

ending September 30, 2006, and for other purposes.

H.J. Res. 59. Joint resolution expressing the sense of Congress with respect to the women suffragists who fought for and won the right of women to vote in the United States.

The enrolled bills and joint resolution were signed subsequently by the President pro tempore (Mr. STEVENS).

At 7:54 p.m., a message from the House of Representatives, delivered by Mr. Croatt, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3512. An act to provide an extension of administrative expenses for highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund pending enactment of a law reauthorizing the Transportation Equity Act for the 21st Century.

The enrolled bill was signed subsequently by the Majority Leader (Mr. FRIST).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 5. An act to improve patient access to health care services and provide improved medical care by reducing the excessive burden the liability system places on the health care delivery; to the Committee on the Judiciary.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on July 29, 2005, she had presented to the President of the United States the following enrolled bills:

S. 45. An act to amend the Controlled Substances Act to lift the patient limitation on prescribing drug addiction treatments by medical practitioners in group practices, and for other purposes.

S. 571. An act to designate the facility of the United States Postal Service located at 1915 Fulton Street in Brooklyn, New York, as the "Congresswoman Shirley A. Chisholm Post Office Building".

S. 775. An act to designate the facility of the United States Postal Service located at 123 W. 7th Street in Holdenville, Oklahoma, as the "Boone Pickens Post Office".

S. 904. An act to designate the facility of the United States Postal Service located at 1560 Union Valley Road in West Milford, New Jersey, as the "Brian P. Parrello Post Office Building".

S. 1395. An act to amend the Controlled Substances Import and Export Act to provide authority for the Attorney General to authorize the export of controlled substances from the United States to another country for subsequent export from that country to a second country, if certain conditions and safeguards are satisfied.

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-3306. A communication from the Assistant Secretary for Legislative Affairs, De-

partment of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed license for the export of defense articles or defense services sold commercially under contract in the amount of \$50,000,000 or more to Russia and Kazakhstan; to the Committee on Foreign Relations.

EC-3307. 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 defense articles or defense services sold commercially under contract in the amount of \$50,000,000 or more to Luxembourg; to the Committee on Foreign Relations.

EC-3308. A communication from the Chairman, Dwight D. Eisenhower Memorial Commission, transmitting, pursuant to law, the Fourth Report of the Dwight D. Eisenhower Memorial Commission to the Committee on Rules and Administration.

EC-3309. A communication from the Chief, Regulatory Development Division, Mine Safety and Health Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Diesel Particulate Matter Exposure of Underground Metal and Nonmetal Miners" (RIN1219-AB29) received on July 27, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-3310. A communication from the Director, Office of Workers' Compensation Programs, Department of Labor, transmitting pursuant to law, the report of a rule entitled "Regulations Implementing the Longshore and Harbor Workers' Compensation Act and Related Statutes" (RIN1215-AB38) received on July 27, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-3311. A communication from the Acting Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Direct Final Rule—List of Approved Spent Fuel Storage Casks: NAC-UMS Revision 4" (RIN3150-AH75) received on July 27, 2005; to the Committee on Environment and Public Works.

EC-3312. A communication from the Acting Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "NRC Bulletin 05-02: Emergency Preparedness and Response Actions for Security-Based Events" received on July 27, 2005; to the Committee on Environment and Public Works.

EC-3313. A communication from the Offices of Inspector General of the Departments of Commerce, Defense, Energy, Homeland Security, State, Agriculture, and the Central Intelligence Agency transmitting, pursuant to law, a report entitled "Interagency Review of the Licensing Process for Chemical and Biological Commodities"; to the Committee on Armed Services.

EC-3314. A communication from the Principal Deputy, Office of the Under Secretary of Defense for Personnel and Readiness, transmitting, pursuant to law, a list of officers authorized to wear the insignia of rear admiral (lower half); to the Committee on Armed Services.

EC-3315. A communication from the Principal Deputy, Office of the Under Secretary of Defense for Personnel and Readiness, transmitting, pursuant to law, the report of a retirement; to the Committee on Armed Services.

EC-3316. A communication from the Principal Deputy, Office of the Under Secretary of Defense for Personnel and Readiness, Department of Defense, transmitting, pursuant to law, the authorization of the wearing of the insignia of the grade of lieutenant general; to the Committee on Armed Services.

EC-3317. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (11 subjects on 1 disc beginning with "Clarifications on Wright-Patterson AFB BRAC Questions") relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC-3318. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (7 subjects on 1 disc beginning with "Briefing to the Commission on COBRA Reports on DFAS") relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

EC-3319. A communication from the Under Secretary of Defense for Acquisition, Technology, and Logistics, transmitting, pursuant to law, a report (4 subjects on 1 disc beginning with "Inquiry Response Regarding Air Sovereignty Alert Locations") relative to the Defense Base Closure and Realignment Act of 1990, as amended; to the Committee on Armed Services.

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-166. A resolution adopted by the Senate of the Commonwealth of Pennsylvania relative to the recommended closure of the Naval Air Station Joint Reserve Base Willow Grove; to the Committee on Armed Services.

Whereas, the Naval Air Station Joint Reserve Base Willow Grove, commonly referred to as the Willow Grove Naval Air Station, located in Horsham Township, Pennsylvania, has been recommended for closure by the Secretary of Defense; and

Whereas, the Willow Grove Naval Air Station, first commissioned in 1943 as a naval air base with 196 acres, now covers 1,100 acres and includes a joint reserve base, the only one in the Commonwealth of Pennsylvania, that is home to Navy, Air Force, Army, Marine and Air National Guard units; and

Whereas, the Willow Grove Naval Air Station is one of only three military facilities in the United States that brings together branches of the armed forces to prepare for joint operations and is considered a model facility by some defense analysts; and

Whereas, the Willow Grove Naval Air Station is strategically located near all major metropolitan and part areas in the Northeast corridor, enabling fighters to be deployed within minutes to Philadelphia, New York, Baltimore and Washington, DC, which is critical to homeland defense; and

Whereas, its modern 8,000-foot runway can accommodate any military aircraft, including Air Force One, and land commercial aircraft from Washington, DC, to New York in emergencies; and

Whereas, the Willow Grove Naval Air Station has a state-of-the-art radar system which is one of four digital air control systems in the United States; and

Whereas, the Willow Grove Naval Air Station is home to the 913th Airlift Wing of the Air Force Reserve, which trains and equips reservists to perform aerial resupply and also provides air logistic support for active and reserve Navy units; and

Whereas, the Willow Grove Naval Air Station is also home to the 111th Fighter Wing of the Pennsylvania Air National Guard, that has the honor of being the oldest flying unit within Pennsylvania and has had many unit members deployed worldwide to support

operations against terrorism since the September 11, 2001, terrorist attacks on the United States; and

Whereas, the Willow Grove Naval Air Station employs people from the Berks, Bucks, Montgomery, Chester, Delaware and Philadelphia County areas, and the closure of this base will result in the loss of economic activity and jobs; and

Whereas, a study commissioned by the Suburban Horsham-Willow Grove Chamber of Commerce determined that closure of the Willow Grove Naval Air Station will result in the area losing \$375 million in economic activity annually and more than 10,000 area jobs, including more than 7,000 jobs on the base; and

Whereas, closure of the Willow Grove Naval Air Station will result in the Commonwealth of Pennsylvania losing nearly \$7.2 million in State law revenue and \$2.4 million in local tax revenue; and

Whereas, the surrounding communities support the mission and operations of the base; and

Whereas, the Commonwealth of Pennsylvania has lost a greater percentage of positions in the four prior rounds of the Base Realignment and Closure Commission than any other State, with a total loss of 16,033 jobs consisting of 3,009 military and 13,024 civilian positions; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania support maintaining the Naval Air Station Joint Reserve Base Willow Grove and urge the President and the Congress of the United States and all members of the 2005 Base Realignment and Closure Commission to support the same; and be it further

Resolved, That the Senate urge the President and the Congress and all members of the commission to remove the Naval Air Station Joint Reserve Base Willow Grove from the list of military base closures recommended by the Department of Defense; 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, to each Member of Congress from Pennsylvania and to all members of the 2005 Base Realignment and Closure Commission.

POM-167. A resolution adopted by the Senate of the Commonwealth of Pennsylvania relative to the recommended closure of 13 military installations in Pennsylvania by the Department of Defense; to the Committee on Armed Services.

Whereas, the United States Department of Defense recently recommended numerous military base closings and realignments to the Base Realignment and Closure (BRAC) Commission; and

Whereas, the recommendation included 13 military installations in the Commonwealth of Pennsylvania; and

Whereas, the Pittsburgh International Airport Air Reserve Station, located in Moon Township, Pennsylvania, and the Charles E. Kelly Support Center, with facilities located in Oakdale and Neville Island, Pennsylvania, were among those recommended for closure; and

Whereas, the Department of Defense recommended moving the 99th Regional Readiness Command, located in Moon Township, to Fort Dix, New Jersey; and

Whereas, Allegheny County and western Pennsylvania will lose more than 850 civilian and military jobs if these bases close or are realigned; and

Whereas, the biggest potential loss will be the closing of the Air Reserve Station, home of the 911th Military Airlift Wing; and

Whereas, the Air Reserve Station has been based at the Pittsburgh International Airport since 1942; and

Whereas, since 1963, the base has been home to the 911th Military Airlift Wing; and

Whereas, the 911th Military Airlift Wing is an Air Force Reserve wing that flies the C-130 cargo plane; and

Whereas, approximately 1,220 Air Force reservists are assigned to the Air Reserve Station, which also employs 320 civilians; and

Whereas, it is estimated that closing the Pittsburgh International Airport Air Reserve Station will eliminate 44 military and 278 civilian jobs; and

Whereas, it is estimated that closing the Pittsburgh International Airport Reserve Station will cost the local economy approximately \$94 million a year; and

Whereas, land constraints were cited as one reason for including the Air Reserve Station on the closure list; and

Whereas, the Pittsburgh International Airport has made available, through a Memorandum of Understanding, an additional 53 acres at the airport facility that were not considered in the Air Force/BRAC review of the facilities; and

Whereas, additional acreage exists upon which the facility can expand to address the needs of the Department of Defense; and

Whereas, the Charles E. Kelly Support Center provides logistical support to active and reserve Army units in the Middle Atlantic Region, including a transportation office that facilitates travel for Army reservists to and from active duty; and

Whereas, according to the Department of Defense, closing the Charles E. Kelly Support Center would result in the loss of an estimated 174 military and 136 civilian jobs; and

Whereas, closing the Charles E. Kelly Support Center and its commissary would affect an estimated 100,000 active and retired military members in Pennsylvania, West Virginia and Ohio; and

Whereas, the 99th Regional Readiness Command oversees more than 20,000 Reserve soldiers in 185 units in five states and the District of Columbia; and

Whereas, the 99th Regional Readiness Command has approximately 220 full-time positions; and

Whereas, the Army estimates that this unit contributes about \$100 million to the local economy each year; and

Whereas, all three of these military installations are critical to national defense and homeland security; and

Whereas, the Commonwealth of Pennsylvania has already lost more than 16,000 military and civilian jobs over the previous four rounds of base closings; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania strongly urge the President and Congress of the United States and the members of the 2005 BRAC Commission to remove the Pittsburgh International Airport Air Reserve Station and the Charles E. Kelly Support Center from the list of proposed military base closures and to remove the 99th Regional Readiness Command from the list of proposed base realignments; 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, to each member of Congress from Pennsylvania and to all members of the 2005 BRAC Commission.

POM-168. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to requiring financial institutions to notify consumers prior to publication of negative credit information and to allow adequate time for correction; to the Committee on Banking, Housing, and Urban Affairs.

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to re-

quire financial institutions to notify consumers prior to publication of negative credit information and to allow adequate time for correction.

Whereas, consumer credit scores help to determine the cost of financing consumer purchases including the purchase of vehicles and homes; and

Whereas, some insurance companies use credit scores to determine risk and establish the price of insurance premiums; and

Whereas, the accuracy of consumer credit scores is essential to control the rising cost of credit, financing consumer purchases, and insurance premiums; and

Whereas, the Federal Fair Credit Reporting Act allows financial institutions to release negative credit information without prior notice to consumers but provides for consumer notification no later than thirty days after such negative credit information has already been released to consumer credit reporting agencies (15 USC 1681s-2(a)(7)); and

Whereas, this delayed notification requirement allows for the dissemination of incorrect credit scores without giving consumers adequate time to determine if there was a credit reporting error or take necessary steps to correct the inaccurate information; and

Whereas, only Congress has the authority to change this consumer notification requirement because the Federal Fair Credit Reporting Act specifically preempts state law with respect to this subject matter which is regulated by this Federal law (15 USC 1681t(b)(1)(F)).

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 financial institutions to notify consumers prior to publication of negative credit information and to allow adequate time for correction.

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-169. A joint resolution adopted by the Legislature of the State of Maine relative to the continued funding for the Community Development Block Grant Program; to the Committee on Banking, Housing, and Urban Affairs.

JOINT RESOLUTION

We, your Memorialists, the Members of the One Hundred and Twenty-second Legislature of the State of Maine now assembled in the First Special Session, most respectfully present and petition the Congress of the United States as follows:

Whereas, the Community Development Block Grant program has helped communities throughout the nation since 1974, and is one of the oldest programs in the United States Department of Housing and Urban Development; and

Whereas, the Community Development Block Grant program provides annual grants on a formula basis to many different types of grantees through several programs as entitlement grants, loans and disaster relief grants; and

Whereas, the Community Development Block Grant program has helped Maine families, businesses and communities and Maine's neediest citizens over the years, and this program is now being severely cut back due to federal budget constrictions; and

Whereas, more than \$314,000,000 in Community Development Block Grant funds was granted in Maine for the years 1982 to 2004, and from 1998 to 2004 \$23,400,000 in funds created or retained 3,764 jobs for Maine workers, including 656 jobs still being created; and

Whereas, from 1998 to 2004, more than \$54,400,000 in Community Development Block Grant funds was spent in Maine and benefited more than 132,000 Maine residents, or more than one in every 10 citizens of Maine, outside the large population centers of Portland, Lewiston, Auburn and Bangor; and

Whereas, those cities, along with South Portland and Biddeford, receive Community Development Block Grant funds directly from the Department of Housing and Urban Development by way of the Entitlement Communities Grants program, which is slated for elimination; and

Whereas, Community Development Block Grant funding is often the only extra funding to allow communities a chance to finance such projects as water infrastructure projects, wastewater infrastructure projects, fire station construction, downtown revitalization and low-income housing improvement projects such as the Maine Home Repair Network, Americans with Disabilities Act accessibility modifications, senior activities programs, medical services programs and economic development and planning programs; and

Whereas, during 2005, 8 grants in the amount of \$2,994,000 were awarded in Maine for public infrastructure while 19 applications were left unfunded, and 9 grants in the amount of \$1,917,000 were awarded for public facilities while 13 applications were left unfunded; now, therefore, be it

Resolved: That We, your Memorialists, respectfully urge that the Federal Government continue full funding for the Community Development Block Grant program as important needs continue to exist throughout Maine and the nation; and be it further

Resolved: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of the Maine Congressional Delegation.

POM-170. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to condemning the National Football League's recent actions restricting the availability of televised games; to the Committee on Commerce, Science, and Transportation.

A RESOLUTION

Whereas, the Commonwealth of Pennsylvania is home to two professional National Football League (NFL) teams; and

Whereas, the substantial fan base within the Commonwealth of Pennsylvania for each of these teams is due to each team's legacy of excellence on and off the field; and

Whereas, revenues from these professional football teams exceed more than \$1.2 billion; and

Whereas, the Commonwealth of Pennsylvania and its citizens have invested substantial amounts of money in the construction of stadiums for these professional football teams and have supported their efforts during the preseason, regular season and playoff season through ticket purchases, concession sales and other direct economic impacts; and

Whereas, the National Football League has recently used its monopoly status to institute national television arrangements which has the practical effect of removing this substantial fan base from everyday enjoyment of professional football; and

Whereas, this recent action to move "Monday Night Football" from a free national television network (ABC) to cable television (ESPN) will directly result in a large number of Pennsylvanians being unable to watch "Monday Night Football" in 2006; and

Whereas, "Monday Night Football" on ABC has been an institution and a pillar in the sports fan community since 1970; and

Whereas, while the move of "Monday Night Football" from ABC to ESPN may have some positive impact on the bottom line of The Walt Disney Company due to its ownership rights in both, it should not come at the expense of the citizens of the Commonwealth of Pennsylvania; and

Whereas, while the additional six-year deal the NFL entered into with another national television network, NBC, whereby Sunday night football games will be televised starting in 2006, is a step in the right direction, such action would not contemplate the marquee contests scheduled by the NFL for "Monday Night Football"; and

Whereas, removal of "Monday Night Football, coupled with archaic local market television rules, is systematically distancing the football fan who cannot afford to buy cable or attend a game in person from the game of professional football; and

Whereas, the NFL was created with the general public in mind, and bringing professional football to the masses via national television networks is the most viable means to satisfy this end; and

Whereas, expensive cable channels, season television packages or wholly owned cable networks such as the NFL Network do not deliver professional football to the masses; and

Whereas, it is often said that it is the fans for whom all professional sports are played; and

Whereas, currently there are still 10% of households in the Commonwealth of Pennsylvania without basic cable television; and

Whereas, Federal law allows the NFL to make television programming changes without further review by any court or regulatory body; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania condemn this most recent practice in particular and the trends in the telecasting of football games generally; and be it further

Resolved, That the House of Representatives urge the NFL to reconsider the effect of its actions to narrow the access of high-profile football games for the average fan; and be it further

Resolved, That the House of Representatives urge the NFL to respond to these concerns; and be it further

Resolved, That copies of this resolution be transmitted to the commissioner of the National Football League, Paul Tagliabue, 410 Park Avenue, New York NY 10022, and to the members of the Pennsylvania Congressional Delegation.

POM-171. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to advocating changes in the Federal Motor Carrier Safety Regulations, specifically 49 C.F.R. 383.3; to the Committee on Commerce, Science, and Transportation.

A CONCURRENT RESOLUTION 103

To memorialize the United States Congress to take such actions as are necessary to advocate changes in the Federal Motor Carrier Safety Regulations, specifically 49 C.F.R. 383.3, relative to issuance of restricted commercial drivers' licenses, which currently prohibit aerial applicators from qualifying for issuance of such licenses.

Whereas, aerial applicators provide a valuable and necessary service to farmers by crop-dusting their fields in order to prevent crops from being destroyed or harmed by pests; and

Whereas, crop-dusting, like farming, is seasonal work with its top season lasting no more than four months; and

Whereas, since crop-dusters are small planes which are heavily weighted with crop protection products, it is necessary for a fuel source to be near the farm which the crop-duster is servicing in order to maximize the time and efficiency of the aerial applicator; and

Whereas, since most farmers are not equipped to provide fuel service to crop-dusters on site and most farms are located miles away from fuel service stations, it is necessary for trucks to carry aviation kerosene, also known as Jet A, or Avgas fuel to the crop-duster on site; and

Whereas, trucks used to transport aviation kerosene and Avgas fuel are considered commercial trucks; therefore, the drivers of such vehicles are required to possess a commercial driver's license; and

Whereas, since most farm workers are seasonal employees, it is a very difficult and expensive proposition to burden aerial applicators and farmers with the requirement of educating workers to pass the knowledge and skills tests for issuance of a commercial driver's license; and

Whereas, according to the Federal Motor Carrier Safety Regulations, specifically 49 C.F.R. 383.3, authority is granted to allow a state to waive the required knowledge and skills tests and to issue restricted commercial drivers' licenses to employees for certain farm-related service industries; and

Whereas, holders of restricted commercial drivers' licenses are prohibited from having any endorsements on such licenses, and holders of such licenses are prohibited from operating a commercial vehicle beyond one hundred fifty miles from the place of business or the farm currently being served; and

Whereas, aerial applicators who participate in crop-dusting activities for rural farmers had previously been eligible for issuance of the restricted commercial driver's license; and

Whereas, as a result of the terrorist attacks launched upon the United States on September 11, the federal government has closely guarded waivers to the commercial drivers' license requirements because of the potential for terrorists to once again breach the confidence of this nation; and

Whereas, as a result, changes have been made in federal regulations to more closely regulate transportation of hazardous materials; and

Whereas, aviation kerosene, or Jet A fuel, and Avgas are classified as hazardous materials according to federal regulations; however, a holder of a restricted commercial driver's license is permitted to carry placardable quantities of hazardous materials such as diesel fuel so long as the quantity does not exceed one thousand gallons; and

Whereas, aviation kerosene, or Jet A, and Avgas, which are used as fuel for crop-dusting planes, are chemicals very similar to diesel fuel which is already recognized as an exception to the transportation of hazardous materials endorsement; and

Whereas, while farmers and aerial applicators can understand why the federal government is attempting to regulate the transportation of hazardous materials, the current waiver allowed in the Federal Motor Carrier Safety Regulations for issuance of restricted drivers' licenses is written so narrowly, legitimate groups are prevented from utilizing the exemption and are being penalized; and

Whereas, changes can be recommended to the Federal Motor Carrier Safety Regulations such as reclassifying aviation kerosene, or Jet A fuel, and Avgas as non-hazardous materials, or adding aviation kerosene, or Jet A, and Avgas in the exception currently recognized for diesel fuel, which changes would allow farmers and aerial applicators to qualify for issuance of restricted commercial drivers' licenses.

Therefore, be it resolved that the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to advocate changes in the Federal Motor Carrier Safety Regulations, specifically 49 C.F.R. 383.3, I relative to issuance of restricted commercial drivers' licenses, which currently prohibit aerial applicators from qualifying for issuance of such licenses because the fuel they need to transport in order to conduct crop-dusting activities is classified as a hazardous material.

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-172. A concurrent memorial adopted by the House of Representatives of the Legislature of the State of Arizona relative to protecting the citizens of the State of Arizona by enacting legislation to ensure reasonable rates; to the Committee on Commerce, Science, and Transportation.

A CONCURRENT MEMORIAL

Urging the Congress of the United States to protect the citizens of the State of Arizona by enacting legislation to ensure reasonable rates.

Whereas, the Legislature of the State of Arizona is committed to our nation's free market economic model and believes, specifically, that markets subject to competition should not be regulated by the local, state or federal governments but that those markets that are not subject to competition and yet supply important commodities, products or services to the citizens of Arizona must be subject to effective local, state or federal government regulation; and

Whereas, important commodities, such as coal for electric generating facilities and grain for dairy and beef cattle production, are dependent on railroad transportation into the State of Arizona; and

Whereas, dairy and beef cattle producers in Arizona are dependent on the railroad to import seventy-five percent of the grain necessary to produce milk and beef in Arizona; and

Whereas, the coal that is brought by rail into the State of Arizona to be consumed by Arizona electric generating facilities often is dependent on a single railroad for transportation, such that normal market forces are not present to constrain the price charged Arizona electric generators or the transportation service that they receive; and

Whereas, coal brought into the State of Arizona by Arizona electric generating facilities is used to generate forty percent of the electricity produced in the state and all of this imported coal is delivered by a class 1 railroad in a "captive" relationship; and

Whereas, the cost to transport coal to an electric generating facility in the State of Arizona where there is no effective rail competition present is often at least twice the cost of transporting coal where effective rail competition exists, even though the cost to the railroad of such transportation is no higher than for transportation where competition exists; and

Whereas, the unreasonably high rail rates of captive coal are passed through to the Arizona consumers of electricity, thus increasing the price of electricity to the families and businesses of Arizona and decreasing the disposable income available for other family and business needs; and

Whereas, the Congress of the United States, in 1980, deregulated railroad transportation where rail competition exists but directed a federal agency, now the Surface Transportation Board, to ensure that "cap-

tive" rail customers not be charged higher rates than are appropriate; and

Whereas, the Surface Transportation Board, in implementing its responsibilities under the deregulation act, has allowed the railroads to increase their market power through mergers and acquisitions and has allowed the railroads to avoid rail-to-rail competition wherever possible; and

Whereas, the Surface Transportation Board has developed a process that ensures "captive" rate are reasonable and that places all burdens of proof on the rail customer in rate cases that, according to recent Congressional testimony, cost the rail customer at least \$3 million to prosecute and take at least two years for resolution and rarely result in victory for the rail customer; and

Whereas, the Surface Transportation Board implementation of its responsibilities under the deregulation act is not constraining captive rail rates and is resulting in unreasonably high costs for the electricity consumers of Arizona; and

Whereas, despite the inadequacy of the current federal regulatory regime for captive rail rates, the American railroad industry continues to be the only American industry that is exempt from major portions of the nation's antitrust laws.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the Congress of the United States protect the citizens of the State of Arizona by enacting legislation that ensures that the Surface Transportation Board will facilitate rail-to-rail competition wherever possible, that the Surface Transportation Board will develop a cost-effective and time-effective process that ensures that captive rail customers pay reasonable rates and that the American railroad industry is subject to all provisions of the nation's antitrust laws.

2. That Congress enact legislation similar to the Railroad Competition Act of 2003, S. 919 and H.R. 2924, from the 108th Congress.

3. That the Members of Congress from the State of Arizona support this legislation.

4. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-173. A joint resolution adopted by the Legislature of the State of Maine relative to avoiding sole-sourced shipbuilding; to the Committee on Commerce, Science, and Transportation.

JOINT RESOLUTION

We, your Memorialists, the Members of the One Hundred and Twenty-second Legislature of the State of Maine now assembled in the First Special Session, most respectfully present and petition the Congress of the United States as follows:

Whereas, the State of Maine has a long shipbuilding tradition, going back to colonial times when our vast forests supplied timber to build ships in shipyards large and small along the 3,500-mile-long coast; and

Whereas, Maine is still home to Bath Iron Works, a major shipbuilder of this Nation, a major employer of our State that has a century-long tradition of building the best ships in the world; and

Whereas, our Nation has an equally long tradition of encouraging competition among businesses to ensure efficiency, equality, cost-containment and fair play; and

Whereas, Federal officials have recently indicated that government contracts to build ships may be sole-sourced, or given to one shipyard only, in effect ending competitive

bidding among shipbuilders in this country; and

Whereas, sole-sourced production creates unfair monopolies that hurt the taxpayers of this Nation by not allowing the best price and best shipyard to do the work; and

Whereas, our national security depends on having the most effective military in the world, and United States, Navy effectiveness requires having a superior fleet, a fleet that needs to be built with the highest quality and at the best cost; now, therefore, be it

Resolved: That We, your Memorialists, respectfully urge the Congress of the United States to disavow sole-sourcing of shipbuilding contracts and to encourage competitive bidding among the qualified shipyards of the Nation; and be it further

Resolved: That suitable copies of this resolution, duly authenticated by the Secretary of State be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the United States Navy and each Member of the Maine Congressional Delegation.

POM-174. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to urging the Congress of the United States to refrain from taking action in developing legislation that would have the effect of preventing or hindering the exploration, drilling, development and production of natural gas in the Great Lakes; to the Committee on Energy and Natural Resources.

A RESOLUTION

Urging the Congress of the United States to refrain from taking action in developing legislation that would have the effect of preventing or hindering the exploration, drilling, development and production of natural gas in the Great Lakes.

Whereas, the Congress, in recognition of the need for a comprehensive energy policy for this nation, is currently in the process of developing legislation to establish the framework for this policy; and

Whereas, while a vast majority of the issues relating to this potential energy policy is of a broad nature, affecting each state and commonwealth broadly and with similar consequences, certain matters of national interest are uniquely applicable to an individual state or commonwealth because the immediate impact of the regulated activity will be felt almost entirely by that state or commonwealth; and

Whereas, these activities, to the extent they occur within the borders of a state or commonwealth, have been long and successfully regulated by the impacted state or commonwealth, and there is no national interest served by broadening the powers of the Federal Government to regulate these activities; and

Whereas, geologic and geophysical indicators show that substantial oil and gas reserves underlying that portion of Lake Erie within the boundaries of the Commonwealth of Pennsylvania may be available for development to assist in meeting the nation's energy needs; and

Whereas, the exploration, drilling, development and production of natural gas lying under the water bodies within the boundaries of each state and commonwealth are activities that meet the criteria set forth in this resolution; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the Congress, in developing legislation to establish an energy policy, to refrain from taking action that would have the effect of preventing or hindering the exploration, drilling, development and production of natural gas in the Great Lakes, including, but

not limited to, Lake Erie, so long as the state or commonwealth in which the activity is conducted provides a regulatory system for the conduct of operations; and be it further

Resolved, That copies of this resolution be transmitted to the members of Congress from Pennsylvania, to the members of the Committee on Energy and Commerce of the United States House of Representatives, to the members of the Committee on Resources of the United States House of Representatives, to the members of the Energy and Natural Resources of the United States Senate, to the members of the Committee on Environment and Public Works of the United States Senate and to others holding leadership positions on committees developing national energy policy legislation.

POM-175. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to enabling Louisiana to receive its appropriate share of revenue received from oil and gas activity on the Outer Continental Shelf; to the Committee on Energy and Natural Resources.

A CONCURRENT RESOLUTION

To memorialize the United States Congress to enable Louisiana to receive its appropriate share of revenue received from oil and gas activity on the Outer Continental Shelf.

Whereas, in an effort to preserve federal ownership of public lands while still allowing the mining of minerals and enabling the states where those lands and minerals were located to continue receiving revenues from mineral extraction, the Mineral Leasing Act of 1920 grants states a share of revenue derived from minerals extracted from federal lands within those states' borders; and

Whereas, the original Mineral Leasing Act provided that twelve and one-half percent of the royalty revenue would be shared with the states from which the minerals were extracted, which percentage was increased in 1976 to fifty percent for onshore royalty payments; and

Whereas, although all states benefit from this increased share of royalty payments, the oil, gas, and coal extracted from below the ground in Wyoming and New Mexico accounts for the largest share, and those two states received eighty percent of the \$1.16 billion paid in 2004; and

Whereas, in addition to the revenue sharing from royalty payments, another forty percent of the revenues have been directed to the federal Reclamation Fund, which has financed over \$30 billion in water and energy projects in seventeen western states; and

Whereas, Louisiana produces more than eighty percent of the nation's offshore oil and gas supply with more than one-third of the oil and gas consumed in this country, both foreign and domestic, passing through the state's fragile coastal wetlands by tanker, barge, or pipeline; and

Be it further resolved, that a copy of this Resolution be sent to the presiding officer of the United States House of Representatives and to the presiding officer of the United States Senate.

POM-176. A resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to enabling Louisiana to receive its appropriate share of revenue received from oil and gas activity on the Outer Continental Shelf; to the Committee on Energy and Natural Resources.

A RESOLUTION

To memorialize the United States Congress to enable Louisiana to receive its appropriate share of revenue received from oil and gas activity on the Outer Continental Shelf.

Whereas, in an effort to preserve federal ownership of public lands while still allowing the mining of minerals and enabling the states where those lands and minerals were located to continue receiving revenues from mineral extraction, the Mineral Leasing Act of 1920 grants states a share of revenue derived from minerals extracted from Federal lands within those states' borders; and

Whereas, the original Mineral Leasing Act provided that twelve and one-half percent of the royalty revenue would be shared with the states from which the minerals were extracted, which percentage was increased in 1976 to fifty percent for onshore royalty payments; and

Whereas, although all states benefit from this increased share of royalty payments, the oil, gas, and coal extracted from below the ground in Wyoming and New Mexico accounts for the largest share, and those two states received eighty percent of the \$1.16 billion paid in 2004; and

Whereas, in addition to the revenue sharing from royalty payments, another forty percent of the revenues have been directed to the federal Reclamation Fund, which has financed over \$30 billion in water and energy projects in seventeen western states; and

Whereas, Louisiana produces more than eighty percent of the nation's offshore oil and gas supply, with more than one-third of the oil and gas consumed in this country, both foreign and domestic, passing through the state's fragile coastal wetlands by tanker, barge, or pipeline; and

Whereas, Louisiana is losing its coastal wetlands at the alarming rate of over twenty-four square miles per year, or more than a football field each day, largely due to policies and practices implemented by the federal government through the years to encourage and manage mineral extraction or to control flooding in the lower Mississippi River basin; and

Whereas, our coastal wetlands are essential to the well-being of the nation as a whole because not only does a large portion of the oil and gas supply either come from Louisiana or travel through our wetlands, but Louisiana's coast is home to one of the nation's premier commercial and recreational fisheries, a fishery that accounts for nearly one-third of the commercial fisheries production of the lower forty-eight states and that is second in the nation in total recreational harvest of saltwater fish; and

Whereas, although Louisiana has repeatedly demonstrated its intention and willingness to share in the cost of preserving this vital ecosystem, preservation of Louisiana's coast will necessitate an amount of funding that the state cannot provide by itself, nor should the state be expected to fund this fight on its own since the problems which have resulted in the dramatic coastal loss were not problems created by the state on its own; and

Whereas, an appropriate and available source for the revenues needed to address our coastal land loss is royalties from oil and gas development on the Outer Continental Shelf, which could and should be shared with Louisiana in much the same manner and at the same level as the revenue sharing that was afforded the Western states; and

Whereas, Louisiana, like the Western states, should receive compensation for infrastructure and environmental impacts associated with mineral production from its contributions to the federal treasury; and

Whereas, the energy bill currently before Congress offers far less to coastal states than the amount of revenue sharing given inland states even though the impact of oil and gas production is far greater in the sensitive and fragile wetlands of the coastal states.

Therefore, be it Resolved, That the House of Representatives of the Legislature of Louisiana does hereby memorialize the United States Congress to enable Louisiana to receive its appropriate share of revenue received by the United States from oil and gas activity on the Outer Continental Shelf.

Be it further resolved, that a copy of this Resolution be sent to the presiding officer of the United States House of Representatives and to the presiding officer of the United States Senate.

POM-177. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to the release of funds to the states from the Leaking Underground Storage Tank Trust Fund; to the Committee on Environment and Public Works.

A RESOLUTION

Encouraging the Congress of the United States and the Environmental Protection Agency to release funds to the states from the Leaking Underground Storage Tank Trust Fund.

Whereas, in 1989 the Commonwealth of Pennsylvania passed the act of July 6, 1989 (P.L. 169, No. 32), known as the Storage Tank and Spill Prevention Act, becoming one of the largest industrial states to regulate underground storage tanks to protect ground and surface water and to comply with a Federal mandate to regulate these tanks; and

Whereas, there are now more than 56,300 underground storage tanks in Pennsylvania owned by service stations, farmers, local governments, petroleum product distributors, convenience stores, small businesses, truck stops and food merchants; and

Whereas, the owners of underground tanks pay more than \$3.8 million in fees every year to support the Storage Tank Program of the Department of Environmental Protection and now face fee increases that would in most cases triple the existing rates; and

Whereas, the Storage Tank Advisory Committee has offered to work with the Department of Environmental Protection to help reduce the administrative costs of the Commonwealth's Storage Tank Program; and

Whereas, Pennsylvania underground tank owners also pay more than \$29 million in fees for leak cleanup insurance every year to the Underground Storage Tank Indemnification Fund in response to a Federal mandate to have spill cleanup coverage; and

Whereas, Pennsylvania gasoline and diesel fuel consumers pay more than \$6.4 million to the Leaking Underground Storage Tank Trust Fund of the Federal Government every year, and Pennsylvania receives only \$1.8 million in return to help fund the Commonwealth's Storage Tank Program; and

Whereas, the Leaking Underground Storage Tank Trust Fund now has a balance of more than \$2 billion that could be allocated to states to offset the administrative costs of their storage tank programs; and

Whereas, the Congress of the United States is now considering changes to Federal requirements covering underground storage tanks that may impose additional unfunded mandates on states responsible for administering Federal storage tank regulations; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania strongly encourage the Congress of the United States and the Environmental Protection Agency to take the steps necessary to redistribute more of the \$2 billion already in the Leaking Underground Storage Tank Trust Fund of the Federal Government to states for the purpose of helping to offset the administrative costs of the federally mandated program; and be it further

Resolved, That such actions be accomplished as soon as practicable to help the

Commonwealth of Pennsylvania avoid unnecessary increases in fees on the owners of underground storage tanks; and be it further

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

POM-178. A resolution adopted by the Senate of the General Assembly of the Commonwealth of Pennsylvania relative to the Storage Tank and Spill Prevention Act; to the Committee on Environment and Public Works.

Whereas, in 1989 the Commonwealth of Pennsylvania passed the Storage Tank and Spill Prevention Act, becoming one of the largest industrial states to regulate underground storage tanks to protect ground and surface water and to comply with a Federal mandate to regulate these tanks; and

Whereas, there are more than 56,300 underground storage tanks in the Commonwealth of Pennsylvania owned by service stations, farmers, local governments, petroleum product distributors, convenience stores, small businesses, truck stops and food merchants; and

Whereas, the owners of underground tanks pay more than \$3.8 million in fees every year to support the Storage Tank Program of the Department of Environmental Protection and now face fee increases that would in most cases triple the existing rates; and

Whereas, the Storage Tank Advisory Committee has offered to work with the Department of Environmental Protection to reduce administrative costs of the Storage Tank Program; and

Whereas, underground tank owners in the Commonwealth of Pennsylvania pay more than \$29 million in fees for leak cleanup insurance every year to the Underground Storage Tank Indemnification Fund in response to a Federal mandate to have spill cleanup coverage; and

Whereas, while Pennsylvania gasoline and diesel fuel consumers pay more than \$6.4 million to the Leaking Underground Storage Tank Trust Fund every year, the Commonwealth of Pennsylvania receives only \$1.8 million in return to help fund the Storage Tank Program; and

Whereas, the Leaking Underground Storage Tank Trust Fund now has a balance of more than \$2 billion that could be allocated to states to offset the administrative costs of the Storage Tank Program; and

Whereas, the Congress is now considering changes to Federal requirements covering underground storage tanks that may impose additional unfunded mandates on states responsible for administering Federal storage tank regulations; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania strongly encourage the Congress and the United States Environmental Protection Agency to take the steps necessary to redistribute more of the \$2 billion in the Leaking Underground Storage Tank Trust Fund to states to offset administrative costs of the federally mandated program; and be it further

Resolved, That these actions be accomplished as soon as practicable to help the Commonwealth of Pennsylvania avoid unnecessary fee increases for owners of underground storage tanks; and be it further

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

POM-179. A resolution adopted by the Senate of the General Assembly of the Common-

wealth of Pennsylvania relative to Medicaid; to the Committee on Finance.

Whereas, Medicaid is the Nation's largest health care program, providing health and long-term care services to 53 million low-income pregnant women, children, individuals with disabilities and seniors; and

Whereas, Medicaid is a vital health care safety net and provides important services to those persons who can get care from no other source; and

Whereas, Federal and State spending in Medicaid has experienced a dramatic increase over the past five years because of increases in caseloads and an increase in costs of health care services; and

Whereas, States devote 22 percent of their budgets to Medicaid, and this increasing cost is unsustainable; and

Whereas, Congress has passed a budget resolution that may reduce Federal financial participation in the Medicaid program; and

Whereas, States' experiences with Medicaid place them in unique positions to utilize ways to modernize the provision of benefits while protecting recipients and curtailing overuse and abuse; and

Whereas, the National Governors Association has indicated that cost-sharing, varying benefit packages, improving prescription drug plans, changing asset transfer rules, instituting comprehensive waiver reforms, providing for local management of optional Medicaid categories, coordinating chronic care management, providing tax breaks and credits for purchase of long-term care insurance and creating long-term care partnerships would help modernize and sustain the Medicaid program; therefore be it

Resolved, That the Senate of the Commonwealth of Pennsylvania memorialize the Congress to review and consider the National Governors Association recommendations which would allow States to utilize greater flexibility in their provision of Medicaid services; 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-180. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to supporting and enacting legislation placing reasonable requirements on the reporting of publicly funded clinical trials; to the Committee on Health, Education, Labor, and Pensions.

A RESOLUTION

Urging the President and the Congress of the United States to support and enact legislation placing reasonable requirements on the reporting of publicly funded clinical trials.

Whereas, there have been several cases over the past few years of leading pharmaceutical companies concealing information derived from publicly funded clinical trials about the safety and effectiveness of some of their drugs; and

Whereas, the National Institutes of Health pursues fundamental knowledge about health and illness by supporting basic and clinical biomedical research activities, including clinical trials; and

Whereas, research in humans that is sponsored and funded by the National Institutes of Health must undergo several levels of approval, including review by a panel of authorities in the field of the scientific merit of a proposed study, and all protocols must be evaluated for proper ethical conduct and assurance of patient safety by institutional review boards, with studies of investigational drugs being reviewed and approved by the Food and Drug Administration; and

Whereas, the Food and Drug Administration has primary responsibility for regulating and enforcing the conduct of publicly funded clinical trials and review and approval of investigational drug studies; and

Whereas, under Federal law only certain clinical research data must be reported to the Food and Drug Administration, other health agencies and various oversight bodies, such as institutional review boards; and

Whereas, other data regarding study results are simply reported at scientific conferences and through peer-reviewed biomedical journals, which may not be accessible to physicians or the public; and

Whereas, many citizens of the Commonwealth of Pennsylvania are suffering needlessly because physicians and patients do not always have access to full information about the drugs prescribed and taken; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the President and Congress of the United States to support and enact legislation requiring all negative and positive information regarding all publicly funded clinical trials and investigational drug studies to be submitted to www.ClinicalTrials.gov as a single-point clearinghouse so the public, including physicians, may be made fully aware of the safety and efficacy of these drugs; and be it further

Resolved, That the Department of Health of the Commonwealth of Pennsylvania be urged unless comprehensive information on all publicly funded clinical trials and investigational drug studies is provided to www.ClinicalTrials.gov within six months of adoption of this resolution, to withhold all grant money supporting the Commonwealth Universal Research Enhancement Program established under Chapter 9 of the act of June 26, 2001 (P.L. 755, No. 77), known as the Tobacco Settlement Act, until such time as proof of compliance has been provided to the General Assembly of the Commonwealth of Pennsylvania; and be it further

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

POM-181. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to the Violence Against Women Act; to the Committee on the Judiciary.

A RESOLUTION 346

Memorializing the Congress of the United States to pass and the President of the United States to sign Violence Against Women Act reauthorization legislation and to reaffirm our commitment to helping victims of violent crimes.

Whereas, domestic violence and sexual assault are pervasive crimes directly affecting one in four women and touching the lives of everyone in the community; and

Whereas, The Violence Against Women Act of 1994 (VAWA) and VAWA reauthorization and enhancement under the Violence Against Women Act of 2000 have proven instrumental in building increasing awareness that domestic violence is a crime that occurs in every community; and

Whereas, VAWA has made immeasurable contributions in communities across the country in providing programs, services and protection for victims of domestic violence and sexual assault and by raising attention to services and interventions that can help battered women, their children and other victims of violent crimes; and

Whereas, VAWA has significantly improved the response of the criminal justice

system to victims of domestic violence and sexual assault through increased training for law enforcement personnel and officers of the court; and

Whereas, VAWA has helped victims of violent crimes rebuild their lives while encouraging community responsibility for prevention; and

Whereas, VAWA continues to further the safety and stability of the lives of survivors of domestic violence, dating violence, sexual assault and stalking in the Commonwealth of Pennsylvania and throughout the nation; and

Whereas, The Violence Against Women Act of 2000 expires in 2005 unless reauthorization legislation is enacted; and

Whereas, without the critical programs and community services that are made possible under VAWA, victims of domestic violence and sexual assault may be less likely to seek the professional counseling and assistance services they need; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the Congress of the United States to pass and the President of the United States to sign the Violence Against Women Act of 2005 and to reaffirm our commitment to helping victims of violent crimes; 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-182. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to enacting federal legislation to ensure that deserving victims of asbestos exposure receive compensation; to the Committee on the Judiciary.

A RESOLUTION

To memorialize the members of the United States Senate from Louisiana, Senator Mary Landrieu and Senator David Vitter, to continue to work toward enacting federal legislation to ensure that deserving victims of asbestos exposure receive compensation.

Whereas, asbestos, a mineral processed and used in thousands of construction and consumer products, is a dangerous substance and has caused thousands of people to develop serious and often fatal diseases and cancers; and

Whereas, millions of workers have been exposed to asbestos, and the economic toll resulting from litigation related to exposure to asbestos could run into the hundreds of billions of dollars; and

Whereas, many companies, in order to avoid bankruptcy and to compensate victims with manifest injuries from exposure to asbestos, have attempted to set aside sufficient resources to compensate such victims; and

Whereas, the new claims are resulting in a depletion of the funds available to compensate victims who have sustained serious injuries and who are in desperate need of compensation; and

Whereas, the United States Supreme Court has noted that federal and state courts have been inundated by an enormous number of asbestos cases that defies customary judicial administration and calls for national legislation; and

Whereas, the United States Senate Judiciary Committee, under the bipartisan leadership of Republican Senator Arlen Specter and Democratic Senator Patrick Leahy, have crafted a bipartisan piece of legislation that creates a fair and equitable system to deal with the asbestos litigation crisis; and

Whereas, this bipartisan legislation creates an asbestos trust fund that will ensure that victims of asbestos exposure will receive just and fair compensation.

Therefore, be it resolved, that the Louisiana House of Representatives does hereby memorialize the members of the United States Senate from Louisiana, Senator Mary Landrieu and Senator David Vitter, to continue to work toward enacting federal legislation to ensure that deserving victims of asbestos exposure receive compensation and to continue to work with Senators Specter and Leahy to pass meaningful and fair asbestos litigation reform legislation.

Be it further resolved, That a copy of this Resolution be transmitted to United States Senator Mary Landrieu and United States Senator David Vitter and to each member of the Louisiana congressional delegation.

POM-183. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to recognizing the need for an apology to the victims of lynching and their descendants by the United States Senate for the Senate's failure to enact anti-lynching legislation; to the Committee on the Judiciary.

A RESOLUTION

To recognize the need for an apology to the victims of lynching and their descendants by the United States Senate for the Senate's failure to enact anti-lynching legislation.

Whereas, the crime of lynching succeeded slavery as the ultimate expression of racism in the United States following Reconstruction; and

Whereas, lynching was a widely acknowledged practice in the United States until the middle of the twentieth century, occurring in documented incidents in all but four states; and

Whereas, at least four thousand seven hundred forty-two people, predominately African-Americans, were reported as being lynched in the United States between 1882 and 1968; and

Whereas, at least four hundred people, predominately African-Americans, were reported as being lynched in Louisiana between 1882 and 1968; and

Whereas, ninety-nine percent of all perpetrators of lynching escaped punishment by state or local officials; and

Whereas, lynching prompted African-Americans to form the National Association for the Advancement of Colored People (NAACP) and members of B'Nai B'rith to found the Anti-Defamation League; and

Whereas, nearly two hundred anti-lynching bills were introduced in the United States Congress during the first half of the twentieth century; and

Whereas, between 1890 and 1940, the United States House of Representatives passed three strong anti-lynching measures; and

Whereas, protection against lynching was the minimum and most basic of federal responsibilities, and the United States Senate considered but failed to enact anti-lynching legislation despite repeated requests by civil rights groups, presidents, and the United States House of Representatives to do so; and

Whereas, the recent publication of *Without Sanctuary: Lynching Photography in America* helped to bring greater awareness and proper recognition to the victims of lynching; and

Whereas, it is only by coming to terms with history that the United States can effectively champion human rights abroad; and

Whereas, a resolution is being introduced by Senator Mary L. Landrieu that apologizes to the victims of lynching for the failure of the United States Senate to enact anti-lynching legislation, expresses the Senate's sympathies and regrets to the descendants of lynching victims, and remembers the history of lynching to ensure that the tragedies surrounding the crime will neither be forgotten nor repeated; and

Whereas, an apology offered in the spirit of true repentance would move the United States towards reconciliation and become central to a new understanding on which improved racial relations can be forged.

Therefore, be it resolved, That the House of Representatives of the Legislature of Louisiana does hereby recognize the need for an apology to the victims of lynching and their descendants by the United States Senate for the Senate's failure to enact anti-lynching legislation.

Be it further resolved, That a suitable copy of this Resolution be transmitted to the members of the Louisiana congressional delegation.

POM-184. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to a constitutional amendment banning the desecration of the American flag; to the Committee on the Judiciary.

A CONCURRENT RESOLUTION

To memorialize the United States Senate to take such actions as are necessary to pass the constitutional amendment banning the desecration of the American flag which was passed by the United States House of Representatives on June 22, 2005.

Whereas, in 1989 the United States Supreme Court ruled in a five to four decision that burning of the American flag is a protected free-speech right; and

Whereas, the Supreme Court's ruling overturned a 1968 Federal statute as well as preempting flag-protection laws in forty-eight States; and

Whereas, the United States House of Representatives on June 22, 2005, by a vote of two hundred eighty-six to one hundred thirty, passed a constitutional amendment banning the desecration of the American flag; and

Whereas, since 1995, the United States Senate has failed to pass five similar constitutional amendments which were previously passed by the United States House of Representatives; and

Whereas, the United States Senate should not continue to prevent each of the United States from having a voice in whether or not to ratify this constitutional amendment; therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to pass the constitutional amendment banning the desecration of the American flag which was passed by the United States House of Representatives on June 22, 2005; 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-185. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to enacting legislation establishing English as the official language of the United States; to the Committee on the Judiciary.

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States of America to take such actions as are necessary to enact legislation establishing English as the official language of the United States.

Whereas, English is currently the national language of the United States by custom but not by law; and

Whereas, the United States is comprised of individuals from many ethnic, cultural, and

linguistic backgrounds and benefits from this rich diversity; and

Whereas, these individuals, while keeping their own backgrounds alive, are encouraged to take advantage of our nation's educational system that teaches the English language and American history; and

Whereas, throughout the history of the United States, the common thread binding individuals of differing backgrounds has been the English language; and

Whereas, English was established as the official language of Louisiana as a condition of statehood in 1812; and

Whereas, command of the English language is necessary to participate in and take full advantage of the opportunities afforded by American life.

Therefore, be it resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States of America to take such actions as are necessary to enact legislation establishing English as the official language of the United States.

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-186. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to making permanent the increases in Servicemembers' Group Life Insurance coverage and the Death Gratuity benefits to provide financial security of survivors of members of the Louisiana National Guard and other servicemembers who make the ultimate sacrifice with their lives while serving our country and the state of Louisiana; to the Committee on Veterans' Affairs.

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to make permanent the increases in Servicemembers' Group Life Insurance coverage and the Death Gratuity benefits to provide financial security of survivors of members of the Louisiana National Guard and other servicemembers who make the ultimate sacrifice with their lives while serving our country and the state of Louisiana.

Whereas, members of the Louisiana National Guard (LANG) have been asked to serve extended periods of active duty in combat areas and in recognition of the invaluable contributions that the members of LANG make to this country and to the state of Louisiana, members of LANG should receive assistance with their premiums for coverage under the federal Servicemembers' Group Life Insurance program; and

Whereas, the 256th Infantry Brigade is not scheduled to return from Iraq until October 2006, and there is always the possibility that if any conflict arises overseas that members of LANG will be deployed in combat areas; and

Whereas, under the FY 2005 Emergency Supplemental Appropriations bill (H.R. 1268) of the 109th Congress adopted by both houses of congress and enrolled, members of LANG will be eligible for one hundred thousand dollars in death gratuity benefits and life insurance policies with limits up to four hundred fifty thousand dollars through the federal Servicemembers' Group Life Insurance program; and

Whereas, the Secretary of Defense is authorized to pay the cost of premiums for the increased coverage under federal Servicemembers' Group Life Insurance program; however, the increased coverage and authority to pay the costs of premiums terminates on September 30, 2005.

Therefore, be it resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to make permanent the increases in Servicemembers' Group Life Insurance coverage and the Death Gratuity benefits to provide for financial security of survivors of members of the Louisiana National Guard and other servicemembers who make the ultimate sacrifice with their lives while serving our country and the state of Louisiana.

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-187. A resolution adopted by the Miami-Dade County Board of County Commissioners, Miami-Dade County, Florida relative to the support for \$385 Million in funding for Housing Opportunities for Persons Living with AIDS (HOPWA) Program for fiscal year 2006; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCCAIN, from the Committee on Indian Affairs, without amendment:

S. 1291. A bill to provide for the acquisition of subsurface mineral interests in land owned by the Pascua Yaqui Tribe and land held in trust for the Tribe (Rept. No. 109-116).

By Mr. ENZI, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 518. A bill to provide for the establishment of a controlled substance monitoring program in each State (Rept. No. 109-117).

By Mr. MCCAIN, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 1231. A bill to amend the Indian Self-Determination and Education Assistance Act to modify provisions relating to the National Fund for Excellence in American Indian Education (Rept. No. 109-118).

By Mr. CHAMBLISS, from the Committee on Agriculture, Nutrition, and Forestry, without amendment:

S. 1566. An original bill to reauthorize the Commodity Exchange Act, and for other purposes (Rept. No. 109-119).

By Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1567. An original bill to reauthorize and improve surface transportation safety programs, and for other purposes (Rept. No. 109-120).

By Mr. ENZI, from the Committee on Health, Education, Labor, and Pensions:

Report to accompany S. 288, a bill to extend Federal funding for operation of State high risk health insurance pools (Rept. No. 109-121).

By Mr. SHELBY, from the Committee on Banking, Housing, and Urban Affairs, without amendment:

H.R. 804. A bill to exclude from consideration as income certain payments under the national flood insurance program.

S. 1047. A bill to require the Secretary of the Treasury to mint coins in commemoration of each of the Nation's past Presidents and their spouses, respectively to improve circulation of the \$1 coin, to create a new bullion coin, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. LUGAR, from the Committee on Foreign Relations:

[Treaty Doc. 107-18 Inter-American Convention Against Terrorism (Exec. Rept. No. 109-3)]

TEXT OF RESOLUTION OF RATIFICATION AS RECOMMENDED BY THE COMMITTEE ON FOREIGN RELATIONS

Section 1. Senate Advice and Consent Subject to Understanding.

The Senate advises and consents to the ratification of the Inter-American Convention Against Terrorism (the "Convention"), adopted at the thirty-second regular session of the General Assembly of the Organization of American States meeting in Bridgetown, Barbados, and signed by the United States on June 3, 2002 (Treaty Doc. 107-18), subject to the understanding in Section 2.

Section 2. Understanding.

The advice and consent of the Senate under section 1 is subject to the following understanding, which shall be included in the United States instrument of ratification:

The United States of America understands that the term "international humanitarian law" in paragraph 2 of Article 15 of the Convention has the same substantive meaning as the law of war.

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. BOND:

S. 1553. A bill to amend the Internal Revenue Code of 1986 to enhance tax incentives for small property and casualty insurance companies; to the Committee on Finance.

By Ms. COLLINS (for herself and Mr. LIEBERMAN):

S. 1554. A bill to establish an intergovernmental grant program to identify and develop homeland security information, equipment, capabilities, technologies, and services to further the homeland security of the United States and to address the homeland security needs of Federal, State, and local governments; to the Committee on Homeland Security and Governmental Affairs.

By Ms. CANTWELL (for herself, Ms. COLLINS, Mr. BINGAMAN, Mrs. MURRAY, Ms. MIKULSKI, Mr. KOHL, and Mr. CORZINE):

S. 1555. A bill to amend the Farm Security and Rural Investment Act of 2002 to reform funding for the Seniors Farmers' Market Nutrition Program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. WYDEN:

S. 1556. A bill to amend the Specialty Crops Competitiveness Act of 2004 to increase the authorization of appropriations for grants to support the competitiveness of specialty crops, to amend the Agricultural Risk Protection Act of 2000 to improve the program of value-added agricultural product market development grants by routing funds through State departments of agriculture, to amend the Federal Crop Insurance Act to require a nationwide expansion of the adjusted gross revenue insurance program, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. COBURN (for himself and Mr. DEMINT):