

peace with their pasts cannot successfully build their futures: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring).* That it is the sense of Congress that the Government of the Russian Federation should issue a clear and unambiguous statement of admission and condemnation of the illegal occupation and annexation by the Soviet Union from 1940 to 1991 of the Baltic countries of Estonia, Latvia, and Lithuania, the consequence of which will be a significant increase in good will among the affected peoples and enhanced regional stability.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 743. Mr. BAUCUS submitted an amendment intended to be proposed to amendment SA 713 proposed by Mr. BAUCUS to the amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table.

SA 744. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 676 submitted by Mr. FEINGOLD and intended to be proposed to the amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, supra; which was ordered to lie on the table.

SA 745. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 652 submitted by Mr. DORGAN (for himself and Mr. REID) to the amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, supra; which was ordered to lie on the table.

SA 746. Mr. BYRD 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 747. Mr. BYRD 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 748. Mr. BYRD submitted an amendment intended to be proposed to amendment SA 683 submitted by Mr. WARNER and intended to be proposed to the amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, supra; which was ordered to lie on the table.

SA 749. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill H.R. 3, supra; which was ordered to lie on the table.

SA 750. Mr. LOTT (for himself and Mr. INOUE) submitted an amendment intended to be proposed to amendment SA 611 proposed by Mr. ALLEN (for himself and Mr. ENSIGN) to the amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, supra; which was ordered to lie on the table.

SA 751. Mr. DEWINE submitted an amendment intended to be proposed to amendment SA 639 submitted by Mr. LAUTENBERG and intended to be proposed to the bill H.R. 3, supra; which was ordered to lie on the table.

SA 752. Mr. OBAMA (for himself, Mr. COLEMAN, Mr. LUGAR, Mr. DURBIN, Mr. HARKIN, Mr. SALAZAR, Mr. BAYH, Mr. TALENT, Mr. DAYTON, and Mr. NELSON of Nebraska) 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 753. Mr. OBAMA (for himself, Mr. COLEMAN, Mr. LUGAR, Mr. DURBIN, Mr. HARKIN, Mr. SALAZAR, Mr. BAYH, Mr. TALENT, Mr. DAYTON, and Mr. NELSON of Nebraska) submitted an amendment intended to be proposed to amendment SA 670 proposed by Mr. OBAMA (for himself, Mr. COLEMAN, Mr. LUGAR, Mr. DURBIN, Mr. HARKIN, Mr. SALAZAR, Mr. BAYH, Mr. TALENT, and Mr. DAYTON) to the amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, supra; which was ordered to lie on the table.

SA 754. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 639 submitted by Mr. LAUTENBERG and intended to be proposed to the bill H.R. 3, supra; which was ordered to lie on the table.

SA 755. Mr. LEVIN (for himself and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 725 proposed by Mr. SANTORUM (for himself and Mr. SPECTER) to the amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, supra.

SA 756. Mrs. CLINTON (for herself and Mr. INHOFE) submitted an amendment intended to be proposed to amendment SA 681 proposed by Mrs. CLINTON to the amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, supra; which was ordered to lie on the table.

SA 757. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 670 proposed by Mr. OBAMA (for himself, Mr. COLEMAN, Mr. LUGAR, Mr. DURBIN, Mr. HARKIN, Mr. SALAZAR, Mr. BAYH, Mr. TALENT, and Mr. DAYTON) to the amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, supra; which was ordered to lie on the table.

SA 758. Mr. SCHUMER (for himself and Mrs. CLINTON) submitted an amendment intended to be proposed to amendment SA 647 submitted by Mr. SESSIONS and intended to be proposed to the amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, supra; which was ordered to lie on the table.

SA 759. Mr. SPECTER submitted an amendment intended to be proposed to amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, supra; which was ordered to lie on the table.

SA 760. Mr. VOINOVICH (for himself and Mr. DEWINE) submitted an amendment intended to be proposed to amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

MAY 11, 2005

SA 695. Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

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

#### SEC. 1830. ANNUAL REPORT ON ACQUISITIONS OF ARTICLES, MATERIALS, AND SUPPLIES MANUFACTURED OUTSIDE THE UNITED STATES.

Section 2 of the Buy American Act (41 U.S.C. 10a) is amended—

(1) by striking “Notwithstanding” and inserting the following:

“(a) IN GENERAL.—Notwithstanding”; and

(2) by adding at the end the following:

“(c) REPORTS.—

“(1) IN GENERAL.—Not later than 180 days after the end of each fiscal year, the head of each Federal agency shall submit to Congress a report on the acquisitions that were made of articles, materials, or supplies by the agency in that fiscal year from entities that manufacture the articles, materials, or supplies outside the United States.

“(2) CONTENT OF REPORT.—The report for a fiscal year under paragraph (1) shall separately indicate the following information:

“(A) The dollar value of any articles, materials, or supplies that were manufactured outside the United States.

“(B) An itemized list of all waivers granted with respect to such articles, materials, or supplies under this Act.

“(C) A summary of—

“(i) the total procurement funds expended on articles, materials, and supplies manufactured inside the United States; and

“(ii) the total procurement funds expended on articles, materials, and supplies manufactured outside the United States.

“(3) PUBLIC AVAILABILITY.—The head of each Federal agency submitting a report under paragraph (1) shall make the report publicly available by posting on an Internet website.”.

SA 696. Mr. SARBANES submitted an amendment intended to be proposed to amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment add the following:

#### SEC. —. TRANSIT PASS TRANSPORTATION FRINGE BENEFITS.

(a) TRANSIT PASS TRANSPORTATION FRINGE BENEFITS STUDY.—

(1) STUDY.—The Secretary of Transportation shall conduct a study on tax-free transit benefits and ways to promote improved access to and increased usage of such benefits, at Federal agencies in the National Capital Region, including agencies not currently offering the benefit.

(2) CONTENT.—The study under this subsection shall include—

(A) an examination of how agencies offering the benefit make its availability known to their employees and the methods agencies use to deliver the benefit to employees, including examples of best practices; and

(B) an analysis of the impact of Federal employees' use of transit on traffic congestion and pollution in the National Capital Region.

(3) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit a report to Congress on the results of the study under this subsection.

(b) AUTHORITY TO USE GOVERNMENT VEHICLES TO TRANSPORT FEDERAL EMPLOYEES BETWEEN THEIR PLACE OF EMPLOYMENT AND MASS TRANSIT FACILITIES.—

(1) IN GENERAL.—Section 1344 of title 31, United States Code, is amended—

(A) by redesignating subsections (g) and (h) as subsections (h) and (i), respectively; and

(B) by inserting after subsection (f) the following:

“(g)(1) A passenger carrier may be used to transport an officer or employee of a Federal agency between the officer's or employee's place of employment and a mass transit facility (whether or not publicly owned) in accordance with succeeding provisions of this subsection.

“(2) Notwithstanding section 1343, a Federal agency that provides transportation services under this subsection (including by passenger carrier) shall absorb the costs of such services using any funds available to such agency, whether by appropriation or otherwise.

“(3) In carrying out this subsection, a Federal agency shall—

“(A) to the maximum extent practicable, use alternative fuel vehicles to provide transportation services;

“(B) to the extent consistent with the purposes of this subsection, provide transportation services in a manner that does not result in additional gross income for Federal income tax purposes; and

“(C) coordinate with other Federal agencies to share, and otherwise avoid duplication of, transportation services provided under this subsection.

“(4) For purposes of any determination under chapter 81 of title 5, an individual shall not be considered to be in the ‘performance of duty’ by virtue of the fact that such individual is receiving transportation services under this subsection.

“(5)(A) The Administrator of General Services, after consultation with the National Capital Planning Commission and other appropriate agencies, shall prescribe any regulations necessary to carry out this subsection.

“(B) Transportation services under this subsection shall be subject neither to the last sentence of subsection (d)(3) nor to any regulations under the last sentence of subsection (e)(1).

“(6) In this subsection, the term ‘passenger carrier’ means a passenger motor vehicle, aircraft, boat, ship, or other similar means of transportation that is owned or leased by the United States Government or the government of the District of Columbia.”

(2) FUNDS FOR MAINTENANCE, REPAIR, ETC.—Subsection (a) of section 1344 of title 31, United States Code, is amended by adding at the end the following:

“(3) For purposes of paragraph (1), the transportation of an individual between such individual’s place of employment and a mass transit facility pursuant to subsection (g) is transportation for an official purpose.”

(3) COORDINATION.—The authority to provide transportation services under section 1344(g) of title 31, United States Code (as amended by paragraph (1)) shall be in addition to any authority otherwise available to the agency involved.

#### TEXT OF AMENDMENTS

**SA 743.** Mr. BAUCUS submitted an amendment intended to be proposed to amendment SA 713 proposed by Mr. BAUCUS to the amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 270, following the matter on line 15, insert the following:

(d) In addition to other eligible uses, the State of Montana may use funds apportioned under section 104(b)(2) for the operation of public transit activities that serve a non-attainment or maintenance area.

**SA 744.** Mr. FEINGOLD submitted an amendment intended to be proposed to amendment SA 676 submitted by Mr. FEINGOLD and intended to be proposed to the amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, strike lines 15 through 22, and insert the following:

“(b) APPLICATION TO VOLUNTEER SERVICES ONLY.—Subsection (a) shall not apply with respect to any expenses relating to the performance of services for compensation.

“(c) NO DOUBLE BENEFIT.—A taxpayer may not claim a deduction or credit under any other provision of this title with respect to the expenses under subsection (a).

“(d) EXEMPTION FROM REPORTING REQUIREMENTS.—Section 6041 shall not apply with respect to reimbursements excluded from income under subsection (a).”

**SA 745.** Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 652 submitted by Mr. DORGAN (for himself and Mr. REID) to the amendment SA 605 proposed by Mr. INHOFE to the bill H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike all of page 2 and insert the following:

“(b) The Secretary of Energy shall direct the National Petroleum Council to conduct an evaluation and analysis determining the extent to which environmental and other regulations detrimentally affect new domestic refinery construction and significant expansion of existing refinery capacity.”

“(c) REPORTS TO CONGRESS.—

(1) On completion of the investigation under subsection (a), the Federal Trade Commission shall submit to Congress a report that describes—

(A) the results of the investigation; and  
(B) any recommendations of the Federal Trade Commission

(2) On completion of the evaluation and analysis under subsection (b), the Secretary shall submit to Congress a report that describes—

(A) the results of the evaluation and analysis;

(B) any recommendations of the National Petroleum Council.”

**SA 746.** Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. 1816. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM COMPLETION PROGRAM.

(a) IN GENERAL.—Subchapter I of chapter 1 of title 23, United States Code (as amended by section 1815(a)), is amended by adding at the end the following:

#### “§ 178. Appalachian development highway system completion program

“(a) IN GENERAL.—The Secretary shall carry out a program, to be known as the ‘Appalachian development highway system completion program’ (referred to in this section as the ‘program’), to allocate capital funding to expedite the completion of ‘ready-to-go’ segments of the Appalachian development highway system.

“(b) ELIGIBLE ACTIVITIES.—A State that receives an allocation of funds under this section shall use the funds to construct highways and access roads in accordance with chapter 145 of title 40.

“(c) ALLOCATION OF FUNDS.—The Secretary shall allocate funds under the program to each State based on the proportion that, under the most recent published report of the Appalachian Regional Commission under section 14501 of title 40—

“(1) the cost of construction of highways and access roads that are in ‘final design status’ for the Appalachian development highway system program in the State; bears to

“(2) the cost of construction of highways and access roads that are in ‘final design sta-

tus’ for the Appalachian development highway system program in all States.

“(d) FEDERAL SHARE.—The Federal share of the cost of carrying out any project or activity using funds allocated under the program shall be 80 percent.

“(e) FUNDING.—

“(1) IN GENERAL.—There shall be available to the Secretary to carry out this section, from the Highway Trust Fund (other than the Mass Transit Account), \$650,000,000 for the period of fiscal years 2005 through 2009, of which—

“(A) \$130,000,000 shall be for fiscal year 2005;

“(B) \$130,000,000 shall be for fiscal year 2006;

“(C) \$130,000,000 shall be for fiscal year 2007;

“(D) \$130,000,000 shall be for fiscal year 2008; and

“(E) \$130,000,000 shall be for fiscal year 2009.

“(2) OBLIGATION, ELIGIBILITY, AND AVAILABILITY.—Funds authorized to be appropriated under section 1101(16) of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2004 and made available under paragraph (1) to carry out this section—

“(A) shall be available for obligation by the Secretary in the same manner as if the funds were apportioned under this chapter;

“(B) shall not be considered in determining the eligibility of any State to receive funds under section 105 or any other and any apportioned formula program including the equity bonus program; and

“(C) shall remain available until expended.”

(b) CONFORMING AMENDMENT.—The analysis for subchapter I of chapter 1 of title 23, United States Code (as amended by section 1815(b)), is amended by adding at the end of the following:

“178. Appalachian development highway system completion program.”

**SA 747.** Mr. BYRD submitted an amendment intended to be proposed by him to the bill H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. 1816. APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM COMPLETION PROGRAM.

(a) IN GENERAL.—Subchapter I of chapter 1 of title 23, United States Code (as amended by section 1815(a)), is amended by adding at the end the following:

#### “§ 178. Appalachian development highway system completion program

(a) IN GENERAL.—The Secretary shall carry out a program, to be known as the ‘Appalachian development highway system completion program’ (referred to in this section as the ‘program’), to allocate capital funding to expedite the completion of ‘ready-to-go’ segments of the Appalachian development highway system.

(b) ELIGIBLE ACTIVITIES.—A State that receives an allocation of funds under this section shall use the funds to construct highways and access roads in accordance with chapter 145 of title 40.

(c) ALLOCATION OF FUNDS.—The Secretary shall allocate funds under the program to each State all counties of which are located, as of the date of enactment of this section, within the established 13-State Appalachian region, as determined by the Appalachian Regional Commission.

(d) FEDERAL SHARE.—The Federal share of the cost of carrying out any project or activity using funds allocated under the program shall be 80 percent.