

(4) environmental restoration is an important part of the mission of the Corps of Engineers; and

(5) the Corps of Engineers should reestablish, where feasible, the hydrologic connection between the Middle Rio Grande and the Middle Rio Grande bosque to ensure the permanent healthy growth of vegetation native to the Middle Rio Grande bosque.

SEC. 2. DEFINITIONS.

In this Act:

(1) **MIDDLE RIO GRANDE.**—The term “Middle Rio Grande” means the portion of the Rio Grande from Cochiti Dam to the headwaters of Elephant Butte Reservoir, in the State of New Mexico.

(2) **RESTORATION PROJECT.**—The term “restoration project” means a project carried out under this Act that will produce, consistent with other Federal programs, projects, and activities, immediate and substantial ecosystem restoration, preservation, recreation, and protection benefits.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Army.

SEC. 3. MIDDLE RIO GRANDE RESTORATION.

(a) **RESTORATION PROJECTS.**—The Secretary shall carry out restoration projects along the Middle Rio Grande.

(b) **PROJECT SELECTION.**—

(1) **IN GENERAL.**—The Secretary may select restoration projects in the Middle Rio Grande based on feasibility studies.

(2) **USE OF EXISTING STUDIES AND PLANS.**—In carrying out subsection (a), the Secretary shall use, to the maximum extent practicable, studies and plans in existence on the date of enactment of this Act to identify the needs and priorities for restoration projects.

(c) **LOCAL PARTICIPATION.**—In carrying out this Act, the Secretary shall consult with—

(1) the Middle Rio Grande Endangered Species Act Collaborative Program; and

(2) the Bosque Improvement Group of the Middle Rio Grande Bosque Initiative.

(d) **COST SHARING.**—

(1) **COST-SHARING AGREEMENT.**—Before carrying out any restoration project under this Act, the Secretary shall enter into an agreement with the non-Federal interests that shall require the non-Federal interests—

(A) to pay 25 percent of the total costs of the restoration project through in-kind services or direct cash contributions, including the cost of providing necessary land, easements, rights-of-way, relocations, and disposal sites;

(B) to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs associated with the restoration project that are incurred after the date of enactment of this Act; and

(C) to hold the United States harmless for any claim or damage that may arise from the negligence of the Federal Government or a contractor of the Federal Government.

(2) **NON-FEDERAL INTERESTS.**—Notwithstanding section 221 of the Flood Control Act of 1970 (42 U.S.C. 1962d-5b), a non-Federal interest carrying out a restoration project under this Act may include a nonprofit entity.

(3) **RECREATIONAL FEATURES.**—

(A) **IN GENERAL.**—Any recreational features included as part of a restoration project shall comprise not more than 30 percent of the total project cost.

(B) **NON-FEDERAL FUNDING.**—The full cost of any recreational features included as part of a restoration project in excess of the amount described in subparagraph (A) shall be paid by the non-Federal interests.

(4) **CREDIT.**—The non-Federal interests shall receive credit toward the non-Federal share of the cost of design or construction activities carried out by the non-Federal interests (including activities carried out be-

fore the execution of the cooperation agreement for a restoration project) if the Secretary determines that the work performed by the non-Federal interest is integral to the project.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act—

- (1) \$10,000,000 for fiscal year 2006; and
- (2) such sums as are necessary for each of fiscal years 2007 through 2015.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 367—CONGRATULATING THE PITTSBURGH STEELERS FOR THEIR VICTORY IN SUPER BOWL XL

Mr. SANTORUM (for himself and Mr. SPECTER) submitted the following resolution; which was considered and agreed to:

S. RES. 367

Whereas, on Sunday, February 5, 2006, the Pittsburgh Steelers defeated the Seattle Seahawks by a score of 21–10, in Detroit, Michigan;

Whereas that victory marks the 5th Super Bowl Championship for the Steelers organization, tying Pittsburgh with the San Francisco 49ers and the Dallas Cowboys for the most Super Bowl wins in the history of the National Football League;

Whereas, after losing a game to Cincinnati on December 4, and dropping their record to 7 wins and 5 losses, the Steelers won 8 consecutive games, the last of which earned the team an overall record of 15–5 and the right to be named Super Bowl Champions;

Whereas the path of the Steelers to the Super Bowl included road victories against the Cincinnati Bengals, the Indianapolis Colts, and the Denver Broncos, making the Steelers the 2nd team in NFL history to win 3 playoff games on the road;

Whereas Bill Cowher, a Pittsburgh native and the longest tenured head coach in the NFL, was a steady presence throughout the season and earned his 1st Super Bowl victory after 14 seasons at the helm of the Steelers team;

Whereas Jerome Bettis, who is affectionately known as “The Bus,” and is the 5th leading rusher in NFL history, was the emotional leader of the Steelers team and was able to return to his hometown of Detroit to participate in his 1st Super Bowl, after which he announced his retirement from the game of football;

Whereas Hines Ward, who caught 5 passes for 123 yards and 1 touchdown, was named Most Valuable Player of Super Bowl XL, joining Franco Harris, Lynn Swann, and Terry Bradshaw as the only Steelers to earn that prestigious award;

Whereas, at the age of 23, Pittsburgh quarterback Ben Roethlisberger was the youngest starting quarterback ever to win a Super Bowl;

Whereas the defense of the Steelers, led by Pro-Bowl performers Troy Polamalu, Joey Porter, and Casey Hampton, held the highest scoring team in the NFL, the Seattle Seahawks, to more than 18 points below their season average of 28.3 points per game; and

Whereas the Rooney family, who have owned the Pittsburgh Steelers since the founding of the team in 1933, have provided the Steelers organization with a level of stability and commitment to community that is unmatched in the modern sports environment and have created a team that is as be-

loved by its hometown as any in the world; Now, therefore, be it

Resolved, That the Senate congratulates the Pittsburgh Steelers on their hard-fought, well-deserved victory in Super Bowl XL.

SENATE RESOLUTION 368—TO DESIGNATE APRIL 1, 2006, AS “NATIONAL ASBESTOS AWARENESS DAY.”

Mr. REID submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 368

Whereas deadly asbestos fibers are invisible and cannot be smelled or tasted;

Whereas when airborne asbestos fibers are inhaled or swallowed, the damage can be permanent and irreversible;

Whereas those fibers can cause mesothelioma, asbestosis, lung cancer, and pleural diseases;

Whereas asbestos-related diseases can take 10 to 50 years to manifest themselves;

Whereas the expected survival rate of those diagnosed with mesothelioma is between 6 and 24 months;

Whereas little is known about late-stage treatment of, and there is no cure for, asbestos-related diseases;

Whereas early detection of asbestos-related diseases would give patients increased treatment options and often improve their prognosis;

Whereas asbestos is a toxic and dangerous substance and must be disposed of properly;

Whereas nearly half of the more than 1,000 screened firefighters, police officers, rescue workers, and volunteers who responded to the World Trade Center attacks on September 11, 2001, have new and persistent respiratory problems;

Whereas the industry groups with the highest incidence rates of asbestos-related diseases, based on 2000 to 2002 data, were shipyard workers, vehicle body builders (including rail vehicles), pipefitters, carpenters and electricians, and workers in the construction (including insulation work and stripping), extraction, energy and water supply, and manufacturing industries;

Whereas the United States imports more than 30,000,000 pounds of asbestos used in products throughout the United States;

Whereas asbestos-related diseases kill 10,000 people in the United States each year;

Whereas asbestos exposure is responsible for 1 in every 125 deaths of men over the age of 50;

Whereas safety and prevention will reduce asbestos exposure and asbestos-related diseases;

Whereas asbestos has been the largest single cause of occupational cancer;

Whereas asbestos is still a hazard for 1,300,000 workers in the United States;

Whereas asbestos-related deaths have greatly increased in the last 20 years;

Whereas 30 percent of all asbestos-related disease victims were exposed to asbestos on naval ships and in shipyards;

Whereas asbestos was used in the construction of virtually all office buildings, public schools, and homes built before 1975; and

Whereas the establishment of a “National Asbestos Awareness Day” would raise public awareness about the prevalence of asbestos-related diseases and the dangers of asbestos exposure: Now, therefore, be it

Resolved, That the Senate designates April 1, 2006, as “National Asbestos Awareness Day.”

Mr. REID. Mr. President, I rise to submit a resolution to designate April

1, 2006, as "National Asbestos Awareness Day." Submitting this resolution is one small step in an effort to raise awareness of this dangerous substance and the painful effects that exposure to asbestos has caused throughout this country. Last year the Senate unanimously passed a similar resolution. It is my hope that designating another National Asbestos Awareness Day will serve as a reminder that exposure to asbestos remains a significant problem in this country, asbestos-induced illnesses continue to kill or disable Americans at an alarming clip, and our resolve to adequately protect the rights of these victims must not falter.

There is no safe level of exposure to asbestos. Despite this fact, the substance still routinely manifests itself in too many work environments. According to the Occupational Safety and Health Administration (OSHA), 1.3 million Americans still face significant asbestos exposure in their workplaces. Some estimate that more than 27.5 million workers have been exposed to asbestos while on the job.

We know too well that the effect of exposure can be deadly. Diseases caused by asbestos include cancers of the lung, digestive tract, colon, larynx, esophagus, kidney and some types of lymphoma; pleural disease; asbestosis; and, of course, mesothelioma. For many of the more serious, asbestos-related diseases, there is no cure.

These devastating illnesses take the lives of thirty Americans each day and ten thousand Americans each year. Countless others were exposed in their neighborhoods, in school yards and at home. Hundreds of thousands of men and women have died or become severely ill due to asbestos exposure.

The cases of disease and death caused by asbestos exposure are not abstractions. Real lives are affected and destroyed by this dreadful substance. I have received countless letters from victims of asbestos-related diseases and their families. Each one shares another story of loss and of pain, of sickness and of tragedy.

Adrienne Zapponi of Wellington, NV witnessed firsthand what asbestos does to the human body. Her husband suffers from asbestos exposure. In her letter she wrote, "[My husband] cannot enjoy a single day of life because he has 40% lung capacity. This means that he can't walk for any distance, he can't do simple jobs around the house such as mow the lawn, he can't remember things such as when to take his medication, he can't drive because he is drowsy and can't concentrate on the road."

Margy Urnberg from Carson City, NV had a father, Ronald Johnson, who died from asbestos exposure. He worked in a vermiculite mine and second-hand exposure from living in Libby, MT. Alan Reinstein, the Cofounder and Director of Communications of the Asbestos Disease Awareness Organization, is suffering from acute mesothelioma. Alan is fighting bravely and has responded to his illness as a call to action.

Yesterday I mentioned our brave veterans who have been exposed to asbestos, and the difficulty they have encountered in seeking compensation for that exposure. Steven Mitchell served ten years in the U.S. Navy as a boiler man. He worked in the engine and boiler rooms on several ships handling asbestos insulation on a daily basis. After leaving the Navy, he returned to work on his family farm raising wheat.

Steven was diagnosed with mesothelioma and spent his last days in a V.A. Nursing Home. Due to the intense pain, he was constantly administered morphine. Just before he died, he no longer even recognized his daughter.

We have seen the case of Philip Schreyer, who began helping his country with the war effort in 1942 at the Ford Motor Company's Willow Run B-24 bomber plant. This plant was producing a bomber an hour during its peak operation, and many asbestos products went into each section of the bombers. Later that year, Mr. Schreyer joined the Navy serving as a radio man aboard the USS *Wyoming* until 1946. The USS *Wyoming* shot off more rounds than any other ship during War World II. Every time around was fired dust would come down off the insulated pipes like "snow". Little did Mr. Schreyer know that this dust falling on him was deadly asbestos.

Phil survived World War II, an injury aboard a warship that ended his Navy career, and a hunting accident that cost him his leg. He did not survive asbestos exposure. In 2002 he learned he had mesothelioma and was told by his doctors that he would not survive this disease. The doctors were right. On January 20, 2005, Phil Schreyer, who had survived so much, lost his final battle with mesothelioma and died.

Each one of the ten thousand Americans who will die from asbestos exposure this year will have a similar story. Each one will leave behind a family that will never be whole again. Each one is counting on us here in the Senate to ensure they have the means necessary to pursue their rightful claim for the damages asbestos exposure has caused them and their families.

The so-called FAIR Act will not provide these protections and that is why I oppose it. As I have explained, this legislation attempts to set up an alternative system for recovery that is doomed to failure and will unacceptably impair the rights of victims. We in the Senate need to remind ourselves that our best efforts must always be directed toward meeting the needs of victims, and the FAIR Act falls short.

SENATE RESOLUTION 369—CONGRATULATING THE AMERICAN DENTAL ASSOCIATION FOR SPONSORING THE 4TH ANNUAL "GIVE KIDS A SMILE" PROGRAM, WHICH EMPHASIZES THE NEED TO IMPROVE ACCESS TO DENTAL CARE FOR CHILDREN, AND THANKING DENTISTS FOR VOLUNTEERING THEIR TIME TO HELP PROVIDE NEEDED DENTAL CARE

Ms. STABENOW (for herself, Mr. COLEMAN, Mr. COCHRAN, and Mr. FEINGOLD) submitted the following resolution; which was considered and agreed to:

S. RES. 369

Whereas access to dental care for children is a vital element of overall health care and development;

Whereas dental caries (more commonly known as tooth decay) is the most common chronic childhood disease;

Whereas untreated tooth decay results in thousands of children experiencing poor eating and sleeping patterns, suffering decreased attention spans at school, and being unable to smile;

Whereas due to a confluence of factors, children eligible for Medicaid and the State children's health insurance program are 3 to 5 times more likely than other children to experience and suffer from untreated tooth decay;

Whereas dentists provide an estimated \$1,700,000,000 annually in non-reimbursed dental care;

Whereas nearly 11,000 dentists provided approximately \$33,000,000 of free care to almost 500,000 children in the 3rd annual "Give Kids a Smile" program held on February 4, 2005;

Whereas the participation of dentists in the 4th annual "Give Kids a Smile" program, established and sponsored by the American Dental Association and held on February 3, 2006, serves to remind people in the United States about the need to end untreated childhood dental disease; and

Whereas the generous support of numerous corporations, such as Crest Healthy Smiles, Sullivan-Schein Dental, and DEXIS Digital X-ray Systems, helps make the "Give Kids a Smile" program a success: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the American Dental Association for establishing and continuing its sponsorship of the "Give Kids a Smile" program;

(2) emphasizes the need to improve access to dental care for children;

(3) thanks the thousands of dentists, dental hygienists, dental assistants, and others who volunteered their time to bring a smile to the faces of hundreds of thousands of children on February 3, 2006;

AMENDMENTS SUBMITTED AND PROPOSED

SA 2738. Mr. BURNS (for himself and Mr. BAUCUS) submitted an amendment intended to be proposed by him 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.

TEXT OF AMENDMENTS

SA 2738. Mr. BURNS (for himself and Mr. BAUCUS) submitted an amendment