

The CARE Act would provide tax credits to those caring for ailing family members and loved ones, and encourage individuals to plan and invest in their own long-term care by offering a tax deduction for long-term care insurance. In addition, it would double the funding for the existing National Family Caregiver Support Program, which supports a wide range of important services for older persons.

There are an estimated 44.4 million caregivers in the U.S., which is 21 percent of the adult population. My home State of New Jersey has over 830,000 caregivers, ranking it 9th in the country.

Caregiving families face unique strains. They are challenged with additional costs, and often caregivers must sacrifice their job or cut back on their hours at work. Almost 6 in 10 caregivers either work or have worked while providing care, and 62 percent of caregivers report having had to make work-related adjustments ranging from going in late and leaving early to having to give up work entirely. Caregivers are also a valuable asset to keeping health care costs down. They are providing \$257 billion in care annually, more than double the annual spending on home care and nursing home care combined. Their compassion, dedication, and selflessness come at a price to their families and are a benefit to the greater good of our State and Nation. This legislation is aimed at addressing their hard work, sacrifice, and contributions to society.

The other bill I'm introducing today, the College Access and Affordability Act, will help open the doors to higher education for more young people by making financial assistance more flexible for students and by expanding and enhancing existing financial aid options.

I know the difference a college education can have on a young person's life. As the first in my family to go to college, and later law school, I had opportunities that would not have been available to me had I not been able to go to college. But financing a higher education was not an easy thing for my family. Federal financial aid helped ensure that I could go to college and that I could pursue my dreams. I know firsthand the important benefits of receiving Federal aid—not only did it help me finance my dreams of college, but it also gave me the extra confidence that I needed to succeed.

So, I am committed to ensuring that other promising young people get the same chance that I did and that we, as a Nation, will be there to help everyone in this country achieve their dreams of college, regardless of background, race, language, or income level. One of the great foundations of this country is that the doors of opportunity are open to anyone who works hard. We must follow through on that promise by providing a path for young people to have access to and attend college. If we do not lead the way to ensure that our

colleges are full of the brightest minds and fullest potential, we are failing to prepare our future generations and we are jeopardizing the future of our Nation.

The College Access and Affordability Act will make financial aid more flexible and accessible to more students, such as extending Pell Grant eligibility to students who attend school year-round. It will also make substantial changes to the Hope Scholarship Tax Credit, a useful tool in helping cover the costs of a higher education. Since the Credit was enacted in 1997, the maximum credit has not increased to reflect the rising cost of tuition. This bill would raise the award by \$1,000 and allow the credit to be claimed for all 4 years of college, instead of the current 2 years. It will also make more families eligible for the credit by expanding the eligibility limits.

Finally, in recognizing that many of our communities are in need of qualified individuals to serve in essential public service positions, this bill would help attract dedicated college graduates who serve low-income communities in positions such as science, math, bilingual, or special education teachers; nurses; first responders; and child welfare workers.

Too many students do not pursue a college education because they think it is out of their reach. We must commit to providing sensible tools and adequate resources so that financing a college education is not more of a burden on families, and achieving the dreams of a higher education is not beyond the reach of our Nation's young people.

On any given day, families across New Jersey, and indeed, across this country, face the daunting challenges of making ends meet—putting food on the table, clothing their children, and putting a roof over their head. If that weren't enough, add the challenge of trying to pay for college or care for an aging parent, or in many cases, both, and you have what many times is an insurmountable challenge. But that's exactly what's happening to more and more people everyday. And the intergenerational demands will only increase as the baby boom generation grows older and our life expectancy increases. We need to work now to address the challenges on both fronts—from providing affordable long-term care and encouraging future retirees to plan for their own long-term care, to ensuring that anyone who is willing to work hard has the opportunity to go to college and succeed. That's what this country is all about, and that's why I've made these initiatives my first priorities in the U.S. Senate. I'm hopeful that we will be able to work in a bipartisan fashion to address these important challenges facing American families.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 365—TO PROVIDE A 60 VOTE POINT OF ORDER AGAINST OUT OF SCOPE MATERIAL IN CONFERENCE REPORTS AND OPEN THE PROCESS OF EARMARKS IN THE SENATE

Mr. LOTT (for himself and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Rules and Administration

S. RES. 365

*Resolved,*

#### SECTION 1. OUT OF SCOPE MATTERS IN CONFERENCE REPORTS.

(a) IN GENERAL.—It shall not be in order in the Senate to consider a conference report that includes any matter not committed to the conferees by either House. A point of order shall be made and voted on separately for each item in violation of this section.

(b) DISPOSITION.—If the point of order against a conference report under subsection (a) is sustained, then—

(1) the matter in such conference report shall be deemed to have been struck;

(2) when all other points of order under this section have been disposed of—

(A) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report not deemed to have been struck;

(B) the question shall be debatable; and

(C) no further amendment shall be in order; and

(3) if the Senate agrees to the amendment, then the bill and the Senate amendment thereto shall be returned to the House for its concurrence in the amendment of the Senate.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of  $\frac{2}{3}$  of the Members, duly chosen and sworn. An affirmative vote of  $\frac{2}{3}$  of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

#### SEC. 2. EARMARKS.

(a) HONESTY IN EARMARKS.—Rule XVI of the Standing Rules of the Senate is amended by adding at the end the following:

“10.(a) In this paragraph, the term ‘earmark’ means a provision that specifies the identity of an entity to receive assistance and the amount of the assistance.

“(b) It shall not be in order to consider any bill or amendment between the Houses or conference report on such a bill unless a list of—

“(1) all earmarks in such measure;

“(2) an identification of the member who proposed the earmark; and

“(3) an explanation of the essential governmental purpose for the earmark; are available to all Members and made available to the general public by means of the Internet for at least 24 hours before its consideration.”.

(b) MEMBER REQUESTS.—Prior to the consideration of a bill in the Senate, any Member who requests an earmark in the bill shall file a copy of the request with the Secretary of the Senate and the request shall be printed in the Congressional Record.

#### SEC. 3. AVAILABILITY OF CONFERENCE REPORTS ON THE INTERNET.

Rule XXVIII of all the Standing Rules of the Senate is amended by adding at the end the following:

"9. It shall not be in order to consider a conference report unless such report is available to all Members and made available to the general public by means of the Internet for at least 24 hours before its consideration."

Mr. LOTT. Mr. President, I am pleased to be joined by the senior Senator from California, Senator FEINSTEIN, in submitting a bipartisan proposal to reform some of the procedures of the Senate that have caused an explosion of anonymous earmarks in conference reports.

Our proposal does not bar the longstanding practice of allowing Members to channel resources to communities in their States that need Federal resources. However, we attempt to bring a far greater degree of transparency to the process and make it nearly impossible for Members to insert items in unamendable conference reports which have not undergone thorough scrutiny by either the House or Senate.

The proposal we are submitting today would create a point of order against any item included in a conference report that had not been considered by either body. This point of order lies against all legislation, not simply appropriations bills. Thus a transportation authorization conference report that includes highway and bridge projects that were not considered by either body would be subject to this point of order, just as an earmark inserted in an appropriations conference report would be subject to a point of order. This point of order could be waived by 60 votes.

Although current Standing Rule 28 allows a point of order against items in conference reports that were not considered by either body, this point of order is almost never used. That is because if the Rule 28 point of order is sustained, the entire conference report is rejected and Senate and House Members must reconstitute a new conference where all items in the original bills must be renegotiated.

Under our approach, if a point of order against an item in the conference report is sustained, the conference report, minus the items struck by the point of order, is returned to the House for its concurrence.

Our approach is modeled after the Byrd Rule that applies in the case of reconciliation conference reports.

I believe that this new point of order will make it far less likely that Members will attempt to insert new items in conference reports that have not been thoroughly aired in debate. However, our resolution goes much further in enhancing the transparency of earmarks, especially in appropriations bills.

Our resolution requires that any Senator who requests an earmark in an appropriations bill must file a copy of the request with the Secretary of the Senate, who is then required to publish the earmark request in the CONGRESSIONAL RECORD.

Moreover, our resolution requires that all earmarks that are included in

appropriations bills must be specifically identified in the Report, along with the sponsor of the earmark and an explanation of the essential government purpose of the earmark. In addition, such reports, including conference reports, must be made available to all Members, and the general public via the Internet, at least 24 hours before consideration of the measure.

There is nothing inherently wrong when a Member directs financing for a key project in his or her state. Sometimes it is necessary to get the Federal bureaucracy to focus on the needs of our constituents. However, the process needs far greater transparency, and it is my hope that this resolution will resolve some of the problems that have been associated with this process.

SENATE RESOLUTION 366—AFFIRMING THE IMPORTANCE OF INCREASED INTERNATIONAL ACTION AND A NATIONAL WEEK OF PRAYER FOR THE UGANDAN VICTIMS OF JOSEPH KONY'S LORD'S RESISTANCE ARMY, AND EXPRESSING THE SENSE OF THE SENATE THAT SUDAN, UGANDA, AND THE INTERNATIONAL COMMUNITY BRING JUSTICE AND HUMANITARIAN ASSISTANCE TO NORTHERN UGANDA AND THAT FEBRUARY 2 THROUGH 9, 2006 SHOULD BE DESIGNATED AS A NATIONAL WEEK OF PRAYER AND REFLECTION FOR THE PEOPLE OF UGANDA

Mr. INHOFE (for himself, Mr. COLEMAN, Mr. SANTORUM, Mr. DEMINT, Mrs. HUTCHISON, Mr. DEWINE, Mr. MARTINEZ, Mr. BOND, Mr. CHAMBLISS, Mr. KYL, Mr. SPECTER, Mr. SMITH, Mr. ROBERTS, Mr. ALLARD, Mr. BURNS, Mr. BUNNING, Mr. ENSIGN, Mr. MCCAIN, Mr. SESSIONS, Mr. HATCH, Mr. ENZI, Mr. BENNETT, Mr. GRASSLEY, Mr. CRAIG, Mr. MCCONNELL, Mr. COBURN, Mr. FRIST, Mr. BROWNBACK, Mr. VITTER, Mr. NELSON of Florida, Ms. MIKULSKI, Mr. AKAKA, Mr. PRYOR, Mr. CARPER, Mrs. LINCOLN, Mr. DAYTON, Mr. JEFFORDS, Ms. LANDRIEU, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. NELSON of Nebraska, Mr. FEINGOLD, Mr. KENNEDY, and Mr. LAUTENBERG) submitted the following resolution; which was considered and agreed to:

S. RES. 366

Whereas, Joseph Kony has led the Lord's Resistance Army (LRA) since 1987, terrorizing the region of Northern Uganda;

Whereas, up to 200,000 people have been killed in violent conflict and from disease and malnutrition;

Whereas, 80 to 90 percent of Kony's fighters are enslaved children—brutalized and brainwashed to kill;

Whereas, sources estimate that between 20,000 and 50,000 children have been abducted by the LRA since 1987;

Whereas, these children are sexually abused, raped, beaten, taunted and traumatized by older soldiers in the LRA;

Whereas, these children are maliciously coerced to mutilate, rape, and murder others, even their own family members and friends;

Whereas, LRA leaders often force the friends and siblings of unsuccessful escapees to carry out vicious punishments to further the LRA's culture of fear, intimidation and guilt;

Whereas, even those children who do manage to escape are unspeakably traumatized, often infected with sexually transmitted diseases, and stigmatized by society;

Whereas, approximately 40,000 children in rural Uganda trek miles into towns each night to sleep under the protection of soldiers and attempt to avoid capture;

Whereas, more than 1.6 million people have been forced to flee their homes;

Whereas, the conflict has slowed Uganda's development efforts, costing the country at least \$1.33 billion, or 3 percent of its GDP;

Whereas, starting in October 2005, the Sudan government gave Joseph Kony a three month grace period to surrender;

Resolved, That it is the sense of the Senate—

(1) that the government of Sudan continue to prosecute LRA terrorists within its borders and aid Uganda in ending the conflict;

(2) that Uganda use every available resource to end the atrocities of the LRA and bring its members to justice;

(3) that the United States and international community recognize the atrocities occurring daily in Uganda and provide necessary humanitarian assistance; and

(4) that the week of February 2 through 9, 2006 should be designated as a National Week of Prayer and Reflection for the people of Northern Uganda.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2703. Mr. TALENT submitted an amendment intended to be proposed by him to the bill H.R. 4297, to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006; which was ordered to lie on the table.

SA 2704. Mrs. BOXER (for herself, Mr. KERRY, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by her to the bill H.R. 4297, supra; which was ordered to lie on the table.

SA 2705. Mr. MENENDEZ (for himself, Mr. SCHUMER, Mr. KERRY, Mrs. FEINSTEIN, Mrs. CLINTON, Mr. LAUTENBERG, and Ms. STABENOW) submitted an amendment intended to be proposed to amendment SA 2707 proposed by Mr. FRIST (for Mr. GRASSLEY (for himself and Mr. BAUCUS)) to the bill H.R. 4297, supra.

SA 2706. Mr. MENENDEZ (for himself, Mr. KERRY, Mr. SCHUMER, Mrs. FEINSTEIN, Mrs. CLINTON, Mr. WYDEN, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 4297, supra; which was ordered to lie on the table.

SA 2707. Mr. FRIST (for Mr. GRASSLEY (for himself and Mr. BAUCUS)) proposed an amendment to the bill H.R. 4297, supra.

SA 2708. Mr. FRIST (for Mr. GRASSLEY (for himself and Mr. BAUCUS)) proposed an amendment to amendment SA 2707 proposed by Mr. FRIST (for Mr. GRASSLEY (for himself and Mr. BAUCUS)) to the bill H.R. 4297, supra.

SA 2709. Mr. FRIST proposed an amendment to amendment SA 2708 proposed by Mr. FRIST (for Mr. GRASSLEY (for himself and Mr. BAUCUS)) to the amendment SA 2707 proposed by Mr. FRIST (for Mr. GRASSLEY (for himself and Mr. BAUCUS)) to the bill H.R. 4297, supra.

SA 2710. Mr. FRIST (for himself, Mr. GRASSLEY, and Mr. BAUCUS) proposed an amendment to the bill H.R. 4297, supra.

SA 2711. Mr. FRIST (for Mr. TALENT) proposed an amendment to amendment SA 2710