

the national flood insurance program; considered and passed.

By Mrs. FEINSTEIN (for herself, Mr. LEAHY, and Mr. KERRY):

S. 2276. A bill to provide for fairness for the Federal judiciary; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 658

At the request of Mr. TALENT, the name of the Senator from Missouri (Mr. TALENT) was withdrawn as a cosponsor of S. 658, a bill to amend the Public Health Service Act to prohibit human cloning.

S. 722

At the request of Mr. SANTORUM, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 722, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

S. 877

At the request of Mr. DOMENICI, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Idaho (Mr. CRAIG) were added as cosponsors of S. 877, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and the performance of the Federal Government.

S. 1035

At the request of Mr. INHOFE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1035, a bill to authorize the presentation of commemorative medals on behalf of Congress to Native Americans who served as Code Talkers during foreign conflicts in which the United States was involved during the 20th century in recognition of the service of those Native Americans to the United States.

S. 2253

At the request of Mr. DOMENICI, the names of the Senator from Wyoming (Mr. THOMAS) and the Senator from Missouri (Mr. BOND) were added as cosponsors of S. 2253, a bill to require the Secretary of the Interior to offer the 181 Area of the Gulf of Mexico for oil and gas leasing.

S. 2259

At the request of Mr. OBAMA, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 2259, a bill to establish an Office of Public Integrity in the Congress and a Congressional Ethics Enforcement Commission.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. COLEMAN (for himself and Mr. JOHNSON):

S. 2272. A bill to amend the Internal Revenue Code of 1986 to increase the deduction for host families of foreign exchange and other students from \$50 per month to \$200 per month; to the Committee on Finance.

Mr. COLEMAN. Mr. President, I come to the floor today to introduce

legislation with my colleague from South Dakota, Senator JOHNSON, that will help ease the financial burden for American families who open their homes to foreign exchange students from around the world, and offer an incentive to additional families to get involved in international exchanges.

Every year, approximately 30,000 American families host exchange students from all over the world. This exchange experience provides the families, their communities, the students and their schools with a unique educational opportunity to increase cultural awareness and understanding. And it often produces lifelong friendship as well.

Exchange programs are vital in today's interconnected world to build bridges of understanding. Youth exchange is particularly critical as it allows young people the opportunity to gain exposure to American families, culture and values early in their lives. Participants take home an understanding and often an appreciation for America's people, society and values.

At her confirmation hearing before the Senate Foreign Relations Committee early last year, Secretary of State Condoleezza Rice declared, "I am a big proponent of student exchanges. It is the best policy we can have." She explained that, "the presence of foreign students" is "one of the best things" for American students; the experience "changes the way we think about people, and the way they think about us", and she called student exchange "invaluable."

We could not agree with her more. The legislation we introduce today will encourage more American families to participate in exchanges by increasing the monthly tax deduction for host families from \$50 to \$200 per month. The current \$50 tax deduction has been in place since it was first introduced in the 1960s. It has never been increased to allow for inflation or to reflect the increasing costs associated with hosting a student. Our legislation will increase the monthly deduction with an annual adjustment for inflation.

While the increase is certainly not enough cover the expenses involved in feeding and housing a teenager, it will offer needed cost relief to American families, and most importantly, it will send a strong message to these families that our Nation values their contribution to increasing international understanding.

I hope that my Senate colleagues will join Senator JOHNSON and me in supporting this legislation.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2272

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Youth Exchange Support Act of 2006".

#### SEC. 2. INCREASE IN CHARITABLE DEDUCTION FOR AMOUNTS PAID TO MAINTAIN CERTAIN STUDENTS AS MEMBERS OF TAXPAYER'S HOUSEHOLD.

(a) IN GENERAL.—Subparagraph (A) of section 170(g)(2) of the Internal Revenue Code of 1986 (relating to amounts paid to maintain certain students as members of taxpayer's household) is amended by striking "\$50" and inserting "\$200".

(b) ADJUSTMENT FOR INFLATION.—Section 170(g) of such Code is amended by adding at the end the following new paragraph:

“(5) ADJUSTMENT FOR INFLATION.—

“(A) IN GENERAL.—In the case of any taxable year beginning in a calendar year after 2006, the \$200 amount contained in paragraph (2)(A) shall be increased by an amount equal to—

“(i) \$200, multiplied by

“(ii) the cost-of-living adjustment determined under section 1(f)(3) for the calendar year in which the taxable year begins by substituting ‘calendar year 2005’ for ‘calendar year 1992’ in subparagraph (B) thereof.

“(B) ROUNDING.—If any increase determined under paragraph (1) is not a multiple of \$10, such increase shall be rounded to the next highest multiple of \$10.”.

(c) EFFECTIVE DATE.—The amendments made by this Act shall apply to taxable years beginning after December 31, 2005.

By Mr. DOMENICI:

S. 2274. A bill to establish a language arts facility for Homeland Security personnel and law enforcement officers; to the Committee on Homeland Security and Governmental Affairs.

Mr. DOMENICI. Mr. President, I rise today to introduce the Foreign Language Training Act of 2006, a bill that I believe is necessary for the success of our Department of Homeland Security personnel and other Federal agents.

As you may know, our Department of Defense employees receive foreign language education and training at the Defense Language Institute Foreign Language Center. This school has provided training for American forces involved in arms control treaty verification, the war on drugs, and Operation Desert Storm.

I believe the Department of Defense's success can provide guidance for Department of Homeland Security personnel and Federal law enforcement agents who need foreign language skills. The Foreign Language Training Act of 2006 provides for such guidance by creating a facility similar to the Defense Language Institute Foreign Language Center for these Federal employees.

My bill requires the Secretary of Homeland Security and other Federal agency leaders to identify employees who need foreign language education and plan for the provision of such education. To fully utilize existing Federal assets, the Foreign Language Training Act requires this training to take place at the Federal Law Enforcement Training Center in Artesia, New Mexico. FLETC is already planning to increase its language training capabilities and construct new language arts facilities in Artesia to accommodate the increased number of border patrol trainees being sent there, so it makes sense for other DHS employees and Federal agents to utilize this facility as well.

Mr. President, the Defense Language Institute Foreign Language Center has prepared our soldiers for World War II, the Cold War, the Korean War, and the Vietnam conflict. It continues to provide such training today. I believe that similar training is necessary for the men and women securing our homeland, and the Foreign Language Training Act of 2006 provides for such education.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2274

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Foreign Language Training Act of 2006".

#### SEC. 2. DEFINITIONS.

In this Act—

(1) the term "executive agency" has the same meaning as in section 105 of title 5, United States Code, except that the term does not include the Department of Defense;

(2) the term "law enforcement officer" has the same meaning as in section 8331 of title 5, United States Code; and

(3) the term "Secretary" means the Secretary of Homeland Security.

#### SEC. 3. LANGUAGE ARTS PROGRAM AND FACILITY.

(a) PROGRAM EXPANSION.—The Secretary shall expand the language arts program at the Federal Law Enforcement Training Center in Artesia, New Mexico, to provide training for the Department of Homeland Security personnel and law enforcement officers identified under section 4.

(b) FACILITY.—The Secretary is authorized to construct a language arts facility at the Federal Law Enforcement Training Center in Artesia, New Mexico.

#### SEC. 4. TRAINING REQUIREMENT.

(a) HOMELAND SECURITY.—The Secretary shall—

(1) identify any employee of the Department of Homeland Security for whom foreign language education is necessary; and

(2) require foreign language education for any employee identified under paragraph (1).

(b) LAW ENFORCEMENT.—The head of each executive agency shall—

(1) identify any law enforcement officer employed by such executive agency for whom foreign language education is necessary; and

(2) require foreign language education for any law enforcement officer identified under paragraph (1).

(c) TRAINING.—Foreign language education for any individual identified under subsection (a)(1) or (b)(1) shall be provided at the language arts facility authorized under section 3(b).

#### SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this Act.

By Mrs. FEINSTEIN (for herself,  
Mr. LEAHY, and Mr. KERRY):

S. 2276. A bill to provide for fairness for the Federal judiciary; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce the Fairness in Judicial Salaries Act.

This legislation is needed to prevent a continuing decline in the pay of our Federal judges and prevent damage to the quality of our judiciary.

Impartial, dedicated, and wise judges are critical to our justice system. Nevertheless, in the past three decades, our Federal judges have been neglected.

Since 1969, the salaries of Federal judges have declined by nearly 24 percent in inflation adjusted dollars. By comparison, in the same time period the salary of the average American worker has increased over 15 percent.

Since 1993, when Congress last passed a comprehensive revision of Federal salaries, real judicial pay has declined about 10 percent.

The drop in judicial pay is even more stark when compared to judges' peers in the legal community.

In 1969, the salary of a Federal district court judge was about 20 percent higher than the salary of a top law school dean and about 30 percent higher than that of a senior law professor at a top law school. In contrast, today, top law school deans make twice as much as district court judges, and senior law professors at those schools make nearly 50 percent more.

Today, partners at major law firms routinely make three, four or five times what Federal judges make. Furthermore, first year law school graduates at these law firms make more than experienced Federal judges.

While judges are making less, they are also working more. In the same time period that judges pay has declined by nearly 24 percent, the caseload for district court judges has climbed by 58.4 percent and the caseload of Circuit Court judges has jumped 211.4 percent.

While fairness alone would require a reasonable salary for judges, the growing pay disparity between judges and other members of the legal profession poses a real threat to the quality of our judiciary.

In order to ensure that our judiciary can continue to attract—and keep top attorneys, it is imperative that judges' salaries be increased to at least make up for some of the loss in real pay that has taken place in the last 30 years.

In 2003, the National Commission on the Public Service, also known as the Volcker Commission, concluded that "the lag in judicial salaries has gone on too long, and the potential for the diminished quality in American jurisprudence is now too large."

In a July 15, 2002 statement to the National Commission on the Public Service, the late Chief Justice Rehnquist said inadequate compensation seriously compromises the judicial independence fostered by life tenure. The prospect that low salaries might force judges to return to the private sector rather than stay on the bench risks affecting judicial performance.

Chief Justice Rehnquist's views were echoed by new Chief Justice Roberts in his State of the Judiciary Address from

earlier this year. Chief Justice Roberts said the following:

If judges' salaries are too low, judges effectively serve for a term dictated by their financial position rather than for life. Figures gathered by the Administrative Office show that judges are leaving the bench in greater numbers now than ever before. In the 1960s, only a handful of district and appellate court judges retired or resigned; since 1990, 92 judges have left the bench. Of those, 21 left before reaching retirement age. Fifty-nine of them stepped down to enter the private practice of law. In the past five years alone, 37 judges have left the federal bench—nine of them in the last year.

There will always be a substantial difference in pay between successful government and private sector lawyers. But if that difference remains too large, as it is today, the judiciary will over time cease to be made up of a diverse group of the Nation's very best lawyers. Instead, it will come to be staffed by a combination of the independently wealthy and those following a career path before becoming a judge different from the practicing bar at large. Such a development would dramatically alter the nature of the federal judiciary.

Many of the judges that have left the bench in recent years cited financial considerations as a major factor in their decisions to leave the bench.

In my home State of California, several Federal judges have gone on the record to say that they left the Federal bench because of financial pressures. Some of these judges have even taken jobs in the California State judiciary, since the State courts offer better salaries than the Federal bench.

As a result of the linkage of judicial salaries with the salaries of Members of Congress, when Congress has voted to deny itself a cost-of-living adjustment, as it has in 5 of the last 12 years, it has simultaneously denied all Federal judges cost-of-living adjustments, as well. Consequently, the real pay of judges has declined.

I am not suggesting that judges be paid as much as partners at law firms; however, they should receive a fair salary. The legislation that I introduce today, the Federal Judicial Fairness Act, provides a straightforward solution.

First, the act terminates the linkage of congressional pay increase to judicial pay increases, so that Congress's decision to deny itself pay raises will not also place that burden on Federal judges.

Second, the act increases the salaries of all Federal judges by 16.5 percent, in order to at least partially make up for the decline in real pay for judges over the last three decades. In 2003, both President Bush and Chief Justice Rehnquist agreed that a pay adjustment of at least 16.5 percent was needed.

Finally, the act would provide Federal judges with annual cost-of-living adjustments based on the employee cost Index, an index already used by the Federal Government to help Federal salaries keep up with inflation.

The cost of this salary increase would be only \$41.3 million, a relatively small sum to safeguard the quality and independence of our judiciary.

Our Federal judges make many sacrifices in serving our Nation and a cut in pay is one of these sacrifices. However, the disparity between judicial salaries and salaries in the rest of the legal profession has grown so wide that the quality of our judicial system may be endangered. It is time to provide these critical public servants with a fair salary that will guarantee the future health of the judiciary.

I urge my colleagues to support this important legislation.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 2276

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Judicial Fairness Act of 2006".

#### SEC. 2. JUDICIAL COST-OF-LIVING INCREASES.

(a) REPEAL OF STATUTORY REQUIREMENT RELATING TO JUDICIAL SALARIES.—Section 140 of the resolution entitled "A Joint Resolution making further continuing appropriations for the fiscal year 1982, and for other purposes," approved December 15, 1981 (Public Law 97-92; 95 Stat. 1200; 28 U.S.C. 461 note), is repealed.

(b) AUTOMATIC ANNUAL INCREASES.—Section 461(a) of title 28, United States Code, is amended to read as follows:

"(a)(1) Subject to paragraph (2), effective on the first day of the first applicable pay period beginning on or after January 1 of each calendar year, each salary rate which is subject to adjustment under this section shall be adjusted by an amount, rounded to the nearest multiple of \$100 (or if midway between multiples of \$100, to the next higher multiple of \$100) equal to the percentage of such salary rate which corresponds to the most recent percentage change in the ECI (relative to the date described in the next sentence), as determined under section 704(a)(1) of the Ethics Reform Act of 1989. The appropriate date under this sentence is the first day of the fiscal year that begins in the preceding calendar year.

"(2) In no event shall the percentage adjustment taking effect under paragraph (1) in any calendar year (before rounding), in any salary rate, exceed the percentage adjustment taking effect in such calendar year under section 5303 of title 5 in the rates of pay under the General Schedule."

(c) JUDICIAL SALARY INCREASES.—Effective on the first day of the first applicable pay period that begins on or after the date of the enactment of this Act, the rate of basic pay for the Chief Justice of the United States, an Associate Justice of the Supreme Court of the United States, a judge of a United States circuit court, a judge of a district court of the United States, a judge of the United States Court of International Trade, a bankruptcy judge, and a full-time magistrate judge shall be increased in the amount of 16.5 percent of their respective rates (as last in effect before the increase), rounded to the nearest multiple of \$100 (or, if midway between multiples of \$100, to the next higher multiple of \$100).

#### SEC. 3. COORDINATION RULE.

If a pay adjustment under section 2 is to be made for an office or position as of the same date as any other pay adjustment affecting such office or position, the adjustment under section 2 shall be made first.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2759. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2746 proposed by Mr. FRIST (for Mr. SPECTER (for himself and Mr. LEAHY)) to the bill S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes; which was ordered to lie on the table.

SA 2760. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2746 proposed by Mr. FRIST (for Mr. SPECTER (for himself and Mr. LEAHY)) to the bill S. 852, supra; which was ordered to lie on the table.

SA 2761. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2746 proposed by Mr. FRIST (for Mr. SPECTER (for himself and Mr. LEAHY)) to the bill S. 852, supra; which was ordered to lie on the table.

SA 2762. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2746 proposed by Mr. FRIST (for Mr. SPECTER (for himself and Mr. LEAHY)) to the bill S. 852, supra; which was ordered to lie on the table.

SA 2763. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2746 proposed by Mr. FRIST (for Mr. SPECTER (for himself and Mr. LEAHY)) to the bill S. 852, supra; which was ordered to lie on the table.

SA 2764. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2746 proposed by Mr. FRIST (for Mr. SPECTER (for himself and Mr. LEAHY)) to the bill S. 852, supra; which was ordered to lie on the table.

SA 2765. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 2746 proposed by Mr. FRIST (for Mr. SPECTER (for himself and Mr. LEAHY)) to the bill S. 852, supra; which was ordered to lie on the table.

SA 2766. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 2746 proposed by Mr. FRIST (for Mr. SPECTER (for himself and Mr. LEAHY)) to the bill S. 852, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 2759. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2746 proposed by Mr. FRIST (for Mr. SPECTER (for himself and Mr. LEAHY)) to the bill S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes; which was ordered to lie on the table; as follows:

On page 376, line 2, strike all through the matter before line 1 on page 385.

On page 370, lines 9 through 11, strike "and the regulations banning asbestos promulgated under section 501 of this Act,".

SA 2760. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2746 proposed by Mr. FRIST (for Mr. SPECTER (for himself and Mr. LEAHY)) to the bill S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes; which was ordered to lie on the table; as follows:

On page 385, line 1, strike all through page 392, line 5.

SA 2761. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2746 proposed by Mr. FRIST (for Mr. SPECTER (for himself and Mr. LEAHY)) to the bill S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes; which was ordered to lie on the table; as follows:

On page 376, line 2, strike all through the matter before line 1 on page 385.

On page 370, lines 9 through 11, strike "and the regulations banning asbestos promulgated under section 501 of this Act,".

SA 2762. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2746 proposed by Mr. FRIST (for Mr. SPECTER (for himself and Mr. LEAHY)) to the bill S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes; which was ordered to lie on the table; as follows:

On page 376, line 1, strike all through page 392, line 5.

On page 370, lines 9 through 11, strike "and the regulations banning asbestos promulgated under section 501 of this Act,".

SA 2763. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 2746 proposed by Mr. FRIST (for Mr. SPECTER (for himself and Mr. LEAHY)) to the bill S. 852, to create a fair and efficient system to resolve claims of victims for bodily injury caused by asbestos exposure, and for other purposes; which was ordered to lie on the table; as follows:

On page 368, line 23, strike all through page 370, line 24 and insert the following:

(e) CONTRIBUTIONS TO THE ASBESTOS TRUST FUND BY OSHA ASBESTOS VIOLATORS.—

(1) IN GENERAL.—The Administrator shall assess employers or other individuals determined to have violated asbestos statutes, standards, or regulations administered by the Department of Labor and State agencies that are counterparts, for contributions to the Asbestos Injury Claims Resolution Fund.

(2) IDENTIFICATION OF VIOLATORS.—Each year, the Administrator shall in consultation with the Assistant Secretary of Labor for Occupational Safety and Health, identify all employers that, during the previous year, were subject to final orders finding that they violated standards issued by the Occupational Safety and Health Administration for control of occupational exposure to asbestos (29 C.F.R. 1910.1001, 1915.1001, and 1926.1101) or the equivalent asbestos standards issued by any State under section 18 of the Occupational Safety and Health Act (29 U.S.C. 668).

(3) ASSESSMENT FOR CONTRIBUTION.—The Administrator shall assess each such identified employer or other individual under paragraph (2) for a contribution to the Fund for that year in an amount equal to—

(A) 2 times the amount of total penalties assessed for the first violation of occupational health statutes, standards, or regulations;

(B) 4 times the amount of total penalties for a second violation of such statutes, standards, or regulations; and

(C) 6 times the amount of total penalties for any violations thereafter.

SA 2764. Mr. INHOFE submitted an amendment intended to be proposed to