

the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 132

Whereas the freedom to practice religion and to express religious thought is acknowledged to be a fundamental and unalienable right belonging to all individuals;

Whereas the United States was founded on the principle of freedom of religion and not freedom from religion;

Whereas the framers intended that the First Amendment would prohibit the Federal Government from enacting any law that favors one religious denomination over another, not prohibit any mention of religion or reference to God in civic dialog;

Whereas in 1983, the United States Supreme Court held in *Marsh v. Chambers*, 463 U.S. 783, that the practice of opening legislative sessions with prayer has become part of the fabric of our society and to invoke divine guidance on a public body entrusted with making the laws is not a violation of the Establishment Clause, but rather is simply a tolerable acknowledgment of beliefs widely held among the people of this Nation;

Whereas voluntary prayer in elected bodies should not be limited to prayer in State legislatures and Congress;

Whereas school boards are deliberative bodies of adults similar to a legislature in that they are elected by the people, act in the public interest, and are open to the public for voluntary attendance; and

Whereas voluntary prayer by an elected body should be protected under law and encouraged in society because voluntary prayer has become a part of the fabric of our society, voluntary prayer acknowledges beliefs widely held among the people of this Nation, and the Supreme Court has held that it is not a violation of the Establishment Clause for a public body to invoke divine guidance; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that prayer before school board meetings is a protected act in accordance with the fundamental principles upon which the Nation was founded; and

(2) expresses support for the practice of prayer at the beginning of school board meetings.

SENATE CONCURRENT RESOLUTION 29—PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE SENATE

Mr. FRIST (for himself and Mr. REID) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 29

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Thursday, April 28, 2005, Friday, April 29, 2005, Saturday, April 30, 2005, or Sunday, May 1, 2005, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until Monday, May 9, 2005, at a time to be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Majority Leader of the Senate or his designee, after consultation with the Minority Leader, shall notify the Members of the Senate to reassemble whenever, in his opinion, the public interest shall warrant it.

SENATE CONCURRENT RESOLUTION 30—TO EXPRESS THE SENSE OF CONGRESS CONCERNING THE PROVISION OF HEALTH INSURANCE COVERAGE TO ALL AMERICANS

Mr. DURBIN (for himself, Mr. REID, Ms. STABENOW, Mr. SCHUMER, Mr. FEINGOLD, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. BINGAMAN, Mr. DAYTON, Mrs. MURRAY, Mrs. CLINTON, Mr. CORZINE, and Mr. KENNEDY) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and pensions:

S. CON. RES. 30

Whereas the United States is the only major industrialized country that does not have universal access to health insurance among its citizens;

Whereas the number of Americans without health insurance has increased steadily over the past decade from 37,000,000 to 45,000,000;

Whereas 7 in 10 people without health insurance live in families where at least one person works full-time;

Whereas 20 percent of uninsured Americans are children;

Whereas members of racial and ethnic minority groups at all income levels are more likely to be uninsured than their White counterparts;

Whereas the percentage of private-sector employers offering health benefits to retirees has declined by more than 40 percent since 1997 to just 13 percent in 2002;

Whereas in 2003, 1,700,000 veterans and 3,900,000 dependents of veterans did not have access to health insurance or veterans medical care;

Whereas uninsured Americans receive less preventive care and are diagnosed at a more advanced stage of disease than Americans with health insurance;

Whereas uninsured adults have mortality rates approximately 25 percent higher than those of privately insured adults;

Whereas the financial consequences of uninsurance can be disastrous for families, as demonstrated by a recent study that found medical problems were a factor in nearly half of all personal bankruptcy filings;

Whereas the increase in average health insurance costs since 2000 was five times the increase in average worker wages;

Whereas the total cost of job-based health insurance has risen 72 percent in the past 5 years;

Whereas employers are struggling to keep up with rising health insurance costs;

Whereas a recent study by the Commonwealth Fund concluded that small employers that provide health insurance to their employees pay more but receive less for their money while suffering faster increases in premiums and steeper jumps in deductibles than large firms;

Whereas the market for individual insurance policies can be prohibitively expensive and allows for discrimination based on health status;

Whereas rising health insurance costs undermine United States competitiveness in the global market;

Whereas despite spending the most per capita on health care (\$4,887 compared to Germany which is the next highest at \$2,808), the United States ranks 12th out of 13 industrialized nations in 16 top health indicators such as infant mortality; and

Whereas members of Congress and their families have the opportunity to select among many benefit choices and to purchase high quality, group health insurance cov-

erage at reasonable rates: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That—

(1) Congress should enact legislation that will ensure that all Americans have access to affordable, quality health insurance coverage by 2010, regardless of income, age, employment or health status;

(2) such legislation should utilize private and public sector solutions;

(3) rather than shifting greater costs to consumers, such legislation should constrain underlying health care costs, including by assuring appropriate utilization, and lowering prescription drug costs and administrative expenses; and

(4) such legislation should assure high quality health care by promoting the utilization of information technology, reducing medical errors, providing for care coordination, and through other methods designed to improve quality.

AMENDMENTS SUBMITTED AND PROPOSED

SA 591. Mrs. FEINSTEIN (for herself and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 3, Reserved; which was ordered to lie on the table.

SA 592. Mr. BOND proposed an amendment to amendment SA 567 proposed by Mr. INHOFE to the bill H.R. 3, *supra*.

SA 593. Mr. THUNE (for himself, Mr. JOHNSON, and Mr. THOMAS) proposed an amendment to amendment SA 567 proposed by Mr. INHOFE to the bill H.R. 3, *supra*.

SA 594. Mr. GREGG (for Mr. ISAKSON) proposed an amendment to amendment SA 567 proposed by Mr. INHOFE to the bill H.R. 3, *supra*.

SA 595. Mr. OBAMA submitted an amendment intended to be proposed by him to the bill H.R. 3, *supra*; which was ordered to lie on the table.

SA 596. Mr. FRIST (for Mr. ALLEN) proposed an amendment to the resolution S. Res. 82, urging the European Union to add Hezbollah to the European Union's wide-ranging list of terrorist organizations.

TEXT OF AMENDMENTS

SA 591. Mrs. FEINSTEIN (for herself, and Mrs. BOXER) submitted an amendment intended to be proposed by her to the bill H.R. 3, Reserved; which was ordered to lie on the table; as follows:

At the end of chapter 3 of subtitle E of title I, add the following:

SEC. ____ ALAMEDA HIGH PRIORITY CORRIDOR.

Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032) is amended by striking paragraph (34) and inserting the following:

“(34) The Alameda Corridor-East and Southwest Passage, California. The Alameda Corridor East is generally described as the corridor from East Los Angeles (terminus of Alameda Corridor) through Los Angeles, Orange, San Bernardino, and Riverside Counties, to termini at Barstow in San Bernardino County and Coachella in Riverside County. The Southwest Passage shall follow Interstate route 10 from San Bernardino to the Arizona State line.”

SA 592. Mr. BOND proposed an amendment to amendment SA 567 proposed by Mr. INHOFE to the bill H.R. 3, Reserved; as follows:

Beginning on page 287, strike line 5 and all that follows through the matter following line 25 on page 290.

SA 593. Mr. THUNE (for himself, Mr. JOHNSON, and Mr. THOMAS) proposed an amendment to amendment SA 567 proposed by Mr. INHOFE to the bill H.R. 3, Reserved; as follows:

On page 230, strike lines 6 through 15 and insert “Section 109 of”.

SA 594. Mr. GREGG (for Mr. ISAKSON) proposed an amendment to amendment SA 567 proposed by Mr. INHOFE to the bill H.R. 3, Reserved; as follows:

At the end of subtitle H of title I, add the following:

SEC. 18. APPROVAL AND FUNDING FOR CERTAIN CONSTRUCTION PROJECTS.

(a) IN GENERAL.—Not later than 30 days after the date of receipt by the Secretary of a construction authorization request from the State of Georgia, Department of Transportation for project STP-189-1(15)CT 3 in Gwinnett County, Georgia, the Secretary shall—

(1) approve the project; and

(2) reserve such Federal funds available to the Secretary as are necessary for the project.

(b) CONFORMITY DETERMINATION.—

(1) IN GENERAL.—Approval, funding, and implementation of the project referred to in subsection (a) shall not be subject to the requirements of part 93 of title 40, Code of Federal Regulations (or successor regulations).

(2) REGIONAL EMISSIONS.—Notwithstanding paragraph (1), all subsequent regional emissions analysis required by section 93.118 or 93.119 of title 40, Code of Federal Regulations (or successor regulations), shall include the project.

SA 595. Mr. OBAMA submitted an amendment intended to be proposed by him to the bill H.R. 3, Reserved; which was ordered to lie on the table; as follows:

At the appropriate place in title V insert the following:

SEC. _____. INCENTIVES FOR THE INSTALLATION OF ALTERNATIVE FUEL REFUELING STATIONS.

(a) IN GENERAL.—Subpart B of part IV of subchapter A of chapter 1 (relating to foreign tax credit, etc.) is amended by adding at the end the following new section:

“SEC. 30B. ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY CREDIT.

“(a) CREDIT ALLOWED.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to 50 percent of the amount paid or incurred by the taxpayer during the taxable year for the installation of qualified alternative fuel vehicle refueling property.

“(b) LIMITATION.—

“(1) IN GENERAL.—The credit allowed under subsection (a)—

“(A) with respect to any retail alternative fuel vehicle refueling property, shall not exceed \$30,000, and

“(B) with respect to any residential alternative fuel vehicle refueling property, shall not exceed \$1,000.

“(2) PHASEOUT.—

“(A) IN GENERAL.—In the case of any qualified alternative fuel vehicle refueling property placed in service after December 31, 2010, the limit otherwise applicable under paragraph (1) shall be reduced by—

“(i) 25 percent in the case of any alternative fuel vehicle refueling property placed in service in calendar year 2011, and

“(ii) 50 percent in the case of any alternative fuel vehicle refueling property placed in service in calendar year 2012.

“(c) YEAR CREDIT ALLOWED.—The credit allowed under subsection (a) shall be allowed

in the taxable year in which the qualified alternative fuel vehicle refueling property is placed in service by the taxpayer.

“(d) DEFINITIONS.—For purposes of this section—

“(1) QUALIFIED ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.—The term ‘qualified alternative fuel vehicle refueling property’ has the same meaning given for clean-fuel vehicle refueling property by section 179A(d), but only with respect to any fuel at least 85 percent of the volume of which consists of ethanol.

“(2) RESIDENTIAL ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.—The term ‘residential alternative fuel vehicle refueling property’ means qualified alternative fuel vehicle refueling property which is installed on property which is used as the principal residence (within the meaning of section 121) of the taxpayer.

“(3) RETAIL ALTERNATIVE FUEL VEHICLE REFUELING PROPERTY.—The term ‘retail alternative fuel vehicle refueling property’ means qualified alternative fuel vehicle refueling property which is installed on property (other than property described in paragraph (2)) used in a trade or business of the taxpayer.

“(e) APPLICATION WITH OTHER CREDITS.—The credit allowed under subsection (a) for any taxable year shall not exceed the excess (if any) of—

“(1) the regular tax for the taxable year reduced by the sum of the credits allowable under subpart A and sections 27, 29, and 30, over

“(2) the tentative minimum tax for the taxable year.

“(f) BASIS REDUCTION.—For purposes of this title, the basis of any property shall be reduced by the portion of the cost of such property taken into account under subsection (a).

“(g) NO DOUBLE BENEFIT.—No deduction shall be allowed under section 179A with respect to any property with respect to which a credit is allowed under subsection (a).

“(h) REFUELING PROPERTY INSTALLED FOR TAX-EXEMPT ENTITIES.—In the case of qualified alternative fuel vehicle refueling property installed on property owned or used by an entity exempt from tax under this chapter, the person which installs such refueling property for the entity shall be treated as the taxpayer with respect to the refueling property for purposes of this section (and such refueling property shall be treated as retail alternative fuel vehicle refueling property) and the credit shall be allowed to such person, but only if the person clearly discloses to the entity in any installation contract the specific amount of the credit allowable under this section.

“(i) CARRYFORWARD ALLOWED.—

“(1) IN GENERAL.—If the credit amount allowable under subsection (a) for a taxable year exceeds the amount of the limitation under subsection (e) for such taxable year (referred to as the ‘unused credit year’ in this subsection), such excess shall be allowed as a credit carryforward for each of the 20 taxable years following the unused credit year.

“(2) RULES.—Rules similar to the rules of section 39 shall apply with respect to the credit carryforward under paragraph (1).

“(j) SPECIAL RULES.—Rules similar to the rules of paragraphs (4) and (5) of section 179A(e) shall apply.

“(k) REGULATIONS.—The Secretary shall prescribe such regulations as necessary to carry out the provisions of this section.

“(l) TERMINATION.—This section shall not apply to any property placed in service after December 31, 2013.”.

“(m) CONFORMING AMENDMENTS.—

(1) Section 1016(a) is amended by striking “and” at the end of paragraph (30), by strik-

ing the period at the end of paragraph (31) and inserting “, and”, and by adding at the end the following new paragraph:

“(32) to the extent provided in section 30B(f).”.

(2) Section 55(c)(2) is amended by inserting “30B(e),” after “30(b)(3),”.

(3) The table of sections for subpart B of part IV of subchapter A of chapter 1 is amended by inserting after the item relating to section 30A the following new item:

“Sec. 30B. Alternative fuel vehicle refueling property credit.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to property placed in service after the date of the enactment of this Act, in taxable years ending after such date.

SA 596. Mr. FRIST (for Mr. ALLEN) proposed an amendment to the resolution S. Res. 82, urging the European Union to add Hezbollah to the European Union’s wide-ranging list of terrorist organizations; as follows:

Strike the preamble and insert the following:

Whereas Hezbollah is a Lebanon-based radical organization with terrorist cells based in Europe, Africa, North America, South America, Asia, and elsewhere, receiving financial, training, weapons, and political and organizational aid from Iran and Syria;

Whereas Hezbollah has led a 23-year global campaign of terror targeting United States, German, French, British, Italian, Israeli, Kuwaiti, Saudi Arabian, Argentinean, Thai, Singaporean, and Russian civilians, among others;

Whereas Hezbollah has been suspected of numerous terrorist acts against United States citizens, including the suicide truck bombing of the United States Embassy and Marine Barracks in Beirut, Lebanon, in October 1983, and the Embassy annex in Beirut in September 1984;

Whereas the French unit of the Multi-national Force in Beirut was also targeted in the attack of October 1983, in which 241 United States soldiers and 58 French paratroopers were killed;

Whereas Hezbollah has attacked Israeli and Jewish targets in South America in the mid-1990s, including the Israeli Embassy in Buenos Aires, Argentina, in March 1992, and the AMIA Jewish Cultural Center in Buenos Aires in July 1994;

Whereas Hezbollah has claimed responsibility for kidnappings of United States and Israeli civilians and French, British, German, and Russian diplomats, among others;

Whereas even after the Government of Israel’s complied with United Nations Security Council Resolution 425 (March 19, 1978) by withdrawing from Lebanon, Hezbollah has continued to carry out attacks against Israel and its citizens;

Whereas Hezbollah has expanded its operations in the West Bank and Gaza Strip, providing training, financing, and weapons to Palestinian terrorist organizations on the European Union terrorist list, including the Al Aqsa Martyrs Brigade, Hamas, the Palestinian Islamic Jihad, and the Popular Front for the Liberation of Palestine according to the 2005 State Department Report on Terrorism and other testimony;

Whereas according to the same report in March 2004, Hezbollah and Hamas signed an agreement to increase joint terrorist attacks in the West Bank and Gaza Strip and Hezbollah instigated, financed, and played a role in implementing a significant number of Palestinian terrorist attacks against Israeli targets;

Whereas the European Union agreed by consensus to classify Hamas as a terrorist

organization for purposes of prohibiting funding from the European Union to Hamas;

Whereas the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (22 U.S.C. 2151 note) urges the Government of Lebanon to assert the sovereignty of the Lebanese state over all of its territory and to evict all terrorist and foreign forces from southern Lebanon, including Hezbollah and the Iranian Revolutionary Guards;

Whereas, although the European Union has included Imad Fayiz Mughniyah, a key operations and intelligence officer of Hezbollah, on its terrorist list, it has not included his organization on the list;

Whereas the United States, Canada, and Australia have all classified Hezbollah as a terrorist organization and the United Kingdom has placed the Hezbollah External Security Organization on its terrorist list;

Whereas leaders of Hezbollah have made statements denouncing any distinction between its “political and military” operations, such as Hezbollah’s representative in the Lebanese Parliament, Mohammad Raad, who stated in 2001, that “Hezbollah is a military resistance party, and it is our task to fight the occupation of our land. . . . There is no separation between politics and resistance.”;

Whereas in a book recently published by the deputy secretary-general of Hezbollah, Sheikh Naim Qassem, entitled “Hezbollah—The Approach, the Experience, the Future”, Qassem writes “Hezbollah is a jihad organization whose aim, first and foremost, is jihad against the Zionist enemy, while the political, pure and sensible effort can serve as a prop and a means of support for jihad”;

Whereas United Nations Security Council resolution 1559 (September 2, 2004), jointly sponsored by the United States and France, calls upon all remaining foreign forces to withdraw from Lebanon and for the disbanding and disarmament of all Lebanese and non-Lebanese militias;

Whereas in December 2004, the Department of State placed Al-Manar, Hezbollah’s satellite television network, on the Terrorist Exclusion List, and in December 2004, the French Council of State banned the broadcasting of Al-Manar in France;

Whereas France, Germany, and Great Britain, with the support of the High Representative of the European Union, have created a working group with Iran to discuss regional security concerns, including the influence of terror perpetuated by Hezbollah and other extremist organizations; and

Whereas cooperation between the United States and the European Union regarding efforts to combat international terrorism is essential to the promotion of global security and peace: Now, therefore, be it

NOTICES OF HEARINGS/MEETINGS

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. CRAIG. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, May 11, 2005, at 2 p.m., in Room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 100, to authorize the exchange of certain land in the State of Colorado; S. 235 and H.R. 816, to direct the Secretary of Agriculture to sell certain parcels of Federal land

in Carson City and Douglas County, NV; S. 404, to make a technical correction relating to the land conveyance authorized by Public Law 108-67; S. 741, to provide for the disposal of certain Forest Service administrative sites in the State of Oregon, and for other purposes; S. 761, to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morely Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area, and for other purposes; and H.R. 486, to provide for a land exchange involving private land and Bureau of Land Management land in the vicinity of Holloman Air Force Base, NM, for the purpose of removing private land from the required safety zone surrounding munitions storage bunkers at Holloman Air Force Base.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC, 20510-6150.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 28, 2005, at 9:30 a.m., in open and closed session to receive testimony on defense intelligence in review of the defense authorization request for fiscal year 2006.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Thursday, April 28, 2005 at 10 a.m. in SD-430.

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

COMMITTEE ON THE JUDICIARY—SUBCOMMITTEE ON IMMIGRATION, BORDER SECURITY AND CITIZENSHIP AND THE SUBCOMMITTEE ON TERRORISM, TECHNOLOGY AND HOMELAND SECURITY

Mr. THUNE. Mr. President, I ask unanimous consent that the Committee on the Judiciary and the Committee Subcommittee on Immigration, Border Security and Citizenship and the Subcommittee on Terrorism, Technology and Homeland Security be authorized to meet to conduct a joint hearing on “Strengthening Border Security Between the Ports of Entry: The Use of Technology To Protect the Borders” on Thursday, April 28, 2005 in Dirksen Room 138 at 3 p.m.

Witness List

Panel I: David Aguilar, Chief of the Border Patrol, Customs and Border Protection, Department of Homeland Security, Washington, DC; Kirk Evans, Ph.D., Director, Mission Support Office, Science & Technology Directorate, Homeland Security Advanced Research Projects Agency, Department of Homeland Security, Washington, DC.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. FRIST. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 28, 2005, at 2:30 p.m., to hold a hearing.

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

SUBCOMMITTEE ON NATIONAL PARKS

Mr. FRIST. Mr. President, I ask unanimous consent that the subcommittee on National Parks be authorized to meet during the session of the Senate on Thursday, April 28, 2005, at 2:30 p.m., in room SD-366.

The purpose of the hearing is to receive testimony on the following bills: S. 242, a bill to establish four memorials to the space shuttle *Columbia* in the State of Texas; S. 262, a bill to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California; S. 336, a bill to direct the Secretary of the Interior to carry out a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a national historic trail; S. 670, a bill to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement; S. 777, a bill to designate Catoctin Mountain Park in the State of Maryland as the Catoctin Mountain National Recreation Area, and for other purposes; and H.R. 126, a bill to amend Public Law 89-366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE AND THE DISTRICT OF COLUMBIA

Mr. FRIST. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet on Thursday, April 28, 2005, at 2 p.m., for a hearing entitled, “Waging War on Waste: An Examination of DoD’s Business Practices.”

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