nation's energy policy, we have the opportunity to make a small investment with huge potential.

Now is the time for a renewable hydrogen transportation demonstration program.

I am introducing the Renewable Hydrogen Passenger Vehicle Act of 2005 to provide a testing ground for renewable farm-based hydrogen transportation technology. We need to get renewable hydrogen production out into fueling stations, where it can be put through its paces, analyzed and improved for the day when fuel cells arrive, so we can supply our fuel cells with clean, renewable hydrogen right from day one.

This bill would authorize $5 million over three years to develop and demonstrate the cost-effective operation of a small hydrogen-from-ethanol reformer and a fleet of at least 10 internal combustion hybrid electric vehicles converted to run on that hydrogen.

The program would allow investors, manufacturers and entrepreneurs to see first-hand that clean renewable hydrogen can be cost-effectively produced from farm-based fuels; that the technology to run our vehicles on renewable hydrogen is here and ready to deploy; and that renewable hydrogen is ready for the day that fuel cell vehicles arrive in local showrooms.

The successful demonstration will help stimulate development of hydrogen fueling systems at existing gasoline fueling stations to convert ethanol to hydrogen onsite, thereby significantly accelerating the adoption of super-clean domestic renewable hydrogen as an alternative to gasoline made from imported oil.

It includes monitoring of emissions and fuel economy data, quick start-up and rapid deployment—all for a tiny fraction of the funds already being invested in fuel cell research.

This is not a large or costly initiative, but it is one that has the potential to take us a big step towards a clean, renewable hydrogen-based economy. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 373

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 ''Renewable Hydrogen Passenger Vehicle Act of 2005''.

SEC. 2. RENEWABLE HYDROGEN TRANSPORTATION DEMONSTRATION PROGRAM.

(a) FINDINGS.—Congress finds that—

(1) reductions in local air pollution, greenhouse gas emissions, and oil imports resulting from the introduction of vehicles with gasoline-powered internal combustion hybrid electric engines will be only temporary, as improved fuel economy of the hybrid vehicles is offset by increases in vehicle miles traveled;

(2) direct substitution of farm-based renewable fuels for gasoline in gasoline-powered internal combustion hybrid electric engines will result in further reductions in local air pollution, greenhouse gas emissions, and oil imports;

(3) for permanent reductions in criteria pollutants, greenhouse gas emissions, and oil imports, Congress should establish as a national goal the development of renewable hydrogen as a clean effective energy carrier;

(4) the development of vehicles powered by hydrogen derived from domestic renewable resources such as ethanol, energy crops, agricultural waste, landfill gas, municipal solid waste, wind power, and solar electricity, will—

(A) substantially and permanently reduce local air pollution and greenhouse gas emissions;

(B) improve the energy security of the United States; and

(C) create domestic jobs;

(5) notwithstanding paragraph (4), as of the date of enactment of this Act, the fuel cell technology required to make the most efficient use of renewable hydrogen is too costly and has not achieved the reliability necessary for consumer acceptance in the near term;

(6) in the near term (before affordable and reliable fuel cell vehicles are developed), hydrogen-powered internal combustion engine hybrid electric vehicles have been developed that can achieve more than 90 percent of the environmental benefits and 100 percent of the oil import reduction benefits of fuel cell vehicles;

(7) in addition to robust research and development for fuel cell vehicles, a program to develop and demonstrate renewable hydrogen production and distribution technology is justified;

(8) reforming ethanol at a vehicle fueling station may be the least costly method of producing renewable hydrogen;

(9) a low cost renewable hydrogen vehicle demonstration program that will yield valuable information regarding an interim transition strategy of using hydrogen-powered internal combustion engine hybrid electric

vehicles to pave the way for fuel cell vehicles once fuel cell vehicles become affordable and reliable can be implemented in 1 year; and

(10) the introduction of commercial hydrogen internal combustion engine hybrid electric vehicles can provide the economic incentives to help stimulate development of hydrogen fueling systems at existing gasoline fueling stations to convert ethanol to hydrogen onsite, thereby significantly accelerating the adoption of super-clean renewable hydrogen as an alternative to gasoline made from imported crude oil.

(b) PROGRAM.—Section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107) is amended by adding at the end the following:

''(c) DEMONSTRATION PROGRAM.—

''(1) IN GENERAL.—The Secretary of Energy, in coordination with the Secretary, shall conduct a 3-year program to develop and demonstrate the cost-effective operation of a fleet of at least 10 direct hydrogen passenger vehicles based on existing commercial technology under which the hydrogen is derived from ethanol or other domestic low-cost transportable renewable feedstocks.

''(2) GOALS.—The goals of the program shall include—

''(A) demonstrating the cost-effective conversion of ethanol or other low-cost transportable renewable feedstocks to pure hydrogen suitable for eventual use in proton exchange membrane fuel cell vehicles at 1 or more local fueling stations, including hydrogen compression and storage necessary to fill vehicle tanks to their operational pressure, using existing commercial reforming technology or modest modifications of existing technology to reform ethanol or other low-cost transportable renewable feedstocks into hydrogen;

''(B) converting 10 or more commercially available internal combustion engine hybrid electric passenger vehicles to operate on hydrogen;

''(C) installing and operating an ethanol reformer or reformer of another low-cost transportable renewable feedstock (including onsite hydrogen compression, storage, and dispensing) at the facilities of a fleet operator not later than 1 year after commencement of the program;

''(D) operating the 10 or more hydrogen internal combustion engine hybrid electric vehicles for a period of 2 years; and

''(E) collecting emissions and fuel economy data on the 10 hydrogen-powered vehicles over various operating conditions and weather conditions.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $5,000,000.''.

By Mr. THUNE (for himself and Mr. JOHNSON):

S. 374. A bill to provide compensation to the Lower Brule and Crow Creek Sioux Tribes of South Dakota for damage to tribal land caused by Pick-Sloan projects along the Missouri River; to the Committee on Indian Affairs.

Mr. THUNE. Mr. President, I rise today to introduce the Tribal Parity Act. I am proud to be joined by my colleague from South Dakota, Senator JOHNSON, in introducing this legislation.

Several Indian tribes that border the Missouri River in South Dakota have been compensated for damage to their tribal lands caused by Pick-Sloan projects. Unfortunately, the compensation provided to those tribes has not been consistent. This legislation will allow the Lower Brule and Crow Creek Sioux Tribes to be fairly compensated.

The Tribal Parity Act passed the Senate three times during the 108th Congress, after being reported out of the Indian Affairs Committee without objection. This legislation has also been endorsed by the Governor of my home State, Governor Rounds, and a similar bill has been introduced in the U.S. House of Representatives.

I am committed to working with my colleagues to get this compensation for the Lower Brule and Crow Creek Sioux Tribes. I hope we can pass it in an expeditious manner and send it to the House for timely consideration.

By Mr. CONRAD (for himself, Mr. THOMAS, Mr. BAUCUS, Mr. SALAZAR, Mr. JOHNSON, Mr. DORGAN, Mr. REID, Mr. BINGAMAN, and Mr. DOMENICI):

S.J. Res. 4. A joint resolution providing for congressional disapproval of the rule submitted by the Department of Agriculture under chapter 8 of title 5, United States Code, relating to risk zones for introduction of bovine spongiform encephalopathy; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. CONRAD. Mr. President, today I am introducing a resolution pursuant to the Congressional Review Act to disapprove of the final rule promulgated by USDA that designates Canada as a Minimal-Risk Region for Bovine Spongiform Encephalopathy or BSE.

I am taking this action because opening our border to Canadian cattle imports at this time is premature. Allowing the BSE rule to go forward could have very serious consequences for the human and animal health in this country. Reopening the border poses serious economic risks for the U.S. cattle industry. And it complicates our efforts to reopen export markets.

BSE is an extremely dangerous disease. After BSE was first identified in England in 1986, Europe was forced to destroy millions of head of cattle. And, around the world, dozens of human deaths from Creutzfeld—Jacob's Disease have since been linked to BSE. So we must be very careful before we consider opening our border to imports from a country known to have BSE.

Since the European outbreak, scientists from around the world have been engaged in efforts to learn more about the disease. They have developed methods to test, control, and eradicate BSE. Through the International Organization for Animal Health, known as the OIE, experts have designed science-based standards for the safe trade of beef products and live cattle from countries that have or may have BSE. In particular, because BSE is transmitted through livestock feed contaminated with animal proteins containing BSE, it is critical that countries adopt measures to ensure that animal proteins and other specified risk materials are not present in cattle feed.

Unfortunately, the USDA does not appear to have fully followed OIE guidelines in developing its rules. Moreover, with respect to Canada, USDA has not done a thorough evaluation to ensure that Canada's cattle feed is not contaminated with animal proteins.

The United States has appropriately blocked cattle imports from Canada since Canada confirmed its first indigenous case of BSE in May of 2003. Concerns were only heightened when BSE was confirmed in a dairy cow of Canadian origin in Washington State in December of 2003. This case resulted in many important U.S. trading partners banning the importation of U.S. cattle and beef products—a situation that continues today with regard to some of our most important customers.

So it is very important that USDA move slowly and deliberately and evaluate all possible risks before reopening the border to Canadian cattle.

But the USDA rule does not do this. In particular, Canada has not effectively implemented measures to contain and control BSE for 8 years, as required by the OIE. Moreover, USDA has applied a very loose and flexible interpretation to the specific recommendations developed by the OIE.

Since USDA announced its proposed final rule designating Canada as a Minimum-Risk Region for BSE, Canada has confirmed two additional BSE cases. The most recent one is particularly disturbing because it involves a cow born several months after Canada implemented its ban on animal proteins in cattle feed. This raises serious questions about whether the Canadian feed ban is being effectively enforced.

These questions are only reinforced by other evidence of lax enforcement in Canada.

For example, numerous Canadian newspapers have reported that Canadian Food Inspection Agency tests indicate a disturbingly high level of noncompliance with Canada's overall livestock feed regulations.

An article in the Vancouver Sun indicates that secret tests found animal proteins that violated Canada's feed regulations in 41 of 70 Canadian feed samples. More than half of these ''vegetarian'' feed samples contained animal proteins. More than half. Clearly, feed regulation compliance in Canada is not up to par.

Since October, 2003, our own Food and Drug Administration has issued 19 import alerts concerning imported Canadian feed products that are contaminated with illegal animal proteins. Eight of those import alerts against Canadian livestock feed manufacturers are still in force.

Finally, Canada has recently issued new rules to further restrict the Use of animal proteins in livestock feed as well as in fertilizer. Canada's own justification for tightening its regulations is to reduce the potential for the cross contamination of livestock feed products and fertilizers with animal proteins that might contain the BSE prions. To me, this suggests that even

Canadian officials are concerned that the enforcement and compliance with existing regulations may be inadequate.

In addition, as noted in a letter I, along with Senators HARKIN, JOHNSON and SALAZAR, recently sent to Secretary of Agriculture Johanns, there is concern, that not enough time has elapsed to be sure that Canada's education, surveillance and testing measures are truly indicative of their level of BSE risk.

The bottom line is this. Canada has not achieved the necessary level of compliance with OIE rules to justify designating it as a minimal risk region.

Canada's failure to enforce its BSE measures could have serious consequences if USDA proceeds to reopen the border.

First and most obviously, it would create potential dangers for consumers in this country.

Second, it would pose dangers for the health of our U.S. cattle herd.

Third, even if we do not end up with BSE-tainted imports, the perception of heightened risk for consumers could have adverse economic consequences for the U.S. cattle industry.

Finally, our major export markets have remained closed to U.S. beef exports, even though there has been no indigenous case of BSE in the U.S. I fear that reopening the border now, before we have reached agreement on reopening our export markets, will only give our trade partners an excuse to further delay reopening these critical markets for U.S. producers.

Yesterday's announcement by Secretary Johanns to restrict the importation of Canadian beef products to those from cattle under 30 months of age is a small step in the right direction. However, this announcement does not address the unresolved concerns about Canada's compliance with its feed regulations, which has been cited as the primary basis for extending a Minimal-Risk Region designation to Canada.

It was my hope that our new Secretary of Agriculture would withdraw the proposal to resume trade with Canada when he learned of these serious issues. But it now appears that the only way to stop this rule from going forward is for the Congress to block it. Therefore, I hope my colleagues will join me in supporting this resolution of disapproval.

Then perhaps we can have a meaningful dialogue on how to move forward in a way that will ensure the safety of the U.S. cattle herd and help open export markets. Our consumers and livestock producers deserve nothing less.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 49—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON RULES AND ADMINISTRATION

Mr. LOTT submitted the following resolution; from the Committee on Rules and Administration; which was placed on the calendar:

S. RES. 49

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Rules and Administration (referred to in this resolution as the ''Committee'') is authorized from March 1, 2005, through September 30, 2005; October 1, 2005, through September 30, 2006; and October 1, 2006, through February 28, 2007, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2005, through September 30, 2005, under this resolution shall not exceed $1,383,997, of which amount (1) not to exceed $30,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946), and (2) not to exceed $6,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2005, through September 30, 2006, expenses of the committee under this resolution shall not exceed $2,431,002, of which amount (1) not to exceed $50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946), and (2) not to exceed $10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2006, through February 28, 2007, expenses of the committee under this resolution shall not exceed $1,035,189, of which amount (1) not to exceed $21,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946), and (2) not to exceed $4,200 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2007, respectively.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2005, through September 30, 2005; October 1, 2005 through September 30, 2006; and October 1, 2006, through February 28, 2007, to be paid from the Appropriations account for ''Expenses of Inquiries and Investigations.''.

SENATE RESOLUTION 50—AUTHORIZING EXPENDITURES BY COMMITTEES OF THE SENATE FOR THE PERIODS MARCH 1, 2005, THROUGH SEPTEMBER 30, 2005, OCTOBER 1, 2005, THROUGH SEPTEMBER 30, 2006, AND OCTOBER 1, 2006, THROUGH FEBRUARY 28, 2007

Mr. LOTT submitted the following resolution; from the Committee on Rules and Administration; which was placed on the calendar:

Resolved,

S. RES. 50

SECTION 1. AGGREGATE AUTHORIZATION.

(a) IN GENERAL.—For purposes of carrying out the powers, duties, and functions under the Standing Rules of the Senate, and under the appropriate authorizing resolutions of the Senate there is authorized for the period March 1, 2005, through September 30, 2005, in the aggregate of $52,563,753, for the period October 1, 2005, through September 30, 2006, in the aggregate of $92,292,337, and for the period October 1, 2006, through February 28, 2007, in the aggregate of $39,287,233, in accordance with the provisions of this resolution, for standing committees of the Senate, the Special Committee on Aging, the Select Committee on Intelligence, and the Committee on Indian Affairs.

(b) AGENCY CONTRIBUTIONS.—There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committees for the period March 1, 2005, through September 30, 2005, for the period October 1, 2005, through September 30, 2006, and for the period October 1, 2006, through February 28, 2007, to be paid from the appropriations account for ''Expenses of Inquiries and Investigations'' of the Senate.

SEC. 2. COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.

(a) GENERAL AUTHORITY.—In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Agriculture, Nutrition, and Forestry is authorized from March 1, 2005, through February 28, 2007, in its discretion—

(1) to make expenditures from the contingent fund of the Senate;

(2) to employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable, or nonreimbursable, basis the services of personnel of any such department or agency.

(b) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2005.—The expenses of the committee for the period March 1, 2005, through September 30, 2005, under this section shall not exceed $2,090,901, of which amount—