

value of the credit drops or even disappears.

We all know of the devastation wrought by Hurricane Katrina. It will be a long time before families on the Gulf Coast can rebuild their lives. Many of them have seen their homes destroyed, their jobs eliminated, their families separated, and their lives irrevocably changed. Unfortunately, the Federal response so far has been inadequate to get these families effectively back on their feet. We are now learning of thousands of evacuees getting kicked out of their hotel rooms because FEMA has stopped paying the bills.

We can do better for these families. Life was hard for many of them even before Katrina hit. Prior to the hurricane, there were over 2 million people living below poverty in the affected States. In some of the affected counties and parishes, more than 1 in 4 children lived below the poverty level.

In Louisiana, Mississippi, and Alabama, for example, more than 900,000 children under 17-years-old were so poor that they got no child tax credit or only a partial credit. These States had among the highest rates in the Nation of children too poor to get the full credit.

This bill will provide necessary assistance to many of these families. The bill eliminates the income threshold that excluded all children in families with less than \$11,000 of income. With this bill, the children of low-income working parents affected by Hurricane Katrina will no longer be denied the child credit.

It's simple: if you work, your kids get a benefit. This bill provides a partial credit starting with the first dollar of a parent's income for families who lived in the areas affected by Hurricane Katrina. You work, your kids get a benefit. If you don't work, no benefit.

That's a commonsense way to support families with children, especially families that have experienced the huge cost—psychological and financial—of a natural disaster.

This bill is also narrowly tailored and fiscally responsible. It provides short-term support targeted at families affected by the hurricane, and its costs can easily be absorbed within the \$97 billion already committed to hurricane relief.

I urge my colleagues to support this bill, which will enable hundreds of thousands of this country's most disadvantaged children to see an increase in their credit. Katrina offered a reminder of poverty in our own country. Let's not forget so quickly. We owe it to the American people to do something to provide a chance for our neediest children to rebuild their lives with dignity, hope, and opportunity.

By Mr. OBAMA:

S. 2259. A bill to establish an Office of Public Integrity in the Congress and a Congressional Ethics Enforcement Commission; to the Committee on

Homeland Security and Governmental Affairs.

Mr. OBAMA. Mr. President, today, I am introducing new legislation to build on the excellent work my colleagues began with the Honest Leadership and Open Government Act.

That bill would close the revolving door between Capitol Hill and lobbying jobs. It would end all lobbyist-funded gifts, meals, and travel, and it would shine a bright light of monitoring and public disclosure on lobbyists' operations, secret conference committee negotiations and last-minute special-interest provisions.

These are important steps forward that should be approved by this Congress and signed into law. The first bill I am introducing now builds on these steps by focusing on enforcement. We can pass all the new ethics rules in the world, but if we don't establish a body that can monitor and enforce those rules, it'll be easy to break them.

My legislation will establish a non-partisan, independent Congressional Ethics Enforcement Commission that would investigate ethics violations and report their findings to the public.

The idea of an independent Commission to conduct initial investigations is not new. It is modeled on successful efforts in a number of States including Kentucky, Florida, and Tennessee. Similar commissions in those States have a track record of working well and making the ethics enforcement process much more effective.

My commission would be staffed with former judges and former members of Congress, and it would allow any citizen to report a possible ethics violation by lawmakers, staff, or lobbyists. It would have the authority to conduct investigations, issue subpoenas, and provide public reports to the Senate Ethics Committee or Department of Justice so that any wrongdoing can be punished accordingly.

To prevent this Commission from being manipulated for partisan political purposes, the bill establishes stiff sanctions for the filing of frivolous complaints, and prohibits the filing of complaints three months before an election.

Although, the ultimate power to reprimand members would remain with the Ethics Committees in Congress and the Department of Justice, the new Congressional Ethics Enforcement Commission would make these bodies more effective by removing political pressure from the initial fact-finding phase of ethics investigations. In addition, the Commission's independent capacity to issue public findings would encourage the Ethics Committees to act.

I am proud that this legislation has support across the political spectrum, earning the endorsement of both Common Cause and Norm Ornstein of the American Enterprise Institute. Ornstein said this about my enforcement bill: "This approach to ethics enforcement is just the kind of balanced

and reasonable alternative we need. . . . It deserves strong bipartisan support."

I strongly encourage my colleagues to join me in creating this Commission to restore credibility to the body on the enforcement of ethics.

I am also introducing legislation to build on the CLEAN UP Act (S. 2179) that I introduced last month.

The CLEAN UP Act was written to provide for greater transparency in the legislative process and in conference committees in particular. It has won the support of eight of my colleagues, and I hope the Transparency and Integrity in Earmarks Act that I am introducing today will gain their support, as well as the rest of my colleagues.

The Transparency and Integrity in Earmarks Act would require that information about all earmarks, including the name of the lawmaker requesting it and a justification of why they want it, be disclosed 72 hours before they are considered by the full Senate.

The bill would also place some common-sense limits on earmarks. Members would be prohibited from advocating for an earmark if they have a financial interest in the project or its recipient. Earmarks also could not be used to secure promises from lawmakers in exchange for a vote on a bill. Finally, earmark recipients would have to disclose the amount that they spent on lobbyists in order to get their project passed. These earmark reforms won't solve every abuse, but the idea is this: if you're proud enough about an earmark to issue a press release about it, then you should be able to defend it to the public.

Several of these ideas are contained in a bill introduced by Rep. David Obey. I am grateful for his leadership on this issue in the House.

I know this is not the only proposal on earmarks before the Senate. But I believe this combines the best ideas without creating procedural roadblocks to legitimate projects in our communities. This is a balanced approach that I believe a majority of the Senate can—and should—support. Thank you.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 370—HONORING THE SACRIFICE AND COURAGE OF THE 16 COAL MINERS KILLED IN VARIOUS MINE DISASTERS IN WEST VIRGINIA, AND RECOGNIZING THE RESCUE CREWS FOR THEIR OUTSTANDING EFFORTS IN THE AFTERMATH OF THE TRAGEDIES

Mr. BYRD (for himself, Mr. ROCKEFELLER, Mr. ENZI, and Mr. KENNEDY) submitted the following resolution; which was considered and agreed to:

S. RES. 370

Whereas coal generates more than half of domestic electricity, providing millions of Americans with energy for their homes and businesses;

Whereas West Virginia is the Nation's second largest coal producing State;

Whereas an average of 7,600 pounds of coal per person per year is used in the United States;

Whereas the United States has an estimated 275,000,000,000 tons of recoverable coal reserves representing about 95 percent of all fossil fuel reserves in the nation;

Whereas coal continues to be the economic engine for many communities;

Whereas coal miners are among the most productive of all American workers, producing 7 tons of coal per miner per day, which results in coal consistently being the most cost-effective choice for generating electricity in the United States;

Whereas during the last century over 100,000 coal miners have been killed in mining accidents in the Nation's coal mines;

Whereas the Nation is greatly indebted to coal miners for the difficult and dangerous work they perform to provide the fuel needed to operate the Nation's industries and to provide energy to homes and businesses;

Whereas 13 West Virginia miners were trapped 260 feet below the surface in the Sago mine for over 40 hours following an explosion on January 2, 2006;

Whereas Federal, State, and local rescue crews worked relentlessly in an attempt to save the miners;

Whereas many residents of Upshur County, West Virginia, and the surrounding areas came together at the Sago Baptist Church to support the miners' families;

Whereas 12 miners, Thomas Anderson, Alva Martin Bennett, Jim Bennett, Jerry Groves, George Hamner Jr., Terry Helms, David Lewis, Martin Toler, Fred Ware Jr., Jack Weaver, Jesse Jones, and Marshall Winans, lost their lives on January 3, 2006;

Whereas only one miner, Randal McCloy, was safely rescued;

Whereas 2 West Virginia miners were trapped by a fire in the Aracoma Alma Mine on January 19, 2006;

Whereas Don Israel Bragg and Ellery "Elvis" Hatfield lost their lives in the Aracoma Alma Mine;

Whereas 2 West Virginia miners lost their lives in separate incidents in Boone County on February 1, 2006; and

Whereas Edmund Vance perished in the Long Branch No. 18 Mine and Paul Moss perished at the Elk Run Black Castle mine;

Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes Thomas Anderson, Alva Martin Bennett, Jim Bennett, Jerry Groves, George Hamner Jr., Terry Helms, David Lewis, Martin Toler, Fred Ware Jr., Jack Weaver, Jesse Jones, and Marshall Winans for their sacrifice in the Sago, West Virginia, coal mine;

(2) recognizes Don Israel Bragg and Ellery "Elvis" Hatfield for their sacrifice in the Aracoma Alma, West Virginia coal mine;

(3) extends the deepest condolences of the Nation to the families of these men;

(4) recognizes Edmund Vance and Paul Moss for their sacrifice in the Boone County, West Virginia coal mines;

(5) recognizes Randal McCloy for his stamina and courage that enabled him to survive in severe conditions for over 40 hours;

(6) recognizes the rescue crews for their outstanding effort resulting in the safe rescue of Randal McCloy; and

(7) recognizes the many volunteers who provided support for the miners' families during the rescue operations.

## SENATE CONCURRENT RESOLUTION 80—RELATING TO THE ENROLLMENT OF S. 1932

Mr. FRIST submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 80

*Resolved by the Senate (the House of Representatives concurring)*, That the enrollment of the bill S. 1932 as presented to the President for his signature on February 8, 2006, is deemed the true enrollment of the bill reflecting the intent of the Congress in enacting the bill into law.

### AMENDMENTS SUBMITTED AND PROPOSED

SA 2739. Mr. SESSIONS 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.

SA 2740. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 852, supra; which was ordered to lie on the table.

SA 2741. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 852, supra; which was ordered to lie on the table.

SA 2742. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 852, supra; which was ordered to lie on the table.

SA 2743. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 852, supra; which was ordered to lie on the table.

SA 2744. Mr. SESSIONS submitted an amendment intended to be proposed by him to the bill S. 852, supra; which was ordered to lie on the table.

### TEXT OF AMENDMENTS

SA 2739. Mr. SESSIONS 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; as follows:

On page 364, insert before line 1, the following:

(4) LIMITATIONS ON ATTORNEY'S FEES AND APPLICATION OF MEDICAL CRITERIA.—

(A) ATTORNEY'S FEES.—

(i) DEFINITION.—In this subparagraph, the term "reasonable fees and expenses of attorneys" means fees and expenses that are based on prevailing market rates for the kind and quality of the services furnished, except that—

(I) no expert witness shall be compensated at a rate in excess of the highest rate of compensation for expert witnesses paid by the United States Government; and

(II) attorney's fees shall not be awarded in excess of a reasonable fee, unless the court determines that an increase in the cost of living or a special factor, such as the limited availability of qualified attorneys, for the proceedings involved justifies a higher fee.

(ii) LIMITATION.—In any civil action described under paragraph (1)—

(I) the limitations on attorney's fees under section 104(e) shall apply; or

(II) a court may award reasonable fees and expenses of attorneys.

(B) MEDICAL CRITERIA.—In any civil action described under paragraph (1), the medical criteria under section 121(d) shall apply.

On page 364, line 1, strike "(4)" and insert "(5)".

On page 364, line 22, strike "(5)" and insert "(6)".

SA 2740. Mr. SESSIONS 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; as follows:

On page 364, before line 1, insert the following:

(4) MEDICAL CRITERIA FOR CLAIMS.—The medical criteria under section 121(d) shall apply to any civil action described under paragraph (1).

On page 364, line 1, strike "(4)" and insert "(5)".

On page 364, line 22, strike "(5)" and insert "(6)".

SA 2741. Mr. SESSIONS 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; as follows:

On page 364, insert before line 1, the following:

(4) LIMITATIONS ON ATTORNEY'S FEES.—

(A) LIMITATION.—In any civil action described under paragraph (1)—

(i) the limitations on attorney's fees under section 104(e) shall apply; or

(ii) a court may award reasonable fees and expenses of attorneys.

(B) DEFINITION.—In this paragraph, the term "reasonable fees and expenses of attorneys" means fees and expenses that are based on prevailing market rates for the kind and quality of the services furnished, except that—

(i) no expert witness shall be compensated at a rate in excess of the highest rate of compensation for expert witnesses paid by the United States Government; and

(ii) attorney's fees shall not be awarded in excess of a reasonable fee, unless the court determines that an increase in the cost of living or a special factor, such as the limited availability of qualified attorneys, for the proceedings involved justifies a higher fee.

On page 364, line 1, strike "(4)" and insert "(5)".

On page 364, line 22, strike "(5)" and insert "(6)".

SA 2742. Mr. SESSIONS 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; as follows:

On page 315, line 22, strike "monetary".

SA 2743. Mr. SESSIONS 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; as follows: