

Whereas hearing loss is among the most common congenital birth defects;

Whereas a delay in diagnosing the hearing loss of a newborn can affect the social, emotional, and academic development of the child;

Whereas the average age at which newborns with hearing loss are diagnosed is between the ages of 12 to 25 months; and

Whereas May 2005 is "National Better Hearing and Speech Month", providing Federal, State, and local governments, members of the private and nonprofit sectors, hearing and speech professionals, and all people in the United States an opportunity to focus on preventing, mitigating, and treating hearing impairments: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of May 2005 as "National Better Hearing and Speech Month";

(2) commends those States that have implemented routine hearing screenings for every newborn before the newborn leaves the hospital; and

(3) encourages all people in the United States to have their hearing checked regularly.

NATIONAL HEPATITIS B AWARENESS MONTH

Mr. FRIST. I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 117 and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 117) designating the week of May 9, 2005, as National Hepatitis B Awareness Week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. CORZINE. Mr. President, I express my support today for an important resolution, S. Res. 117, submitted by Senators FEINSTEIN and SANTORUM along with Senator SANTORUM to designate the week of May 9th as National Hepatitis B Awareness Week.

Hepatitis B is an extremely infectious virus that affects more than 12 million Americans, with 100,000 new cases expected this year. Unfortunately, many people don't even know they have this disease. And by the time they do learn about the disease it with Hepatitis B will develop cirrhosis of the liver or liver cancer.

The good news is that we can beat this disease. Scientists have been working for years and have made great strides in the study and treatment of Hepatitis B. As kindergarteners through college students know, there are very effective vaccines available to slow the generational relay of the virus. And just last month the FDA approved a new treatment drug called Baraclade that seeks to alleviate symptoms for those already chronically infected with the virus.

What I surprisingly discovered is that less than 10 percent of people suffering from chronic Hepatitis B infection are receiving treatment. During this week, I strongly urge people to talk to their doctors about Hepatitis B

vaccination, testing, and treatment; to become educated about Hepatitis B, the symptoms, treatments and testing available; and to take steps to educate those around about Hepatitis B. I urge people to take part in the discussions about Hepatitis B during this week. I also wish to applaud those working to make sure that communities and families and individuals are aware of this disease, testing and treatments available. Thank you for all of your dedication and caring.

Mr. FRIST. I ask unanimous consent that the resolution and preamble be agreed to, the motion to reconsider be laid upon the table and any statements relating thereto be printed in the RECORD, with no intervening action.

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

The resolution (S. Res. 117) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 117

Whereas hepatitis B is the most common serious liver infection in the world;

Whereas chronic hepatitis B infections cause 80 percent of all primary liver cancer cases worldwide;

Whereas 10,000,000 to 30,000,000 people will be infected with the hepatitis B virus worldwide in 2005;

Whereas approximately 100,000 people in the United States will become infected with hepatitis B virus this year alone;

Whereas fewer than 10 percent of diagnosed chronic hepatitis B patients in the United States are currently receiving treatment for their disease;

Whereas healthcare and work loss costs from liver disease and liver cancer-caused hepatitis B infections total more than \$700,000,000 annually;

Whereas the Centers for Disease Control and Prevention (CDC) estimates that 1,250,000 Americans are already infected with hepatitis B and nearly 6,000 will die of liver complications each year;

Whereas a person who has become infected with hepatitis B may not have symptoms for up to 40 years after the initial infection has occurred, and there is currently no routine screening in place for early detection;

Whereas the CDC has identified African-Americans, Asian-Americans, and Pacific Islanders, as well as Native Americans and Alaskan Natives, as having higher rates of hepatitis B infection in the United States;

Whereas Asian-Americans and Pacific Islanders account for more than half of the chronic hepatitis B cases and half of the deaths resulting from chronic hepatitis B infection in the United States; and

Whereas there is a need for a comprehensive public education and awareness campaign designed to help infected patients and their physicians identify and manage the secondary prevention of the disease and to help increase the length and quality of life for those diagnosed with chronic hepatitis B: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 9, 2005, as "National Hepatitis B Awareness Week";

(2) calls upon the people of the United States to observe the week with appropriate programs and activities; and

(3) supports raising awareness of the consequences of untreated chronic hepatitis B and the urgency to seek appropriate care as a serious public health issue.

ANIMAL FIGHTING PROHIBITION ENFORCEMENT ACT OF 2005

Mr. FRIST. I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 382 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 382) to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table and any statements relating to the bill be printed in the RECORD.

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

The bill (S. 382) was read the third time and passed, as follows:

S. 382

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Animal Fighting Prohibition Enforcement Act of 2005".

SEC. 2. ENFORCEMENT OF ANIMAL FIGHTING PROHIBITIONS.

(a) IN GENERAL.—Chapter 3 of title 18, United States Code, is amended by adding at the end the following:

"§ 49. Animal fighting prohibition

"(a) SPONSORING OR EXHIBITING AN ANIMAL IN AN ANIMAL FIGHTING VENTURE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), it shall be unlawful for any person to knowingly sponsor or exhibit an animal in an animal fighting venture, if any animal in the venture was moved in interstate or foreign commerce.

"(2) SPECIAL RULE FOR CERTAIN STATES.—With respect to fighting ventures involving live birds in a State where it would not be in violation of the law, it shall be unlawful under this subsection for a person to sponsor or exhibit a bird in the fighting venture only if the person knew that any bird in the fighting venture was knowingly bought, sold, delivered, transported, or received in interstate or foreign commerce for the purpose of participation in the fighting venture.

"(b) BUYING, SELLING, DELIVERING, OR TRANSPORTING ANIMALS FOR PARTICIPATION IN ANIMAL FIGHTING VENTURE.—It shall be unlawful for any person to knowingly sell, buy, transport, or deliver, or receive for purposes of transportation, in interstate or foreign commerce, any dog or other animal for purposes of having the dog or other animal participate in an animal fighting venture.

"(c) USE OF POSTAL SERVICE OR OTHER INTERSTATE INSTRUMENTALITY FOR PROMOTING ANIMAL FIGHTING VENTURE.—It shall be unlawful for any person to knowingly use the mail service of the United States Postal Service or any instrumentality of interstate commerce for commercial speech promoting an animal fighting venture except as performed outside the limits of the States of the United States.

"(d) VIOLATION OF STATE LAW.—Notwithstanding subsection (c), the activities prohibited by such subsection shall be unlawful with respect to fighting ventures involving

live birds only if the fight is to take place in a State where it would be in violation of the laws thereof.

“(e) SHARP INSTRUMENTS.—It shall be unlawful for any person to knowingly sell, buy, transport, or deliver in interstate or foreign commerce a knife, a gaff, or any other sharp instrument attached, or designed or intended to be attached, to the leg of a bird for use in an animal fighting venture.

“(f) PENALTIES.—Any person who violates subsection (a), (b), (c), or (e) shall be fined under this title or imprisoned for not more than 2 years, or both, for each such violation.

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

“(1) the term ‘animal fighting venture’ means any event which involves a fight between at least two animals and is conducted for purposes of sport, wagering, or entertainment except that the term ‘animal fighting venture’ shall not be deemed to include any activity the primary purpose of which involves the use of one or more animals in hunting another animal or animals, such as waterfowl, bird, raccoon, or fox hunting;

“(2) the term ‘instrumentality of interstate commerce’ means any written, wire, radio, television or other form of communication in, or using a facility of, interstate commerce;

“(3) the term ‘State’ means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States; and

“(4) the term ‘animal’ means any live bird, or any live dog or other mammal, except man.

“(h) CONFLICT WITH STATE LAW.—The provisions of this section do not supersede or otherwise invalidate any such State, local, or municipal legislation or ordinance relating to animal fighting ventures except in case of a direct and irreconcilable conflict between any requirements thereunder and this section or any rule, regulation, or standard hereunder.”

(b) CLERICAL AMENDMENT.—The table of contents for chapter 3 of title 18, is amended by inserting after the item relating to section 48 the following:

“49. Animal fighting prohibition”.

(c) REPEAL OF CRIMINAL PENALTY IN THE ANIMAL WELFARE ACT.—Section 26 of the Animal Welfare Act (7 U.S.C. 2156) is amended by striking subsection (e).

IN RECOGNITION OF SECOND CENTURY OF BIG BROTHERS BIG SISTERS

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of H. Con. Res. 41, which we received from the House.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 41) recognizing the second century of Big Brothers Big Sisters, and supporting the mission and goals of that organization.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The resolution (H. Con. Res. 41) was agreed to.

The preamble was agreed to.

ADDING HEZBOLLAH TO EUROPEAN UNION TERRORIST ORGANIZATIONS

Mr. FRIST. I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration and the Senate now proceed to S. Res. 82.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 82) urging the European Union to add Hezbollah to the European Union's wide-ranging list of terrorist organizations.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, I ask unanimous consent the resolution be agreed to, the amendment to the preamble be agreed to, the preamble, as amended, be agreed to, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The amendment (No. 596) was agreed to, as follows:

The resolution (S. Res. 82) was agreed to.

The preamble, as amended, was agreed to.

The resolution, with its preamble, reads as follows:

(Purpose: To provide a substitute for the preamble 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 Multinational 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