

S. 1110. A bill to amend the Federal Hazardous Substances Act to require engine coolant and antifreeze to contain a bittering agent in order to render the coolant or antifreeze unpalatable (Rept. No. 109-220).

### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. LUGAR for the Committee on Foreign Relations.

\*Randall L. Tobias, of Indiana, to be Administrator of the United States Agency for International Development.

\*Mark D. Wallace, of Florida, to be Representative of the United States of America to the United Nations for U.N. Management and Reform, with the rank of Ambassador.

\*Mark D. Wallace, of Florida, to be Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Representative of the United States of America to the United Nations for U.N. Management and Reform.

\*Richard T. Miller, of Texas, to be Representative of the United States of America on the Economic and Social Council of the United Nations, with the rank of Ambassador.

\*Richard T. Miller, of Texas, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America on the Economic and Social Council of the United Nations.

\*John A. Simon, of Maryland, to be Executive Vice President of the Overseas Private Investment Corporation.

Mr. LUGAR. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

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

Foreign Service nominations beginning with Lisa Chiles and ending with Michael F. Walsh, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on December 13, 2005.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

### 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. SANTORUM:

S. 2408. A bill to require the Director of National Intelligence to release documents captured in Afghanistan or Iraq during Oper-

ation Desert Storm, Operation Enduring Freedom, or Operation Iraqi Freedom; to the Select Committee on Intelligence.

By Mr. SMITH (for himself, Mr. BINGAMAN, Mrs. CLINTON, Mr. NELSON of Florida, and Mrs. LINCOLN):

S. 2409. A bill to amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals; to the Committee on Finance.

By Mr. COLEMAN (for himself, Mr. LEVIN, and Mr. GRAHAM):

S. 2410. A bill to amend the Homeland Security Act of 2002 to limit foreign control of investments in certain United States critical infrastructure; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. SNOWE (for herself and Ms. COLLINS):

S. 2411. A bill to reliquidate certain entries of salmon; to the Committee on Finance.

By Mr. BIDEN:

S. 2412. A bill to address homeland security issues relating to first responders, the Federal Bureau of Investigation, the use of technology, Federal, State, and local coordination, and critical infrastructure, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BIDEN (for himself and Mr. LUGAR):

S. 2413. A bill to establish the Return of Talent Program to allow aliens who are legally present in the United States to return temporarily to the country of citizenship of the alien if that country is engaged in post-conflict or natural disaster reconstruction, and for other purposes; to the Committee on the Judiciary.

By Mr. BAYH (for himself, Mr. OBAMA, Mr. CARPER, and Mr. KERRY):

S. 2414. A bill to amend the Internal Revenue Code of 1986 to require broker reporting of customer's basis in securities transactions, and for other purposes; to the Committee on Finance.

### ADDITIONAL COSPONSORS

S. 241

At the request of Ms. SNOWE, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 241, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 407

At the request of Mr. JOHNSON, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 407, a bill to restore health care coverage to retired members of the uniformed services, and for other purposes.

S. 424

At the request of Mr. BOND, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 424, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 709

At the request of Mr. DEWINE, the name of the Senator from Oregon (Mr.

SMITH) was added as a cosponsor of S. 709, a bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals, and for other purposes.

S. 843

At the request of Mr. SANTORUM, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 843, a bill to amend the Public Health Service Act to combat autism through research, screening, intervention and education.

S. 1263

At the request of Mr. BOND, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1263, a bill to amend the Small Business Act to establish eligibility requirements for business concerns to receive awards under the Small Business Innovation Research Program.

S. 1349

At the request of Mr. SMITH, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1349, a bill to promote deployment of competitive video services, eliminate redundant and unnecessary regulation, and further the development of next generation broadband networks.

S. 1406

At the request of Mr. CORNYN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 1406, a bill to protect American workers and responders by ensuring the continued commercial availability of respirators and to establish rules governing product liability actions against manufacturers and sellers of respirators.

S. 1575

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1575, a bill to amend the Public Health Service Act to authorize a demonstration program to increase the number of doctorally-prepared nurse faculty.

S. 1597

At the request of Mr. ENZI, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1597, a bill to award posthumously a Congressional gold medal to Constantino Brumidi.

S. 1862

At the request of Mr. SMITH, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1862, a bill to establish a joint energy cooperation program within the Department of Energy to fund eligible ventures between United States and Israeli businesses and academic persons in the national interest, and for other purposes.

S. 1881

At the request of Mrs. FEINSTEIN, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from Alaska (Mr. STEVENS) were added

as cosponsors of S. 1881, a bill to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco otherwise known as the "Granite Lady", and for other purposes.

S. 1948

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 1948, a bill to direct the Secretary of Transportation to issue regulations to reduce the incidence of child injury and death occurring inside or outside of passenger motor vehicles, and for other purposes.

S. 2178

At the request of Mr. SPECTER, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2178, a bill to make the stealing and selling of telephone records a criminal offense.

S. 2201

At the request of Mr. OBAMA, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 2201, a bill to amend title 49, United States Code, to modify the mediation and implementation requirements of section 40122 regarding changes in the Federal Aviation Administration personnel management system, and for other purposes.

S. 2250

At the request of Mr. GRASSLEY, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Alaska (Mr. STEVENS) were added as cosponsors of S. 2250, a bill to award a congressional gold medal to Dr. Norman E. Borlaug.

S. 2296

At the request of Mr. INOUE, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Vermont (Mr. JEFFORDS) were added as cosponsors of S. 2296, a bill to establish a fact-finding Commission to extend the study of a prior Commission to investigate and determine facts and circumstances surrounding the relocation, internment, and deportation to Axis countries of Latin Americans of Japanese descent from December 1941 through February 1948, and the impact of those actions by the United States, and to recommend appropriate remedies, and for other purposes.

S. 2322

At the request of Mr. ENZI, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2322, a bill to amend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 2334

At the request of Mr. MENENDEZ, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2334, a bill to ensure the security of United States ports, and for other purposes.

S. 2370

At the request of Mr. MCCONNELL, the names of the Senator from Cali-

fornia (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Alabama (Mr. SHELBY) were added as cosponsors of S. 2370, a bill to promote the development of democratic institutions in areas under the administrative control of the Palestinian Authority, and for other purposes.

S. 2381

At the request of Mr. JOHNSON, his name was added as a cosponsor of S. 2381, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide line item rescission authority.

S. 2382

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2382, a bill to establish a national health program administered by the Office of Personnel Management to offer health benefits plans to individuals who are not Federal employees, and for other purposes.

S. 2393

At the request of Mr. COLEMAN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 2393, a bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers.

AMENDMENT NO. 2960

At the request of Mr. LEVIN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 2960 intended to be proposed to S. 2349, an original bill to provide greater transparency in the legislative process.

AMENDMENT NO. 2989

At the request of Mr. DURBIN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 2989 intended to be proposed to S. 2349, an original bill to provide greater transparency in the legislative process.

AMENDMENT NO. 2999

At the request of Mr. BURNS, the name of the Senator from Rhode Island (Mr. CHAFFEE) was added as a cosponsor of amendment No. 2999 proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

At the request of Mrs. HUTCHISON, her name was added as a cosponsor of amendment No. 2999 proposed to S. Con. Res. 83, supra.

At the request of Mr. ALLARD, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Louisiana (Mr. VITTER) were added as

cosponsors of amendment No. 2999 proposed to S. Con. Res. 83, supra.

At the request of Mr. GREGG, the name of the Senator from Arizona (Mr. KYL) was added as a cosponsor of amendment No. 2999 proposed to S. Con. Res. 83, supra.

AMENDMENT NO. 3001

At the request of Mr. NELSON of Florida, the names of the Senator from Minnesota (Mr. DAYTON), the Senator from New Mexico (Mr. BINGAMAN), the Senator from California (Mrs. BOXER), the Senator from North Dakota (Mr. DORGAN), the Senator from Colorado (Mr. SALAZAR), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of amendment No. 3001 intended to be proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

AMENDMENT NO. 3004

At the request of Ms. SNOWE, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of amendment No. 3004 intended to be proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

AMENDMENT NO. 3007

At the request of Mr. AKAKA, the names of the Senator from West Virginia (Mr. ROCKEFELLER), the Senator from New York (Mrs. CLINTON), the Senator from Illinois (Mr. DURBIN), the Senator from Wisconsin (Mr. FEINGOLD), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Montana (Mr. BAUCUS), the Senator from West Virginia (Mr. BYRD) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of amendment No. 3007 proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

At the request of Ms. LANDRIEU, her name was added as a cosponsor of amendment No. 3007 proposed to S. Con. Res. 83, supra.

AMENDMENT NO. 3008

At the request of Mr. KENNEDY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of amendment No. 3008 intended to be proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

AMENDMENT NO. 3009

At the request of Mr. NELSON of Florida, the names of the Senator from Colorado (Mr. SALAZAR), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from New York (Mrs. CLINTON), the Senator from New Mexico (Mr. BINGAMAN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Minnesota (Mr. DAYTON), the Senator from Michigan (Ms. STABENOW), the Senator from Washington (Mrs. MURRAY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Iowa (Mr. HARKIN), the Senator from Wisconsin (Mr. KOHL), the Senator from Maryland (Ms. MIKULSKI), the Senator from New York (Mr. SCHUMER) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of amendment No. 3009 intended to be proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

AMENDMENT NO. 3011

At the request of Mr. TALENT, the names of the Senator from Virginia (Mr. WARNER), the Senator from Delaware (Mr. CARPER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Mississippi (Mr. LOTT), the Senator from Ohio (Mr. DEWINE) and the Senator from North Carolina (Mrs. DOLE) were added as cosponsors of amendment No. 3011 proposed to S. Con. Res. 83, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2007 and including the appropriate budgetary levels for fiscal years 2006 and 2008 through 2011.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SANTORUM:

S. 2408. A bill to require the Director of National Intelligence to release documents captured in Afghanistan or Iraq during Operation Desert Storm, Operation Enduring Freedom, or Operation Iraqi Freedom; to the Select Committee on Intelligence.

Mr. SANTORUM. Mr. President, I rise today to offer remarks on legislation that I am introducing today here in the Senate.

This legislation concerns the need to release military documents and photographs recovered in Iraq and Afghanistan. Specifically, the bill requires the Director of National Intelligence to make publicly available on an Internet website documents captured in Afghanistan or Iraq during Operation Desert Storm, Operation Enduring Freedom, or Operation Iraqi Freedom.

In my conversations with President Bush and Secretary of Defense Rumsfeld, I urged that efforts to examine these documents and photographs be accelerated. With U.S. and Coalition forces actively engaged in Iraq, the

analysis and release of these documents should be made a top priority within the Department of Defense.

Recently, I gave a speech at the Valley Forge Military Academy in Pennsylvania concerning ongoing military operations in Iraq and detailed why we must prevail. In my speech, I noted that U.S. and Coalition forces are fighting the forces of Islamic fascism and those who seek to overthrow the values and beliefs that civilized nations cherish. In short, this is a battle we cannot afford to lose.

By way of background, The Weekly Standard published several articles detailing a number of these documents and the information contained within them which "connect the dots" between Saddam Hussein and the training of Islamic terrorists. Among the points highlighted in a recent The Weekly Standard article:

The photographs and documents on Iraqi training camps come from a collection of some 2 million "exploitable items" captured in postwar Iraq and Afghanistan. They include handwritten notes, typed documents, audiotapes, videotapes, compact discs, floppy discs, and computer hard drives . . . Nearly three years after the U.S. invasion of Iraq, only 50,000 of these 2 million "exploitable items" have been thoroughly examined.

Many of the translated and analyzed documents were entered into a government database known as "HARMONY." It is now 4 years since these documents were captured. I understand that previous requests to release information from the HARMONY database have been rejected or delayed. It is reasonable to assume that over the course of the last 4 years any actionable intelligence contained within these documents has already been exploited.

It is imperative that documents captured in Iraq which highlight the connections between Saddam Hussein's brutal regime and Islamic terrorists be released as soon as possible. These documents are increasingly necessary to help the American people understand both the reasons for our involvement in Iraq and the challenge of defending freedom and democracy.

However, in the interest of national security, the bill permits the Director of National Intelligence to withhold making a document publicly available—provided he informs the relevant congressional committees of the justification for not disclosing the document.

By Mr. SMITH (for himself, Mr. BINGAMAN, Mrs. CLINTON, Mr. NELSON of Florida, and Mrs. LINCOLN):

S. 2409. A bill to amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals; to the Committee on Finance.

Mr. SMITH. Mr. President, today I am proud to join with my colleagues, Senators BINGAMAN, CLINTON and NELSON, to introduce the Home and Community Based Services Copayment Eq-

uity Act of 2006. This important piece of legislation addresses a significant oversight in the Medicare Part D prescription drug benefit. While nearly 22 million seniors now have access to affordable prescription drug coverage under the program, many of the most vulnerable Medicare beneficiaries are being charged unnecessary copayments simply based upon how they choose to receive their long-term care services.

Under current law, dual eligible Medicare beneficiaries, those who qualify for both Medicaid and Medicare coverage, receive a subsidy from the government to pay the benefit's required \$250 deductible. These individuals also qualify for reduced copayments for both generic and brand named drugs in the amount of one and three dollars respectively. If a dual-eligible beneficiary receives long-term care services in an institutional setting, such as a nursing home, he or she is exempt from paying the required copayment. Congress decided to provide this assistance because dual-eligible beneficiaries residing in nursing homes live off of very limited incomes. For instance, in Oregon the personal needs allowance beneficiaries receive each month for incidentals, including medications, is only \$30. As many institutionalized beneficiaries are on multiple medications, they would not be able to meet their share of drug costs.

This is the very reason Congress provided institutionalized dual-eligible beneficiaries with an exemption from all copayments under Medicare Part D. However, many dual eligible beneficiaries choose to receive long-term care services in home or community-based settings, such as assisted living or resident care program facilities. Almost all states have chosen to establish Home and Community Based Services Medicaid demonstration projects that have expanded access to community based alternatives to an even greater number of low-income elderly Americans. The State of Oregon operates one of the Nation's most successful HCS waivers, serving approximately 23,500 dual eligible beneficiaries this year. My State has a thriving community based care industry that has provided many dual eligible Oregonians the freedom to choose the care setting that best meets their own physical and social needs.

While dual eligible beneficiaries are exempted from prescription drug copayments under Medicare Part D, those choosing community based alternatives are required to pay them. This is despite the fact that beneficiaries choosing community based care options typically live off of the same limited incomes as those residing in nursing homes. Despite the fact that some States provide HCS beneficiaries a larger personal stipend each month, they may have greater financial demands. At the end of the day, they are in no better position to pay the costs of prescription drugs than those beneficiaries living in nursing homes.