

S. 467. An act to extend the applicability of the Terrorism Risk Insurance Act of 2002.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5060. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to U.S. military personnel and U.S. individual civilians retained as contractors involved in the anti-narcotics campaign in Colombia; to the Committee on Foreign Relations.

EC-5061. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of major defense equipment and defense articles in the amount of \$100,000,000 or more to Italy; to the Committee on Foreign Relations.

EC-5062. A communication from the Acting Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a report concerning an amendment to Part 126 of the International Traffic in Arms Regulations (ITAR) to reflect clarifications of coverage for the Canadian exemption; to the Committee on Foreign Relations.

EC-5063. A communication from the Secretary, Department of Agriculture, transmitting, a report of draft legislation to authorize improvements to the National Natural Resources Conservation Foundation, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5064. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled "Organization and Functions; Releasing Information; Privacy Act Regulations; Farm Credit Administration Board Meetings; and Enforcement on Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Farm Credit Administration" (RIN3052-AB82) received on December 5, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5065. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Bifenazate; Pesticide Tolerances for Emergency Exemptions" (FRL7746-5) received on December 16, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5066. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Karnal Bunt; Addition and Removal of Regulated Areas in Arizona" (Doc. No. 05-078-1) received on December 16, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5067. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Milk in the Arizona-Las Vegas Marketing Area—Final Order" (Docket No. DA-03-04-A; AO-271-A37) received on December 05, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5068. A communication from the General Counsel, Office of Compliance, transmitting, pursuant to law, the General Counsel's

Report on Americans with Disabilities Act inspections conducted during the 108th Congress; to the Committee on Health, Education, Labor, and Pensions.

EC-5069. A communication from the General Counsel, Office of Compliance, transmitting, pursuant to law, the General Counsel's Report on Occupational Safety and Health Inspections for the 108th Congress; to the Committee on Health, Education, Labor, and Pensions.

EC-5070. A communication from the Acting Director, Office of Federal Housing Enterprise Oversight, transmitting, pursuant to law, a report relative to the Federal Managers Financial Integrity Act (FMFIA) for fiscal year 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-5071. A communication from the Acting Director, Emergency Preparedness and Response, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report that funding for the State of Tennessee as a result of the emergency conditions resulting from the influx of evacuees from areas struck by Hurricane Katrina beginning on August 29, 2005, and continuing, has exceeded \$5,000,000; to the Committee on Banking, Housing, and Urban Affairs.

EC-5072. A communication from the Acting Director, Emergency Preparedness and Response, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report that funding for the State of Colorado as a result of the emergency conditions resulting from the influx of evacuees from areas struck by Hurricane Katrina beginning on August 29, 2005, and continuing, has exceeded \$5,000,000; to the Committee on Banking, Housing, and Urban Affairs.

EC-5073. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Community Disaster Loan Program" (RIN1660-AA44) received on December 16, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-5074. A communication from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled "Independent Audits and Reporting Requirements (12 CFR Part 363)" (RIN3064-AC91) received on December 16, 2005; to the Committee on Banking, Housing, and Urban Affairs.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-222. A resolution adopted by the Senate of the Legislature of the State of Louisiana relative to adopting legislation that would provide funding through the Department of Housing and Urban Development in the form of Community Development Block Grants to investor owned utilities for the restoration of electric and gas service damaged by Hurricanes Katrina and Rita; to the Committee on Banking, Housing, and Urban Affairs.

SENATE RESOLUTION No. 13

Whereas, on August 29, 2005, Hurricane Katrina, a category four storm with sustained winds of one hundred and forty miles per hour came ashore in Plaquemines Parish, Louisiana, near Buras, causing unprecedented flooding and devastation in southeastern Louisiana, including the breach of

the levee system and floodwalls of the city of New Orleans, the death of more than a thousand state residents, the displacement and evacuation of hundreds of thousands more, and the widespread loss and destruction of businesses and property; and

Whereas, on September 24, 2005, Hurricane Rita, a category three storm with sustained winds of one hundred and twenty-five miles per hour came ashore near the Louisiana/Texas border, causing unprecedented flooding and devastation in southwestern Louisiana and southeastern Texas, and the widespread loss and destruction of life and property; and

Whereas, Entergy Corporation (Entergy), through its subsidiaries Entergy Louisiana (ELI), Entergy Gulf States (EGS), and Entergy New Orleans (ENO), is Louisiana's largest electric and gas utility, and the resulting wind and flooding of Hurricane Katrina significantly damaged major portions of Entergy's utility infrastructure; and

Whereas, in the aftermath of the disaster, Entergy and others worked rapidly to provide emergency and temporary services and is currently working to restore permanent service to all customers in its service territory; and

Whereas, Entergy estimates that the total restoration costs for the repair and/or replacement of Entergy's electric and gas facilities damaged by hurricanes Katrina and Rita and business continuity costs are estimated to be in the range of \$1.1 to \$1.4 billion; with the costs to Entergy New Orleans alone to repair its utility infrastructure exceeding four hundred million dollars, not including potential incremental losses; and

Whereas, safe and reliable electric and gas utility service is vital to the state's post-hurricane recovery efforts, and the state of Louisiana deems it essential to keep Entergy and its subsidiaries as productive and financially viable companies providing safe and reliable electric and gas utility service to the residents and businesses of Louisiana; and

Whereas, the legislature is committed to the protection of Entergy's residential and business customers from the tremendous costs associated with the necessary rebuilding efforts and in assisting Entergy and its subsidiaries, particularly Entergy New Orleans, in regaining their financial strength and stability so that they will be able to continue providing safe, and reliable service to their customers; and

Whereas, following the terrorist attacks of September 11, 2001, which caused catastrophic destruction of life and property, loss of an untold number of jobs, and the displacement of many individuals and businesses, the legislature notes that billions of dollars in funds and other forms of essential assistance was provided to the state of New York, and New York City by the federal government; and

Whereas, the state of Louisiana has suffered similar, if not greater, human and economic losses as a result of hurricanes Katrina and Rita, resulting in devastating loss of life, damage to businesses and property, and destruction of much of Entergy's utility infrastructure in Louisiana; and

Whereas, the legislature notes that Congress, in Public Law 107-206, passed on August 2, 2002, authorized the United States Department of Housing and Urban Development to provide seven hundred and eighty-three million dollars in disaster assistance for damaged properties and businesses, including the restoration of utility infrastructure, and for economic revitalization directly related to the September 11 attacks. Therefore, be it

Resolved, That the Legislature of Louisiana hereby memorializes the Congress of the

United States to take all measures necessary to provide federal financial assistance to aid in rebuilding the investor-owned utility systems that are indispensable to the recovery efforts of the state of Louisiana and the city of New Orleans; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-223. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to increasing the coverage limit for a single-family structure under the National Flood Insurance Program from two hundred fifty thousand dollars to five hundred thousand dollars; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 23

Whereas, the National Flood Insurance Program (NFIP), administered by Federal Emergency Management Agency (FEMA), makes federally backed flood insurance available in communities that adopt and enforce floodplain management ordinances to reduce further flood losses; and

Whereas, flood damage, unlike wind damage, is not covered by homeowners' insurance policies but must be purchased separately; and

Whereas, flood insurance may be purchased through insurance companies and licensed insurance agents; and

Whereas, the maximum coverage amount for a single-family structure under NFIP is two hundred fifty thousand dollars; and

Whereas, Hurricanes Katrina and Rita struck the state of Louisiana causing unprecedented and severe flooding and damage to the southern part of the state, devastating the lives of many citizens of the state, and causing damage or destruction of their property; and

Whereas, a substantial number of those single-family structures which suffered damage or destruction from these recent hurricanes are valued well in excess of two hundred fifty thousand dollars, creating a severe gap between coverage limits and the cost of repairing or replacing such homes. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to increase the coverage limit for a single-family structure under NFIP from two hundred fifty thousand dollars to five hundred thousand dollars; and be it further

Resolved, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-224. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as are necessary to forgive the 3.7 billion dollars that the Federal Emergency Management Agency (FEMA) estimates that Louisiana owes FEMA for hurricane relief; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 49

Whereas, the Federal Emergency Management Agency (FEMA) has estimated that the state's cost for Hurricanes Katrina and Rita amount to 3.7 billion dollars; and

Whereas, Governor Kathleen Blanco has expressed her intention to seek to have this amount reduced, as it far exceeds any expectation of how much the state would be required to pay for hurricane relief; and

Whereas, Hurricane Katrina has been called the most destructive and costliest natural disaster in the history of the nation, a burden no state has ever had to bear, negatively impacting the state's economy and the earning power of the state's citizens and businesses in countless ways; and

Whereas, even as the state faces this almost insurmountable challenge, FEMA has presented the state with a bill of proportions such as no state has ever faced, and it is a financial burden that Louisiana is not equipped to handle; and

Whereas, Louisiana is already facing a tremendous budget shortfall that renders it incapable of repaying this staggering amount of debt; and

Whereas, the United States government has generously provided a great deal of money to other countries, many of whose debts have been forgiven, and it seems unjust to forgive the debts of other countries but not the debt of taxpaying American citizens; and

Whereas, in light of how this cost would greatly hinder the state's efforts towards economic recovery, it is appropriate that Congress enact legislation to forgive Louisiana's debt incurred by Hurricanes Katrina and Rita. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to forgive the 3.7 billion dollars that the Federal Emergency Management Agency (FEMA) estimates that Louisiana owes to FEMA for hurricane relief; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-225. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as are necessary to create a national wind insurance program to be combined with the National Flood Insurance Program in order to create a national catastrophe insurance program; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 4

Whereas, Congress created the National Flood Insurance Program (NFIP) in 1968 in response to the rising cost of taxpayer-funded disaster relief for flood victims and the increasing amount of damage caused by floods; and

Whereas, in the wake of the widespread damage and devastation caused by recent hurricanes, it is only appropriate that Congress consider a similar program that would also provide wind insurance; and

Whereas, when claim issues are addressed following a hurricane, the separation of damages between wind coverage and flood coverage is potentially contentious and difficult to resolve; and

Whereas, homeowners in areas that have been stricken by hurricanes face the possibility of being dropped by their homeowners' insurance companies and being unable to obtain future coverage to protect them in the case of future disasters; and

Whereas, it would be in the best interest of citizens living in storm-prone areas to have the opportunity to participate in a federal catastrophe insurance program. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to create a national wind insurance program to be combined with the National Flood Insurance Program in order to create

a national catastrophe insurance program; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-226. A resolution adopted by the Senate of the General Assembly of the Commonwealth of Pennsylvania relative to the hydrogen shortage caused by Hurricane Katrina; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 169

Whereas, There are several factories located within the area devastated by Hurricane Katrina that produce hydrogen; and

Whereas, The aftermath of the hurricane has caused those factories to shut down and has triggered a hydrogen shortage; and

Whereas, The hydrogen shortage is having a substantial negative impact on the metal industry in the Commonwealth of Pennsylvania and throughout the United States, which industry relies on hydrogen for its manufacturing processes; and

Whereas, The hydrogen shortage in the United States needs to be addressed by the Congress of the United States. Therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania urge the Congress of the United States to take appropriate action to address the hydrogen shortage in the United States due to factory shutdowns caused by the devastation of Hurricane Katrina; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-227. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to urging the Great Lakes Regional Collaboration and the United States Congress to implement the Action Plan to Restore and Protect the Great Lakes; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 84

Whereas, Over 40 percent of the Great Lakes are under Michigan's jurisdiction and the Great Lakes contain 95 percent of North America's fresh surface water; and

Whereas, The Great Lakes affect all aspects of life in Michigan and are inextricably linked to Michigan's history, culture, and economy. The Great Lakes have for thousands of years supported native communities' culture and way of life; and

Whereas, The Great Lakes fuel Michigan's tourism and recreation industry. Recreational fishing alone adds \$1.4 billion annually to the state's economy; and

Whereas, The state of Michigan has historically been a leader in protecting the Great Lakes, including efforts to regulate ballast water discharges that could harbor invasive species and to eliminate the disposal of dangerous contaminants in the Great Lakes; and

Whereas, Despite Michigan's efforts, the Great Lakes are ailing from a multitude of stressors, including aquatic invasive species, toxic contamination of river and lake sediments, partially or inadequately treated sewage discharges, pollution from nonpoint sources, and coastal habitat loss. Combined, these stressors will have long-lasting effects on the Great Lakes, Michigan's economy, and our way of life; and

Whereas, There has been an unprecedented collaborative effort on the part of 1,500 people representing federal, state, and local governments, Native American tribes, non-governmental entities, and private citizens

to develop an Action Plan to Restore and Protect the Great Lakes; and

Whereas, Implementation of the Action Plan can restore the ecology of the Great Lakes and avert impending environmental threats to the region; and

Whereas, A recent report by the federal Great Lakes Interagency Task Force has, at the eleventh hour, attempted to change the rules that the Regional Collaboration operated under by recommending that the strategy be constrained by current budget projections; and

Whereas, The action plan previously developed through the Regional Collaboration includes recommendations that call on the states and federal government to take substantial new steps jointly in the restoration and protection of the Great Lakes; now, therefore, be it

Resolved by the Senate, That we urge the Great Lakes Regional Collaboration and the United States Congress to take prompt action to finalize, endorse, implement, and invest in the Action Plan to Restore and Protect the Great Lakes; and be it further

Resolved, That we urge the United States Congress to adopt legislation to implement and fully invest in the Action Plan; and be it further

Resolved, That we intend for the state of Michigan to continue its proud tradition of Great Lakes stewardship and fulfill its commitment to restoring the Great Lakes by taking substantial steps and, whenever practical, match federal funding to implement the Action Plan to Restore and Protect the Great Lakes; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, the Great Lakes Commission, the Great Lakes Legislative Caucus, the International Joint Commission, the Great Lakes Fishery Commission, the Michigan Office of the Great Lakes, the Michigan Department of Environmental Quality, and the Michigan Department of Natural Resources.

POM-228. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to extending Louisiana's seaward boundary in the Gulf of Mexico to twelve geographical miles; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 8

Whereas, Louisiana's seaward boundary in the Gulf of Mexico has been judicially determined to be three geographical miles and the United States has jurisdiction past the three geographical miles; and

Whereas, Congress has the power to amend the Submerged Lands Act of 1953 to allow for the recognition that Louisiana's seaward boundary extends twelve geographical miles into the Gulf of Mexico; and

Whereas, Louisiana acts as a significant energy corridor vital to the entire United States and provides intersections of oil and natural gas intrastate and interstate pipeline networks which serve as reference for futures markets, such as the Henry Hub for natural gas, the St. James Louisiana Light Sweet Crude Oil, and the Mars Sour Crude Oil contracts; and

Whereas, Louisiana provides storage for the nation's Strategic Petroleum Reserve and is the home of the nation's major import terminal for foreign oil, known as the Louisiana Offshore Oil Port; and

Whereas, Louisiana and its coastal wetlands provide access to nearly thirty-four percent of the U.S. natural gas supply and

nearly twenty-nine percent of the U.S. oil supply; and

Whereas, the United States' economic growth depends on access to stable supplies of oil and natural gas; and

Whereas, Louisiana ranks first in crude oil production, including the outer continental shelf production, and ranks second in natural gas production, including the outer continental shelf production; and

Whereas, in 2001, the state of Louisiana received only one-half of one percent of the federal oil and gas revenues off its coast; and

Whereas, hurricanes Katrina and Rita have shown that the loss of vital oil and gas infrastructure in Louisiana and the Gulf of Mexico has an immediate and direct impact upon the economy and well-being of the entire country and its citizens; and

Whereas, the hurricanes have shut-in approximately fifty-three percent of the daily oil production in the Gulf of Mexico, and shut-in approximately forty-seven percent of the daily gas production in the Gulf of Mexico; and

Whereas, for the time period of August 26, 2005, through November 3, 2005, the cumulative shut-in of oil production is approximately fourteen percent of the yearly oil production in the Gulf of Mexico, and the cumulative shut-in of gas production is approximately eleven percent of the yearly gas production in the Gulf of Mexico; and

Whereas, due to hurricanes Katrina and Rita, Louisiana has suffered loss of life and tremendous devastation to its economy, its citizens, infrastructure, and coastal landscape; and

Whereas, Louisiana's Revenue Estimating Conference estimates the budget shortfall to be approximately nine hundred seventy million dollars, and the loss of fees and self-generated revenue could increase the shortfall to one billion five hundred million dollars; and

Whereas, the governor of Louisiana has reduced state agency spending by five hundred million dollars; and

Whereas, the state has provided ten million dollars from our Rapid Response Fund for short-term, interest-free loans to struggling businesses, and granted the full Interim Emergency Fund in the amount of sixteen million dollars to local governments in order for the governments' vital services to operate; and

Whereas, Louisiana has paid out approximately three hundred million dollars in unemployment benefits to hurricane affected employees; and

Whereas, Louisiana has established a Rainy Day Fund that is worth approximately four hundred sixty million dollars, and the state is in the process of using at least one-third of this fund to balance the state budget; and

Whereas, in this special session the Louisiana legislature along with the governor are considering other options for balancing the budget, increasing revenues, and funding the massive clean-up, rebuilding, and restoration of southern Louisiana; and

Whereas, hurricanes Katrina and Rita turned approximately one hundred square miles of southeast Louisiana coastal wetlands into open water, and destroyed more wetlands east of the Mississippi River in one month than experts estimated to be lost in over forty-five years; and

Whereas, monies are desperately needed to fund the state's clean-up, rebuilding, and restoration of southern Louisiana; and

Whereas, the state of Louisiana and its citizens are in a financial crisis; and

Whereas, in order to rebuild the state of Louisiana and protect its citizens, the state needs a significant, consistent and ongoing stream of revenue; and

Whereas, the extension of Louisiana's seaward boundary into the Gulf of Mexico for twelve geographical miles will provide such stream of revenue. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to extend Louisiana's seaward boundary in the Gulf of Mexico to twelve geographical miles; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-229. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as are necessary to allow the Stafford Act to provide for payment of regular pay to essential personnel; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 28

Whereas, Hurricanes Katrina and Rita struck the state of Louisiana causing severe flooding and damage to the southern region of the state; and

Whereas, the flooding and damage have adversely affected the state and local government's fiscal budget; and

Whereas, this effect is having a direct impact on their ability to continue to pay their essential staff; and

Whereas, the employment of essential staff is necessary for the effectual running of their everyday governmental operations as well as those duties which have occurred as a result of these natural disasters; and

Whereas, the Stafford Act provides an orderly and continuing means of assistance by the federal government to state and local governments in carrying out their responsibilities to alleviate the suffering and damage resulting from Hurricanes Katrina and Rita by assisting with the payment of overtime pay. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as necessary whereby the Stafford Act will allow the payment of regular pay to essential staff; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-230. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to directing the United States Army Corps of Engineers not to engage in dredging activities on the Mississippi River Gulf Outlet and to begin the necessary process to return the waterway to wetlands marsh status; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 34

Whereas, the Mississippi River Gulf Outlet (MRGO), a seventy-six-mile, manmade navigational channel which connects the Gulf of Mexico to the Port of New Orleans along the Mississippi River, was authorized by the United States Congress under the Rivers and Harbors Act of 1956 as a channel with a surface width of six hundred fifty feet, a bottom width of five hundred feet, and a depth of thirty-six feet, and it opened in 1965; and

Whereas, MRGO, which bisects the coastal marshes of St. Bernard Parish and the Chandeleur Sound, was constructed for navigational and economic purposes as a shorter route than the Mississippi River and as an

engine of industrial development for St. Bernard Parish and the city of New Orleans; and

Whereas, since MRGO was completed, the Army Corps of Engineers estimates that the area has lost nearly three thousand two hundred acres of fresh and intermediate marsh, more than ten thousand three hundred acres of brackish marsh, four thousand two hundred acres of saline marsh, and one thousand five hundred acres of cypress swamps and levee forests in addition to major habitat alterations due to saltwater intrusion from the loss of the marshes, which has resulted in dramatic declines in waterfowl and quadrupled use of the marshes; and

Whereas, although the tradeoff for St. Bernard Parish's loss of marsh and habitat was anticipated to have been the resultant economic development, that development has not occurred in the forty years since MRGO opened for navigation; MRGO traffic comprises only three percent of the river traffic and is limited to only barge traffic and generally involves only four passages per day; and

Whereas, in addition to less than anticipated use of the channel, the costs of maintaining MRGO rises each year, with the cost of dredging now over twenty-five million dollars per year, or more than thirteen thousand dollars for each passage, in addition to the expenditure of millions for shoreline stabilization and marsh protection projects, with an anticipated cost increase of fifty-two percent between 1995 and 2005; and

Whereas, concerns about the environmental impact of the channel began prior to construction with other federal agencies expressing concern about hydrologic models predicting drastic salinity increases and associated loss of interior marsh, and those concerns have continued through the life of the project as indicated by the Louisiana Legislature getting involved as long ago as Senate Concurrent Resolution No. 207 of 1992 in which the legislature asked the Army Corps of Engineers to evaluate the adverse environmental impacts resulting from the operation of MRGO and to determine if there was federal interest in continuing to maintain and operate the channel; and

Whereas, concerns about the environmental impact increased through the years as evidenced by the fact that in 1998 the "Coast 2050 Report" contained closure of MRGO among the consensus recommendations, and the technical committee of the Coastal Wetland Planning, Preservation and Restoration Act Task Force listed closure as one of the highest-ranked strategies for coastal restoration; and

Whereas, with the waterway increasing from its original authorized dimensions to a surface width of twenty-two hundred feet and a depth of over forty feet, in 1998 the St. Bernard Police Jury voted unanimously to request closure of the waterway because of fears that the dramatic loss of coastal wetlands and marshes caused by MRGO exposed the parish and the communities in the parish to much more severe impacts from the hurricanes and tropical storms that regularly occur in the Gulf of Mexico; and

Whereas, those concerns were echoed and amplified by scientists, engineers, and citizens throughout the region as reflected in requests from the Louisiana Legislature to Congress in 1999 (SCR No. 266) and again in 2004 (HCR No. 35 and HCR No. 68) to close the waterway, and indeed, those concerns proved true in an extremely dramatic fashion on August 29, 2005, when Hurricane Katrina, a strong Category 5 hurricane, washed ashore on Louisiana's coast with a tidal surge well in excess of twenty feet; and

Whereas, there is a growing consensus that the flooding that occurred in St. Bernard Parish and the Lower Ninth Ward of New Or-

leans was a result of storm surge that flowed up the Mississippi River Gulf Outlet to the point where it converges with the Intra-coastal Waterway and that the confluence created a funnel that directed the storm surges into the New Orleans Industrial Canal, where it overtopped the levees along MRGO and the Industrial Canal and eventually breached the levees and flooded into the neighborhoods that lie close to those three waterways, resulting in a yet uncounted number of deaths and rendering sixty-seven thousand residents of St. Bernard Parish and uncounted numbers in the Lower Ninth Ward of New Orleans homeless, without possessions, and unemployed; and

Whereas, only three weeks later, on September 24, 2005, storm waters from Hurricane Rita surged up the Mississippi River Gulf Outlet and caused additional flooding in St. Bernard Parish and the Lower Ninth Ward of New Orleans, exacerbating the traumatic losses in that area; and

Whereas, almost immediately after the two storm events, the United States Army Corps of Engineers indicated that it would seek funding to begin dredging MRGO to reestablish the forty-foot depth, which caused an enormous outcry of protest from the citizens and public officials from St. Bernard Parish and the Lower Ninth Ward of New Orleans, causing the Corps to postpone a decision as to what the next step would be for the Mississippi River Gulf Outlet; and

Whereas, the United States Army Corps of Engineers has stated that it has no authorization from congress to close the waterway or to make any attempt to return the coastal wetlands and marshes to their pre-waterway status or even to fill the waterway to allow for the development of marshes and wetlands. Therefore be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress and the Louisiana congressional delegation to suspend any current appropriations or authorizations for expenditure of funds to dredge the Mississippi River Gulf Outlet, to direct the United States Army Corps of Engineers not to engage in any dredging activities on the Mississippi River Gulf Outlet, and to begin the necessary process to return the waterway to wetlands marsh status as close as possible to what it was prior to establishment of the canal; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation and to the chairman of the Mississippi Valley Division of the United States Army Corps of Engineers.

POM-231. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as are necessary to waive the nonfederal or local portion of any cost-sharing agreement for the funding of a levee reconstruction and improvement project; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 36

Whereas, on August 29, 2005, and on September 24, 2005, Hurricanes Katrina and Rita, respectively, swept across southeastern Louisiana, demolishing homes, schools, and businesses, obliterating entire communities, and earning their place in history amid the most destructive natural disasters ever measured; and

Whereas, those charged with the mind-boggling task of rebuilding this storm-ravaged region must essentially begin from scratch, including reworking and improving the com-

plex levee system that will protect the region and its inhabitants from future storms such as Hurricanes Katrina and Rita; and

Whereas, Hurricane Katrina, which measured as a Category 4 storm upon landfall, made painfully clear that it is not enough to rebuild and restore the battered levees to their pre-storm Category 3 level of hurricane protection; the economic recovery of this state depends upon the construction of improved levees that will be able to withstand stronger storms; and

Whereas, the building of a strong levee and flood protection system will require an enormous investment in the infrastructure of the region, but it will also entice businesses back to the region, reassure insurers that such a disaster will not happen again, and convince residents that they will be safe; and

Whereas, the strengthening of the levees is critical to the future economic development of the region, but the level of devastation brought about by Hurricanes Katrina and Rita has depleted local resources and has initiated a financial crisis that is only expected to intensify; under these circumstances the state and local governments are unable to meet their portion of the cost-sharing agreement for the funding of the levee improvement project; and

Whereas, in any cost-sharing agreement entered into for the completion of certain projects, including flood control or hurricane protection projects, 33 USC 2213 provides that congress may reduce or offer some other form of financial relief to the nonfederal interest relative to such cost-sharing agreements, upon a determination that the nonfederal interest is not financially able to render its portion of cost-sharing responsibilities. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to waive the nonfederal or local portion of any cost-sharing agreement relative to funding of projects for the reconstruction and improvement of the levee system; and be it further

Resolved, That a suitable copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-232. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to review and consideration of revising or eliminating provisions of law which reduce social security benefits for those receiving benefits from the federal, state, or local government retirement systems; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 22

Whereas, the Congress of the United States has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor social security benefit and the Windfall Elimination Provision (WEP), reducing the earned social security benefit for persons who also receive federal, state, or local retirement; and

Whereas, the intent of Congress in enacting the GPO and the WEP provisions was to address concerns that a public employee who had worked primarily in federal, state, and local government employment might receive a public pension in addition to the same social security benefit as a worker who had worked only in employment covered by social security throughout his career; and

Whereas, the purpose of Congress in enacting these reduction provisions was to provide a disincentive for public employees to receive two pensions; and

Whereas, the GPO negatively affects a spouse or survivor receiving federal, state, or

local government retirement benefits who would also be entitled to a social security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor social security benefit by two-thirds of the amount of the federal, state, or local government retirement benefit received by the spouse or survivor, in many cases completely eliminating the social security benefit; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement benefits, in addition to working in covered employment and paying into the social security system; and

Whereas, the WEP reduces the earned social security benefit using an averaged indexed monthly earnings formula and may reduce social security benefits for such persons by as much as one-half of the uncovered public retirement benefits earned; and

Whereas, because of these calculation characteristics, the GPO and WEP have a disproportionately negative effect on employees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees; and

Whereas, these provisions also have a greater adverse effect on women than on men because of the gender differences in salary that continue to plague our Nation; and

Whereas, Louisiana is facing a herculean recovery effort which will likely require a reduction in the public workforce, requiring employees of the state and her political subdivisions to leave public service earlier than they perhaps otherwise would, further reducing the amount of money each will receive upon retirement; and

Whereas, Louisiana is making every effort to improve the quality of life of her citizens and to encourage them to live here life-long as a part of the rebuilding and revitalization of the state. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to review the GPO and WEP social security benefit reductions, and to consider amendments thereto that would lessen or eliminate their effects; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-233. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to providing financial assistance to the state necessary to maintain essential public services to the people of Louisiana following the devastation caused by Hurricanes Katrina and Rita; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 38

Whereas, while these events contributed to an immense loss of human life and property, the ramifications continue to affect every citizen of the state; and

Whereas, the destruction of business, industry, and infrastructure in these areas has severely reduced the state's revenue stream by over one-third; and

Whereas, the Revenue Estimating Conference projects next year's revenue forecast to show a deficit of nine hundred seventy million dollars, requiring massive budget reductions to comply with the state constitution that requires a balanced budget; and

Whereas, through executive order and legislative action, state government is making a coordinated effort to balance the budget; and

Whereas, this deficit of nearly one billion dollars severely curtails the ability of the

state to provide essential public services in the areas of health care, education, and infrastructure; and

Whereas, the budget process demands debilitating cuts to higher education with a total reduction of over sixty-six million dollars of which sixty-one million dollars targets individual colleges and universities; and

Whereas, health care services such as Medicaid will lose four hundred million dollars in federal matching funds due to reductions in the state's budget, causing a total reduction in health care services for Medicaid eligibles and the uninsured of six hundred thirty-eight million dollars; and

Whereas, rebuilding state facilities carries a hefty price tag estimated at over two billion dollars; and

Whereas, the extent of the impact to self-generated revenue sources remains unclear at this time; and

Whereas, Louisiana, faced with such monumental budget cuts and slow economic recovery, may be unable to repay a staggering debt currently owed to the federal government in matching funds allegedly owed for certain FEMA assistance payments. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to provide financial assistance and extraordinary funding to Louisiana necessary to maintain essential public services during these unfortunate times of diminished revenues and staggering debt; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-234. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to encouraging the banking industry to assist senior citizens and disabled persons without identification due to Hurricanes Katrina and Rita with negotiating their Social Security Supplemental Security Income checks; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 47

Whereas, Hurricanes Katrina and Rita displaced thousands of Louisiana residents, destroyed their homes and lives, and took all of their personal belongings, including their identification; and

Whereas, senior citizens and disabled persons living in areas impacted by Hurricanes Katrina and Rita are in desperate need of their Social Security Supplemental Security Income checks to purchase basic needs of food, clothing, and shelter; and

Whereas, it has been problematic for senior citizens and disabled persons without identification due to Hurricanes Katrina and Rita to negotiate their Social Security Supplemental Security Income checks. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby urge and request congress to encourage the banking industry to assist senior citizens and I disabled persons without identification due to Hurricanes Katrina and Rita with negotiating their Social Security Supplemental Security Income checks; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-235. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to

taking such actions as are necessary to grant for distributions from DROP accounts to active state and local government employees who are members of public retirement systems similar tax relief as that provided to members of qualified retirement plans by the Katrina Emergency Tax Relief Act of 2005 and to permit such distributions from tax-qualified plans; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 15

Whereas, in response to the devastation of Hurricane Katrina and the terrible economic losses sustained by many citizens on the Gulf Coast, the United States Congress enacted the Katrina Emergency Tax Relief Act, referred to as KETRA, which granted several kinds of tax relief to Hurricane Katrina victims; and

Whereas, federal tax laws generally treat any distribution from a qualified retirement plan, a tax-sheltered annuity (403(b) annuity), an eligible deferred compensation plan maintained by a state or local government (governmental 457 plan), or an individual retirement arrangement (IRA) as income for the year distributed and provide penalties for early distributions from certain pension plans or funds in the form of a ten percent early withdrawal tax; and

Whereas, provisions of KETRA legislation include an exception to the ten percent early withdrawal tax in the case of a qualified Hurricane Katrina distribution from certain qualified retirement plans, a 403(b) annuity, or an IRA, and KETRA provides for income attributable to a qualified Hurricane Katrina distribution to be included in income ratably over three years and permits the amount of a qualified Hurricane Katrina distribution to be recontributed to an eligible retirement plan within three years; and

Whereas, provisions of KETRA do not apply to tax-qualified public retirement systems (401(a) plans) such as the state and statewide retirement systems, under which an employee's contributions are withheld from his pay and do not form a part of his taxable income; and

Whereas, many active employees of state and local governments in Louisiana are participating in or have completed participation in the deferred retirement option plan of their public retirement system, and such plans, referred to simply as "DROP", permit an employee who has reached employment eligibility to continue in employment but to "retire" and, instead of receiving his retirement benefit payments, to have such payments paid for up to three years into a designated account which is invested for him with a prohibition on receiving any payments from the account until he terminates employment; and

Whereas, just like those Hurricane Katrina victims who are permitted by KETRA to access pension funds without tax penalties in this time of dire financial need, many employees of Louisiana state and local governments who have accumulated funds in their DROP accounts truly need to access those funds to meet the costs of devastating economic losses; and

Whereas, the Louisiana Legislature is considering legislation to allow active employees who are participating in or have completed participation in DROP and who are domiciled in the Katrina core disaster area to receive distributions from their DROP accounts, but such distributions will be subject to tax penalties unless such public employees are granted similar tax relief to that provided for other pension system members by KETRA; and

Whereas, providing DROP participants the tax relief provided to members of other pension systems would be a fair and effective

way of assisting these public servants to deal with the impact Hurricane Katrina has had on their homes and families. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to grant for distributions from DROP accounts to active state and local government employees who are members of public retirement systems similar tax relief as that provided to members of qualified retirement plans by the Katrina Emergency Tax Relief Act of 2005 and to permit such distributions from tax-qualified plans; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-236. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as are necessary to grant to victims of Hurricane Rita similar tax relief as that provided by the Katrina Emergency Tax Relief Act of 2005, and to include distributions from DROP accounts to active state and local government employees who are members of public retirement systems and who are victims of Hurricane Katrina or Hurricane Rita as eligible retirement plan distributions, and to permit such distributions from tax-qualified plans; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 27

Whereas, in response to the devastation of Hurricane Katrina and the terrible economic losses sustained by many citizens on the Gulf Coast, the United States Congress enacted the Katrina Emergency Tax Relief Act, referred to as KETRA, which granted several kinds of tax relief to Hurricane Katrina victims and which has been and will be of great benefit to the victims of Katrina; and

Whereas, this tax relief legislation includes provisions to allow nonrecognition of income from discharge of certain indebtedness, to remove certain penalties for early withdrawals from, certain pension plans, to provide certain tax credits for employers, to provide special rules for determining earned income when earned income for 2005 is less than the prior year, to suspend limitations on casualty losses, to extend the replacement period for nonrecognition of gain with respect to property compulsorily or involuntarily converted, to provide tax relief for persons providing housing to hurricane victims, to ease restrictions on mortgage revenue bonds, to ease restrictions on charitable contributions for Hurricane Katrina relief efforts and to give special treatment to donations of food or books, to increase the mileage rate for charitable use and to exclude certain mileage reimbursements to charitable volunteers, and to grant automatic extension of filing deadlines; and

Whereas, just as Hurricane Katrina victims will be greatly assisted along the path of recovery by these tax benefits, so, too, victims of Hurricane Rita, many of whom suffered just as significant losses, would be greatly assisted by similar tax relief; and

Whereas, concerning pension plans, federal tax laws generally treat any distribution from a qualified retirement plan, a tax-sheltered annuity (403(b) annuity), an eligible deferred compensation plan maintained by a state or local government (governmental 457 plan), or an individual retirement arrangement (IRA) as income for the year distributed and provide penalties for early distributions from certain pension plans or funds in the form of a ten percent early withdrawal tax; and

Whereas, provisions of KETRA legislation include an exception to the ten percent early withdrawal tax in the case of a qualified Hurricane Katrina distribution from certain qualified retirement plans, a 403(b) annuity, or an IRA, and KETRA provides for income attributable to a qualified Hurricane Katrina distribution to be included in income ratably over three years and permits the amount of a qualified Hurricane Katrina distribution to be recontributed to an eligible retirement plan within three years; and

Whereas, provisions of KETRA do not apply to tax-qualified public retirement systems (401(a) plans) such as the state and statewide retirement systems, under which an employee's contributions are withheld from his pay and do not form a part of his taxable income; and

Whereas, many active employees of state and local governments in Louisiana are participating in or have completed participation in the deferred retirement option plan of their public retirement system, and such plans, referred to simply as "DROP", permit an employee who has reached employment eligibility to continue in employment but to "retire" and, instead of receiving his retirement benefit payments, to have such payments paid for up to three years into a designated account which is invested for him with a prohibition on receiving any payments from the account until he terminates employment; and

Whereas, just like those Hurricane Katrina victims who are permitted by KETRA to access pension funds without tax penalties in this time of dire financial need, many employees of Louisiana state and local governments who have accumulated funds in their DROP accounts truly need to access those funds to meet the costs of devastating economic losses caused by Hurricane Katrina and Hurricane Rita;

Whereas, the Louisiana Legislature is considering legislation to allow active employees who are participating in or have completed participation in DROP and who are domiciled in the Katrina and Rita core disaster areas to receive distributions from their DROP accounts, but such distributions will be subject to tax penalties unless such public employees are granted similar tax relief to that provided for other pension system members by KETRA; and

Whereas, providing DROP participants the tax relief provided to members of other pension systems would be a fair and effective way of assisting these public servants to deal with the impact Hurricane Katrina and Hurricane Rita have had on their homes and families. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to grant to victims of Hurricane Rita similar tax relief as that provided by the Katrina Emergency Tax Relief Act of 2005 and to include distributions from DROP accounts to active state and local government employees who are members of public retirement systems and who are victims of Hurricane Katrina or Hurricane Rita as eligible retirement plan distributions and to further take such action as necessary to permit such distributions from tax-qualified plans; and Be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-237. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to amending the Social Secu-

rity Act to provide for long-term caregiver benefits; to the Committee on Finance.

HOUSE RESOLUTION NO. 43

Whereas, A crisis continues to exist in the Commonwealth of Pennsylvania relating to the rapidly escalating costs of health care, especially where individuals suffer from a prolonged illness or disability requiring in-home care; and

Whereas, Housing and other assistance is often provided to sick or disabled individuals by extended family members, friends or other generous caregivers who patiently attend to them, give them a home and even pay their expenses; and

Whereas, The cost of providing housing and other assistance to loved ones puts a significant burden on caregivers, especially where caregivers assist individuals for a prolonged period of time; and

Whereas, The Social Security Act currently provides survivor benefits to retired or disabled widows, widowers, minor or disabled children and dependent parents 62 years of age or older when an individual dies; and

Whereas, Persons not deemed eligible for survivor benefits under the Social Security Act carry a financial burden after their loved one is gone; and

Whereas, Many of these caregivers and their loved ones enlisted in the ranks of the work force for many years and contributed to the Social Security Fund and accordingly would deserve their fair share. Therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress to amend the Social Security Act to provide benefits for long-term caregivers; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-238. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to allowing subsequent consolidation loans; to the Committee on Health, Education, Labor, and Pensions.

HOUSE RESOLUTION NO. 460

Whereas, The 1998 Amendments to the Higher Education Act of 1965 (Public Law 105-244) provided for Federal consolidation loans to help students and graduates by reducing the cost of repaying the money that they borrowed to finance their higher education; and

Whereas, The law provides that a borrower who has a Federal consolidation loan is not eligible for a subsequent Federal consolidation loan except in the narrower circumstances in which he or she has obtained another eligible loan that is to be consolidated with the existing consolidation loan; and

Whereas, Many students and graduates would benefit from the ability to refinance their student loans more than once in order to secure a lower rate of interest. Therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress to amend the 1998 Amendments to the Higher Education Act of 1965 to allow for subsequent Federal consolidation loans regardless of whether the borrower has obtained a new eligible loan; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-239. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to creating a task force, working with State and local government, employers and the health care industry, to develop solutions to rapidly increasing health care cost; to the Committee on Health, Education, Labor, and Pensions.

Whereas, Rapidly increasing health care costs are resulting 6 in higher costs for government and other employers; and

Whereas, These increasing health care costs are resulting in declines in the scope of individual coverage through private plans and through programs such as Medicaid; and

Whereas, The House of Representatives of the Commonwealth of Pennsylvania recognizes the significant increase in costs to counties and employers in providing health care benefits to their employees; and

Whereas, The General Assembly of the Commonwealth of Pennsylvania recognizes the trend for many employers to reduce from the level of benefits offered to their employees, the decreasing availability of affordable health care to American families and the increased vulnerability of parts of our population as cuts are made to Medicaid budgets. Therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the Congress of the United States to create a task force, working with State and local government, employers and the health care industry, to develop solutions to rapidly increasing health care costs; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-240. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to mandating that federal contracts awarded for reconstruction of the Gulf Coast region give a preference to local contractors and workers; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NO. 33

Whereas, the entire Gulf Coast region of the United States of America was devastated and destroyed by the awesome power of Hurricane Katrina and Hurricane Rita; and

Whereas, following the assessment of the destruction caused to the entire Gulf Coast region, President George W. Bush offered a bold and breathtaking promise to rebuild this devastated region; and

Whereas, in that speech, President George W. Bush proposed that the Congress of the United States create a "Gulf Opportunity Zone" which recognizes that the key to both immediate and long-term economic recovery is to spur Americans to invest in the affected area; and

Whereas, to date, the Congress of the United States of America has committed billions of emergency spending to the affected region, with an early estimate of \$200 billion to be spent in the recovery, rebuilding, and revitalization of the entire Gulf Coast region; and

Whereas, the fruits of the recent recovery have accrued disproportionately to out-of-state corporate profits; and

Whereas, it is vital that local small businesses be given greater access to federal contracts in order to further assist the area in its economic recovery efforts, Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to mandate that federal contracts awarded for reconstruction of the Gulf Coast

region give a preference to local contractors and workers; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-241. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to passing the Family Education Reimbursement Act; to the Committee on Health, Education, Labor, and Pensions.

SENATE CONCURRENT RESOLUTION NO. 46

Whereas, thousands of students were forced to abandon their schools in the aftermath of hurricanes Katrina and Rita; and

Whereas, public, private and charter schools all across the state and nation enrolled these displaced students; and

Whereas, parents should be empowered to make the best choices for their children and that the communities and schools that have opened their doors to so many students should not be financially punished for that generosity; and

Whereas, the Family Education Reimbursement Act (H.R. 4097) would provide parents of children displaced by hurricanes Katrina and Rita an opportunity to register with the federal government to create an account in which the federal government would deposit \$6,700; and

Whereas, these account numbers would be given to the school enrolling the displaced child so that the schools could be reimbursed for the child's education; and

Whereas, these accounts would be accessible to private and charter schools, as well as public schools, that have enrolled these displaced students, often at free or reduced tuition; and

Whereas, the Family Education Reimbursement Act (H.R. 4097) would allow schools, which welcomed these displaced students to be reimbursed easily and quickly without being forced to navigate complicated federal, state and local bureaucracies to obtain reimbursement. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to enact the Family Education Reimbursement Act (H.R. 4097); and therefore, be it further

Resolved, That a copy of this Resolution be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation of the United States Congress.

POM-242. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to voting against the repealing of the "Byrd Amendment"; to the Committee on Homeland Security and Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 27

Whereas, the United States House Committee on Ways and Means by a recorded vote of 22 to 17 reported the Budget, Entitlement Reconciliation Recommendations for Fiscal Year 2006; and

Whereas, the committee recommended to repeal the provision of the Continued Dumping and Subsidy Offset Act, commonly known as the "Byrd Amendment," that required collected duties be distributed to eligible domestic producers; and

Whereas, these duties were collected under antidumping and countervailing duty orders and are required to be paid to eligible producers that initiated the petition which resulted in the imposition of the duties; and

Whereas, in January, the International Trade Commission ruled that the six countries of China, Ecuador, India, Thailand, Vietnam and Brazil dumped shrimp in the U.S. market at excessively low prices; and

Whereas, the duties collected from these countries ranged from 2.48 percent to 112.81 percent; and

Whereas, shrimpers and shrimp processors had until August 1, 2005, to apply for payments from the duties imposed on the six countries; and

Whereas, the shrimpers and shrimp processors will probably not get paid this year, and unfortunately will probably have to wait until next year for any payment; and

Whereas, due to hurricanes Katrina and Rita, the shrimp industry along with other seafood industries have suffered enormous economic and infrastructure losses; and

Whereas, a preliminary assessment estimates that for the shrimp industry the potential production losses at retail level due to Hurricane Katrina are approximately five hundred thirty-nine million dollars, and due to Hurricane Rita the losses are approximately three hundred eighty million dollars; and

Whereas, the preliminary assessment estimates that for the shrimp industry the total potential production losses at retail level due to both hurricanes are approximately nine hundred nineteen million dollars; and

Whereas, the repealing of the "Byrd Amendment" would cause further economic loss on the shrimp industry because the shrimpers and shrimp processors will not receive the payments from the duties. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to vote against the repealing of the "Byrd Amendment"; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM-243. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as are necessary to require all federal jobs that have been lost or relocated due to Hurricanes Katrina and Rita and their associated funding to be restored as soon as possible; to the Committee on Homeland Security and Governmental Affairs.

HOUSE CONCURRENT RESOLUTION NO. 38

Whereas, in the wake of Hurricanes Katrina and Rita and their associated funding, many employers and employees have had to be temporarily relocated because of damaged facilities; and

Whereas, it is critical that federal employers return as soon as their facilities are repaired because Louisiana citizens need these jobs, and their return would provide a much-needed boost to the economies of the affected regions; and

Whereas, such federal employers as the United States Department of Agriculture's National Finance Center and the Space and Naval Warfare Information Technology Center, a pair of federal contracting facilities that employ approximately two thousand four hundred people, have largely resumed operations in New Orleans, but they are not yet up to full capacity, and it must be ensured that they will resume full operations and restore the jobs of all of their employees; and

Whereas, it is imperative that all of the Louisiana citizens who commute to jobs at the Stennis Space Center in Mississippi be

enabled to return to their jobs as quickly as possible; and

Whereas, it is also of utmost importance that the functions and operations of other significant federal entities, such as the United States Department of Agriculture's Southern Regional Research Center, the United States Marine Corps Reserve Command, the Eighth Coast District Headquarters, and the United States Army Reserve 377th Theater Army Area Command (TAACOM), are fully restored to help ensure the economic recovery of the New Orleans region; and

Whereas, as Louisiana struggles to recover and rebuild, of primary importance is the employment of its citizens, and it is therefore crucial that congress require federal jobs that have been lost or relocated due to Hurricanes Katrina and Rita and their associated funding to be restored as expeditiously as possible in order to bring about the revitalization of the economies of the regions affected by the storms. Therefore, be it

Resolved, that the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to require all federal jobs that have been lost or relocated due to Hurricanes Katrina and Rita and their associated funding to be restored as soon as possible, and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. WARNER for the Committee on Armed Services.

*Andrew J. McKenna, Jr., of Illinois, to be a Member of the National Security Education Board for a term of four years.

*Dorrance Smith, of Virginia, to be an Assistant Secretary of Defense.

Air Force nomination of Brigadier General Philip M. Breedlove to be Major General.

Army nomination of Maj. Gen. Gary D. Speer to be Lieutenant General.

Army nomination of Lt. Gen. Charles C. Campbell to be Lieutenant General.

Marine Corps nomination of Brig. Gen. Andrew B. Davis to be Major General.

Mr. WARNER, Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Jolene A. Ainsworth and ending with David C. Zimmerman, which nominations were received by the Senate and appeared in the Congressional Record on July 28, 2005.

Air Force nominations beginning with Craig L. Adams and ending with Matthew C. Wyatt, which nominations were received by the Senate and appeared in the Congressional Record on October 17, 2005.

Air Force nominations beginning with Jay O. Aanrud and ending with Scott C. Zippwald, which nominations were received

by the Senate and appeared in the Congressional Record on October 17, 2005.

Air Force nomination of Martin E. Keillor to be Lieutenant Colonel.

Air Force nominations beginning with Robert W. Desverreuz and ending with Chetan U. Kharod, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2005.

Air Force nomination of Julie S. Miller to be Major.

Air Force nomination of Kara A. Gormont to be Major.

Army nominations beginning with Deiby Acevedo and ending with David R. Zysk, which nominations were received by the Senate and appeared in the Congressional Record on December 13, 2005.

Army nominations beginning with Holtorf R. Alonso and ending with Richard M. Zygadlo, which nominations were received by the Senate and appeared in the Congressional Record on December 13, 2005.

Army nominations beginning with Thomas E. Ayres and ending with Peter C. Zolper, which nominations were received by the Senate and appeared in the Congressional Record on December 13, 2005.

Army nomination of Cindy R. Jebb to be Colonel.

Army nomination of Richard L. Chavez to be Colonel.

Army nominations beginning with Samuel Casscells and ending with Slobodan Jazarevic, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2005.

Army nominations beginning with Joseph J. Impallaria and ending with Arthur E. Lees, which nominations were received by the Senate and appeared in the Congressional Record on December 14, 2005.

Marine Corps nomination of Michelle A. Rakers to be Captain.

Navy nominations beginning with Tony C. Baker and ending with James J. Vopelius, which nominations were received by the Senate and appeared in the Congressional Record on December 13, 2005.

Navy nomination of Lloyd G. Lecain to be Captain.

By Mr. GRASSLEY for the Committee on Finance.

*Vincent J. Ventimiglia, Jr., of Maryland, to be an Assistant Secretary of Health and Human Services.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

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 Mr. SANTORUM:

S. 2142. A bill to provide for the liquidation or reliquidation of certain entries of suit pants; to the Committee on Finance.

By Mr. FRIST:

S. 2143. A bill to increase the number of students from low-income backgrounds who are enrolled in studies leading to baccalaureate degrees in science, mathematics, technology, engineering, and critical foreign languages, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TALENT:

S. 2144. A bill to authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers' Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself, Mr. LIEBERMAN, Mr. COLEMAN, Mr. CARPER, and Mr. LEVIN):

S. 2145. A bill to enhance security and protect against terrorist attacks at chemical facilities; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 382

At the request of Mr. ENSIGN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 382, a bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

S. 908

At the request of Mr. MCCONNELL, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 908, a bill to allow Congress, State legislatures, and regulatory agencies to determine appropriate laws, rules, and regulations to address the problems of weight gain, obesity, and health conditions associated with weight gain or obesity.

S. 1049

At the request of Mr. FRIST, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1049, a bill to amend title XXI of the Social Security Act to provide grants to promote innovative outreach and enrollment under the medicaid and State children's health insurance programs, and for other purposes.

S. 1139

At the request of Mr. SANTORUM, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1139, a bill to amend the Animal Welfare Act to strengthen the ability of the Secretary of Agriculture to regulate the pet industry.

S. 1504

At the request of Mr. ENSIGN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1504, a bill to establish a market driven telecommunications marketplace, to eliminate government managed competition of existing communication service, and to provide parity between functionally equivalent services.

S. 1581

At the request of Mr. BINGAMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1581, a bill to facilitate the development of science parks, and for other purposes.

S. 1620

At the request of Ms. LANDRIEU, her name was added as a cosponsor of S. 1620, a bill to provide the non-immigrant spouses and children of non-immigrant aliens who perished in the