

referrals concerning their reproductive health options.

S. 844. A bill to expand access to preventive health care services that help reduce unintended pregnancy, reduce the number of abortions, and improve access to women's health care.

S. 845. A bill to amend title 10, United States Code, to permit retired servicemembers who have a service-connected disability to receive disability compensation and either retired pay or Combat-Related Special Compensation and to eliminate the phase-in period with respect to such concurrent receipt.

S. 846. A bill to provide fair wages for America's workers.

S. 847. A bill to lower the burden of gasoline prices on the economy of the United States and circumvent the efforts of OPEC to reap windfall oil profits.

S. 848. A bill to improve education, and for other purposes.

S. 851. A bill to reduce budget deficits by restoring budget enforcement and strengthening fiscal responsibility.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communication was laid before the Senate, together with accompanying papers, reports, and documents, and was referred as indicated:

EC-1832. A communication from the Acting Assistant Secretary—Water and Science, Bureau of Reclamation, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled, "43 CFR Part 423, Public Conduct on Bureau of Reclamation Lands and Projects (extension of expiration date)" (RIN1006-AA49) received on March 28, 2005; to the Committee on Energy and Natural Resources.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-37. A resolution adopted by the City Commission of the City of Lauderdale Lakes of the State of Florida relative to the community development financial institutions programs ("CDFI"); to the Committee on Banking, Housing, and Urban Affairs.

POM-38. A joint resolution adopted by the Legislature of the State of Maine relative to the Brunswick Naval Air Station in Maine; to the Committee on Armed Services.

JOINT RESOLUTION

Whereas within the year, Secretary of Defense Donald Rumsfeld, through the Base Realignment and Closure (BRAC) Commission, will make recommendations about which military installations are to be considered for closure in cost-cutting measure for the military and has indicated that reduction may total 25% or an estimated 100 bases; and

Whereas the State of Maine has a distinct and important military installation that is at risk of closure, the Brunswick Naval Air Station; and

Whereas Brunswick Naval Air Station is one of 4 remaining bases at the corners of the continental United States that are perfectly situated for maritime interdiction of weapons of mass destruction threats; and

Whereas Brunswick Naval Air Station is the only fully capable active duty military airfield in the northeastern United States and is indispensable in both our current and future efforts to counter threats to our security; and

Whereas Brunswick Naval Air Station has more than 63,000 square miles of unencumbered airspace for training and exercise missions and has plenty of space for expansion, even for housing other branches of the military; and

Whereas Brunswick Naval Air Station is the only airfield in the region with a completely secured perimeter for military operations, and Brunswick's 2 parallel runways allow for the operation of all aircraft the Department of Defense possesses today and anticipates for the future; and

Whereas Brunswick Naval Air Station has an outstanding force protection layout, is on the coast and is easily accessible by all forms of transportation, and aircraft can take off and land there without flying over major centers of population; and

Whereas the Maine National Guard is coordinating an initiative to construct an Armed Forces Reserve Center on Brunswick Naval Air Station. Tenants would include the Maine Army National Guard, the Maine Air National Guard and the Marine Corps Reserves; and

Whereas the Army National Guard has begun the process of replacing its current fixed-wing utility fleet with a fixed-wing cargo fleet; and

Whereas Brunswick Naval Air Station has been selected by the National Guard Bureau as one of its regional cargo hubs, and the bureau's recommendation has been sent to the Department of the Army; and

Whereas the Maine Army National Guard is evaluating the possibility of stationing 2 UH-60 Blackhawk helicopters at Brunswick Naval Air Station to provide search-and-rescue missions along the Maine coast; and

Whereas the people of the State of Maine have long been at the forefront of our Nation's defense, and first to join and send troops in any conflict and have a strong tradition of support and appreciation for the bases within our borders: Now, therefore, be it

Resolved, That we, your Memorialists, take this opportunity to convey our appreciation for the advocacy and support for Brunswick Naval Air Station that the Congress of the United States and the Maine Congressional Delegation have provided over the years, and we strongly urge the Congress of the United States to consider the importance of this installation in this time of war on terrorism and the vital need to protect our Nation; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM-39. A Senate concurrent resolution adopted by the Legislature of the State of Kansas relative to the Purple Heart medal; to the Committee on Armed Services.

SENATE CONCURRENT RESOLUTION 1607

Whereas Marine Corporal Travis Eichelberger, a native of Atchison, Kansas, enlisted in the United States Marine Corps in 2000 and was awarded the Purple Heart medal for injuries received while in Iraq. After being hospitalized for some time at the National Naval Medical Center in Bethesda, Maryland, and returning to Kansas awaiting a medical discharge from the medical service, he was notified that the award of his medal was a mistake and would be withdrawn; and

Whereas Corporal Eichelberger is included in a group of 11 marines whose Purple Heart medals have been withdrawn for injuries received while serving in Operation Iraqi Freedom; and

Whereas it is through the patriotic efforts of young men such as Corporal Eichelberger that the United States is able to take military action to bring freedom and democracy to nations such as Iraq. Corporal Eichelberger is very proud of his service in the Marine Corps and would gladly serve again if physically able: Now, therefore, be it

Resolved by the Senate of the State of Kansas, the House of Representatives concurring therein, That the Kansas Legislature memorializes the Congress of the United States to direct that necessary action be taken so that Corporal Eichelberger retain the Purple Heart medal he so richly deserves; and be it further

Resolved, That the Secretary of State provide enrolled copies of this resolution to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each member of the Kansas Congressional delegation.

POM-40. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to the Congressional Medal of Honor; to the Committee on Armed Services.

HOUSE RESOLUTION 23

Whereas United States Army and Department of Defense officials are reviewing a recommendation to upgrade Major Winters' Distinguished Service Cross to the Congressional Medal of Honor; and

Whereas Major Winters was originally nominated for the Medal of Honor by Colonel Robert F. Sink, commander of the 506th Regiment, for heroic actions on June 6, 1944, during the Allied invasion of Normandy, France, as 1st Lieutenant, Acting Commanding Officer of E Company, 2nd Battalion, 506th Parachute Infantry Regiment, 101st Airborne Division, VII Corps; and

Whereas Major Winters' extraordinary planning, fighting and commanding on that day 60 years ago in Nazi-occupied Normandy during his regiment's first combat operation saved countless lives and expedited the Allied inland advance; and

Whereas with his company outnumbered by German soldiers, Major Winters destroyed German guns at Brecourt Manor and secured causeways for troops coming off Utah Beach; and

Whereas Major Winters' battle plan for a small-unit assault on German artillery has been taught at the United States Military Academy at West Point; and

Whereas Major Winters accomplished a hazardous mission with valor, inspired his service colleagues through example and effectively organized his company into support and assault teams on the day of invasion in the campaign for European liberation during World War II: Therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the Congress of the United States to award the Congressional Medal of Honor to Major Richard D. Winters without further delay; and be it further

Resolved, That a copy of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-41. A resolution adopted by the General Assembly of the State of Ohio relative to the protection of the Defense Supply Center Columbus (DSCC) from the Base Realignment and Closure process; to the Committee on Armed Services.

HOUSE RESOLUTION 16

Whereas the DSCC is the twelfth largest employer in central Ohio, employing more than six thousand Ohioans; and

Whereas the DSCC is known throughout the world by more than twenty-four thousand military and civilian customers as one

of the largest suppliers of weapons systems parts; and

Whereas the proud men and women of our armed forces rely on the proven competence, efficiency, and effectiveness of the DSCC; and

Whereas the DSCC is economically vital to central Ohio, managing almost two million items and accounting for more than two billion dollars in annual sales; and

Whereas the employees of the DSCC, along with the employees' family members, are active members of central Ohio's communities, schools, and neighborhoods; and

Whereas State and local leaders and leaders from businesses, organizations, and various associations around central Ohio have formed a team, known as "Team DSCC," to promote and preserve the DSCC. "Team DSCC" has made strong efforts to save DSCC from closure, which include increasing local- and federal-level advocacy, increasing awareness about DSCC, and striving to relocate military personnel to the base: Now, therefore be it

Resolved, The members of the House of Representatives offer support of the Defense Supply Center Columbus, its mission, and its employees, recognizing that they are an integral part of central Ohio's economy and community, as well as the nation's defense. The members of the House of Representatives join "Team DSCC" in recognizing and promoting the current capabilities and future growth opportunities of the DSCC. The members of the House of Representatives stand ready to assist as necessary to protect the DSCC from the Base Realignment and Closure process; and be it further

Resolved, That the Clerk of the House of Representatives transmit duly authenticated copies of this resolution to the President of the United States, to the Secretary of Defense, to the members of the Ohio Congressional delegation, to the Speaker and Clerk of the United States House of Representatives, to the President Pro Tempore and Secretary of the United States Senate, and to the news media of Ohio.

POM-42. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to the military death gratuity payment and the Servicemembers' Group Life Insurance program; to the Committee on Armed Services.

HOUSE RESOLUTION 59

Whereas the United States Armed Forces, a total force comprised of active, National Guard and reserve personnel, are now undertaking courageous and determined operations against insurgents in Iraq and terrorist forces in Afghanistan and other parts of the world; and

Whereas the men and women of our armed forces, while continuously in harm's way, perform their duties and missions in all military conflicts in which the United States is currently engaged; and

Whereas in time of war, each member of our armed forces may have to pay the ultimate sacrifice in the performance of duty to our nation; and

Whereas an increase in the current Servicemembers' Group Life Insurance (SGLI) program's maximum coverage amount of \$250,000 and an increase in the current \$12,420 death gratuity payment would greatly benefit the surviving family of an armed forces member killed in action; and

Whereas a program change to require the Federal Government to pay the SGLI program's premiums for each armed forces member would greatly benefit those men and women who served our nation in times of need: Therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania memorialize the President and Congress of the United States to increase the military death gratuity payment and the SGLI maximum benefit and to require the Federal Government to pay the SGLI premiums for members of our armed forces; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-43. A joint resolution adopted by the Legislature of the State of Maine relative to the Portsmouth Naval Shipyard in Kittery, Maine; to the Committee on Armed Services.

JOINT RESOLUTION

Whereas within the year, Secretary of Defense Donald Rumsfeld, through the Base Realignment and Closure (BRAC) Commission, will make recommendations about which military installations are to be considered for closure in cost-cutting measures for the military; and

Whereas the State of Maine has a distinct and important military installation that is potentially at risk for closure, the naval shipyard in Kittery, a shipyard located on an island in the Piscataqua River between New Hampshire and Maine, which specializes in maintaining and overhauling nuclear submarines; and

Whereas the Portsmouth Naval Shipyard in Kittery is one of only 4 public shipyards in the nation, is vital to our maritime strength and is of major importance to the local economies of 3 states, employing almost 5,000 people from Maine, New Hampshire and Massachusetts; and

Whereas the naval shipyard in Kittery has unobstructed access to the open ocean, delivers submarine overhauls ahead of schedule, is in a very secure location and has the space to accommodate more personnel and duties; and

Whereas the people of the state of Maine have long been at the forefront of our nation's defense, are first to join and send troops in any conflict and have a strong tradition of support and appreciation for the military bases within our borders: Now, therefore, be it

Resolved, That we, your memorialists, take this opportunity to convey our appreciation for the advocacy and support for the naval shipyard in Kittery that the Congress of the United States and the Maine Congressional Delegation have provided over the years, and we strongly urge the Congress of the United States to consider the importance of the naval shipyard in Kittery in this time of war on terrorism and the vital need to protect our nation; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the President of the United States Senate, to the Speaker of the United States House of Representatives and to each Member of the Maine Congressional Delegation.

POM-44. A joint resolution adopted by the Legislature of the State of Nevada relative to the sale of land in Nevada to lower the federal deficit; to the Committee on the Budget.

SENATE JOINT RESOLUTION 2

Whereas in 1998, Congress passed the Southern Nevada Public Land Management Act, Public Law No. 105-263, which allows the Bureau of Land Management to sell certain federal lands in Clark County, Nevada, for possible development, which also allowing for the acquisition, conservation and protec-

tion of environmentally sensitive lands in the State of Nevada; and

Whereas at the time of the passage of the Act, and to this day, the Las Vegas Metropolitan Area was the fastest growing urban area in the United States, and the Act was passed in response to that growth in an effort to offset negative environmental impact on national recreational and conservation areas surrounding the Las Vegas Valley; and

Whereas under the provisions of the Act, 5 percent of the profits from sales of the land is allocated to fund education in Nevada, 10 percent is allocated for water and airport infrastructure projects, and the remaining 85 percent is deposited into an account to acquire other environmentally sensitive land in Nevada, to develop a multispecies habitat plan, to develop parks and trails and to provide for other conservation initiatives; and

Whereas the passage of the Southern Nevada Land Management Act was intended to replace lost state revenue resulting from 84 percent of the land in the State of Nevada being owned by the Federal Government at the time of the passage of the Act, uniquely depriving this State of receiving any tax proceeds from a substantial majority of the land located in this State; and

Whereas in addition to the benefits provided in Southern Nevada and in other areas of the State where environmentally sensitive lands have been acquired, the Lake Tahoe Basin is now benefiting from a 2003 amendment to the Act which allocated \$300 million to be administered for the preservation of the Lake Tahoe Basin, the first installment of which was received in August 2004; and

Whereas since the first auction of land in 1999, this program has generated approximately \$1.6 billion, which has assisted the State of Nevada in funding education and numerous land and water conservation projects, and in acquiring environmentally sensitive lands; and

Whereas in the face of a soaring federal deficit, estimated at \$527 billion, President Bush has proposed to change federal law and reallocate 70 percent of the profits from the land sales, generously approximated to reach \$70 million in future years, which would do little to offset the deficit; and

Whereas the loss of such a substantial source of revenue for this State would have a direct and devastating impact on the State, negatively impacting dozens of ongoing and future projects: Now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, That the members of the Nevada Legislature urge President Bush to reverse his position on this matter, abandoning his proposal to divert from this State profits from the sales of land in the State of Nevada that rightfully belong in this State to replace lost revenue resulting from the uniquely high percentage of federally owned property in this State; and be it further

Resolved, That Congress is similarly urged to reject this portion of President Bush's budget proposal and to allow the State of Nevada, its residents and visitors to be the sole beneficiaries of the proceeds from the sales of land in Nevada; and be it further

Resolved, That the Secretary of the Senate prepare and transmit a copy of this resolution to the President of the United States, the Vice President of the United States as the presiding officer of the United States Senate, the Speaker of the House of Representatives, and each member of the Nevada Congressional Delegation; and be it further

Resolved, That this resolution becomes effective upon passage.

POM-45. A joint resolution adopted by the Legislative Assembly of the State of Oregon relative to the Secure Rural Schools and Community Self-Determination Act of 2000;

to the Committee on Energy and Natural Resources.

HOUSE JOINT MEMORIAL 1

Whereas the National Forest System, managed by the Forest Service of the United States Department of Agriculture, was established in 1907 and has grown to include approximately 192,000,000 acres of federal lands, of which more than 15,000,000 acres are in Oregon; and

Whereas the revested Oregon and California Railroad ("O & C") grant lands and the reconveyed Coos Bay Wagon Road grant lands, which are managed predominantly by the Bureau of Land Management, were once in private ownership but were returned to federal ownership in 1916 and 1919 and now comprise approximately 2,600,000 acres of federal lands, all of which are in Oregon; and

Whereas Congress recognized that, by its decision to secure these lands in federal ownership, the counties across the United States where these lands are situated, of which 33 counties are located in Oregon, would be deprived of opportunities for economic development and of tax revenues they would otherwise receive if the lands were held in private ownership; and

Whereas these same counties have expended public funds year after year to provide services such as road construction and maintenance, search and rescue, law enforcement, waste removal and fire protection that directly benefit these federal lands and the people who use these lands; and

Whereas to accord a measure of compensation to these affected counties for the critical services they provide to county residents and to visitors to these federal lands and for the lost economic opportunities stemming from federal ownership as compared to private ownership, Congress determined that the federal government should share with these counties a portion of the revenues the United States receives from these federal lands; and

Whereas Congress enacted in 1908 and subsequently amended a law that requires that 25 percent of the revenues derived from the National Forest System lands be paid to the states for use by counties where the lands are situated for the benefit of public schools and roads; and

Whereas Congress enacted in 1937 and subsequently amended the O & C Act (50 Stat. 874; 43 U.S.C. 1181 et seq.) that requires that revenues derived from the O & C grant lands and the Coos Bay Road grant lands be shared with the counties in which those lands are situated and be used for a broad range of essential public services as other county funds are used; and

Whereas Oregon counties dependent on and supportive of these federal lands received and relied on shared revenues from these lands for many decades to provide essential funding for schools, road maintenance and other critical public services; and

Whereas in recent years, the principal source of these revenues, federal timber sales, has been sharply curtailed, and as the volume of timber sold annually from the federal lands in Oregon has decreased substantially, so too have the revenues shared with the affected counties, adversely affecting funding for education, road maintenance and other public programs and services; and

Whereas in the Secure Rural Schools and Community Self-Determination Act of 2000, Congress recognized this trend and temporarily mitigated the adverse consequences by providing annual safety-net payments through 2006 to counties across the United States, including all counties in Oregon that traditionally shared in timber receipts from national forest lands, O & C grant lands and Coos Bay Wagon Road grant lands; and

Whereas the authority for these safety-net payments will expire in 2006, and, if that occurs and thereafter revenue sharing is based on actual federal timber receipts, Oregon will experience a net loss of more than \$230 million per year in payments for schools and counties under Titles I and III of the Secure Rural Schools and Community Self-Determination Act of 2000, with associated losses of essential programs and services and thousands of jobs in both the government and private sectors, and will lose an additional \$26 million per year that is currently spent by counties on special projects under Title II of the Secure Rural Schools and Community Self-Determination Act of 2000, for a total loss of more than \$512 million per biennium, most of which is currently spent on programs and services that the state would have no ability to replace; and

Whereas there is a need to maintain funding for education, road maintenance and other public services through predictable payments to the affected counties, as well as job creation in those counties and other opportunities associated with restoration, maintenance and stewardship of federal lands available under the Secure Rural Schools and Community Self-Determination Act of 2000: Now, therefore, be it

Resolved by the Legislative Assembly of the State of Oregon, That we, the members of the Seventy-third Legislative Assembly, respectfully urge the Congress of the United States to pass legislation that will reauthorize and extend the Secure Rural Schools and Community Self-Determination Act of 2000 for an additional 10-year period through federal fiscal year 2016, and that the Act be continued in its present form and be funded through a mandatory, continuing appropriation; and be it further

Resolved, That a copy of this memorial shall be sent to the President of the United States, to the Senate Majority Leader and the Speaker of the House of Representatives and to each member of the Oregon Congressional Delegation.

POM-46. A joint resolution adopted by the Legislature of the State of Wyoming relative to the funding match for a flood control feasibility study in the Bear River Basin; to the Committee on Environment and Public Works.

JOINT RESOLUTION 1

Whereas the ongoing drought in the State of Wyoming and surrounding states has a profound impact throughout the area, including Bear River Basin. Bear Lake is the major reservoir for containing floodwaters of the Bear River within the Bear River Basin. The effects of drought in the Bear River Basin could be significantly reduced in the event alternative storage sites were available; and

Whereas the Bear River Basin encompasses a portion of the State of Wyoming. Originating in Utah's Uintah Mountains, the Bear River crosses state boundaries five times, has tributaries in Idaho, Utah and Wyoming, and ultimately discharges into the Great Salt Lake; and

Whereas the Bear River did not naturally divert into Bear Lake. The Utah Sugar Company and the Telluride Power Company first proposed diversion of the Bear River into Bear Lake for water storage in 1898. That project was taken over by Utah Power and Light for the purpose of producing hydropower. The project, which included a diversion dam on the Bear River, a canal, and a pumping station was completed in 1918; and

Whereas a multi-state compact between the states of Idaho, Utah and Wyoming, known as the Bear River Compact, was entered into in 1958 and amended in 1980. The

Compact governs the operation of Bear River and, for management purposes, the Compact divides the river into three segments. The three segments are known as the upper division, located in Utah and Wyoming, the central division, located in Wyoming and Idaho, and the lower division, located in Idaho and Utah. The Bear River Commission, made up of three members from each of the Compact states, a Chairman appointed by the President of the United States, and engineer/manager, manage the day-to-day operation of the river; and

Whereas as a result of two lawsuits against Utah Power and Light Company during the 1970s, which claimed damaged to crops due to flooding along Bear River, the power company is under court order to keep Bear River within its banks. Based on the court order, in the event the irrigation season ends with Bear Lake above five thousand nine hundred eighteen (5,918) feet in elevation, water is released downstream to make room in Bear Lake for the spring runoff; and

Whereas since the 1970s, millions of acre-feet of water have been released from Bear Lake to provide capacity for flood control. The most recent releases were in 1997, 1998, and 1999; and

Whereas lowering the elevation of Bear Lake for flood control potentially also impacts water users in the upper and central divisions. Under the Compact, storage allocations under the amended Bear River Compact located in the upper division are not allowed to fill whenever the elevation of Bear Lake is below five thousand nine hundred eleven (5,911) feet above sea level; and

Whereas dredging has been necessary to provide water for irrigation releases from Bear Lake due to low lake levels; and

Whereas if alternative storage sites were available, water that is usually available during the spring runoff, could be stored and could prevent any flooding of the Bear River. The water could then be used for irrigation, domestic and commercial development and recreation. Alternative storage sites would provide for the conservation, preservation and best utilization of the water to which the state is entitled. This storage is desperately needed to allow residential, commercial and municipal development in the Bear River drainage without reducing irrigated agricultural lands; and

Whereas the United States Army Corps of Engineers is the federal agency responsible for flood control. The Corps has indicated a willingness to conduct a feasibility study or possible water storage sites upstream of Bear Lake, which could be used for flood control of the Bear River. Costs of the study could range from six hundred thousand dollars (\$600,000.00) to two million dollars (\$2,000,000.00) depending on the areas the study would include. The study will require an equal match of federal and nonfederal funds. However, with congressional approval, past local expenditures may be used as the local match; and

Whereas past local expenditures that have been made include one hundred seventy-four thousand dollars (\$174,000.00) by the State of Wyoming for the Cokeville Reservoir Project on Smith's Fork, three hundred fifty thousand dollars (\$350,000.00) by the State of Wyoming for the Bear River Plan, and over two million (\$2,000,000.00) of state funds from Idaho, Wyoming, and Utah throughout the Bear River Commission for stream gaging; and

Whereas concerned citizens of the Bear River Drainage, including the Bear Lake County Commissions, the Bear Lake Regional Commission, Lake Watch, Inc., and Love Bear Lake, Inc., are asking for Congressional approval to recognize past expenditures as the local match to make the Corps

of Engineers feasibility study possible: Now, therefore, be it

Resolved by the members of the legislature of the State of Wyoming:

Section 1. That Congress is urged to pass and vote for legislation that will authorize and fund a feasibility study by the United States Corps of Engineers relating to the possibilities, benefits and costs of providing flood control above Bear Lake.

Section 2. That Congress is urged to allow and approve past local expenditures, equivalent to fifty percent of the total cost of the allowed and approved one hundred seventy-four thousand dollars (\$174,000.00) by the State of Wyoming for the Cokeville Reservoir Project on Smith's Fork, three hundred fifty thousand dollars (\$350,000.00) by the State of Wyoming for the Bear River Basin Plan and two million dollars (\$2,000,000.00) of state funds from Idaho, Wyoming and Utah for stream gaging.

Section 3. That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to the Wyoming Congressional Delegation.

POM-47. A resolution adopted by the Senate of the Legislature of the State of New Jersey relative to the Passaic River Restoration Initiative; to the Committee on Environment and Public Works.

SENATE RESOLUTION 75

Whereas the Passaic River Restoration Initiative (PRRI), a new cooperative approach to restore the Passaic River, will utilize the leadership of the United States Army Corps of Engineers, in partnership with the United States Environmental Protection Agency, and various concerned federal, state and local agencies; and

Whereas the Passaic River and its surrounding wetlands have been degraded as a result of commercial growth in the State that brought industrial development to the shores of the Passaic River and surrounding properties; and

Whereas the Passaic River, which traverses New Jersey through Newark, is an ideal pilot project to showcase nationally the restoration of urban waterways, wildlife habitat, and one of America's most historic rivers; and

Whereas the PRRI, the United States Army Corps of Engineers will engage in a cooperative project planning and development process to identify and apply feasible solutions to achieve environmental restoration and economic revitalization of the Passaic River; and

Whereas the results of the project development process will be incorporated in a report to Congress from the Chief of Engineers as project implementation will require authorization by Congress; and

Whereas the PRRI is related to several other current major federal initiatives, such as those under brownfields redevelopment, the NY/NJ Harbor Estuary Program, and the Natural Resources Damage Assessment and Restoration Program; and

Whereas on April 11, 2000 the Committee on Transportation and Infrastructure in the United States House of Representatives approved a resolution authorizing the United States Army Corps of Engineers to conduct the Passaic River Environmental Restoration reconnaissance study, which is currently underway by the New York district of the United States Army Corps of Engineers; and

Whereas it is in the best interest of the State to support the enactment of the Passaic River Restoration Initiative in order to

restore and preserve healthy environmental and economic conditions in and along the Passaic River: Now, therefore, be it

Resolved by the Senate of the State of New Jersey:

1. This House urges the United States Congress to support the Passaic River Restoration Initiative in order to restore and preserve the Passaic River to healthy environmental and economic conditions, and to provide the funding for the federal share of the project development process and the necessary study funds of the United States Army Corps of Engineers to advance the Passaic River Restoration Initiative.

2. Duly authenticated copies of this resolution, signed by the President of the Senate and attested by the Secretary thereof, shall be transmitted to the Vice President of the United States, the Speaker of the United States House of Representatives, the majority and minority leaders of the United States Senate and the United States House of Representatives, and each member of Congress elected from this State.

POM-48. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to highway reauthorization legislation; to the Committee on Environment and Public Works.

HOUSE RESOLUTION 31

Whereas the sixth short-term extension of the federal road and transit funding authorization act known as the Transportation Equity Act for the 21st Century, or TEA 21, expires on May 31, 2005. The uncertainty regarding long-term federal funding hampers Michigan's ability to effectively plan investments in infrastructure and may contribute to delays in critical highway and transit projects; and

Whereas Michigan has long been a "donor state," contributing a greater share to the Federal Highway Trust Fund and Mass Transit Account than the share of federal transportation funds returned for use in Michigan; and

Whereas last session, the United States Senate passed highway reauthorization legislation that would have provided \$318 billion for highways and transit systems nationwide over six years and increased Michigan's rate of return on our federal transportation taxes from 90.5 percent to 95 percent. In addition, the bill would have provided up to \$300 million more for Michigan transportation systems each year, and could have created several thousand new jobs. The House passed reauthorizing legislation that would have provided \$284 billion for highways and transit systems and would have reduced Michigan's rate of return below the current level of 90.5 percent. The Conference Committee narrowed the funding difference to between \$284 and \$299 billion, but left unresolved the question of funding equity for donor states such as Michigan: Now, therefore, be it

Resolved by the House, That we memorialize Congress to enact highway reauthorization legislation with a level of funding that closes the gap between federal fuel tax dollars paid by Michigan motorists and dollars received to address Michigan's transportation needs; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-49. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to highway reauthorization legislation; to the Committee on Environment and Public Works.

SENATE RESOLUTION 14

Whereas the sixth short-term extension of the federal road and transit funding authorization act known as the Transportation Equity Act for the 21st Century, or TEA 21, expires on May 31, 2005. The uncertainty regarding long-term federal funding hampers Michigan's ability to effectively plan investments in infrastructure and may contribute to delays in critical highway and transit projects; and

Whereas Michigan has long been a "donor state," contributing a greater share to the Federal Highway Trust Fund and Mass Transit Account than the share of federal transportation funds returned for use in Michigan; and

Whereas last session, the United States Senate passed highway reauthorization legislation that would have provided \$318 billion for highways and transit systems nationwide over six years and increased Michigan's rate of return on our federal transportation taxes from 90.5 percent to 95 percent. In addition, the bill would have provided up to \$300 million more for Michigan transportation systems each year, and could have created several thousand new jobs. The House passed reauthorizing legislation that would have provided \$284 billion for highways and transit systems and would have reduced Michigan's rate of return below the current level of 90.5 percent. The Conference Committee narrowed the funding difference to between \$284 and \$299 billion, but left unresolved the question of funding equity for donor states such as Michigan: Now, therefore, be it

Resolved by the Senate, That we memorialize Congress to enact highway reauthorization legislation with a level of funding that closes the gap between federal fuel tax dollars paid by Michigan motorists and dollars received to address Michigan's transportation needs; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-50. A resolution adopted by the Legislature of the State of Arizona relative to the Collegiate Housing and Infrastructure Act; to the Committee on Finance.

SENATE MEMORIAL 1001

Whereas colleges and universities nationwide are experiencing severe housing shortages due to increasing student enrollment; and

Whereas dormitory rooms are filled to capacity, requiring colleges and universities to employ such creative housing measures as placing students in student lounges and study rooms, converting two-student rooms into three-student rooms and housing students in nearby hotels; and

Whereas quality collegiate housing options will become an even greater challenge if current predictions, that postsecondary enrollment will increase fifteen percent between 1999 and 2011, hold true; and

Whereas fraternities and sororities greatly help alleviate the housing burden of colleges and universities by housing 250,000 students each year. Yet fraternal housing faces several unique challenges in accommodating student populations, particularly the lack of funds to install badly needed safety upgrades; and

Whereas the Collegiate Housing and Infrastructure Act (S. 1246/H.R. 1523), introduced in April 2003, would allow tax-deductible charitable contributions to fraternity and sorority foundations to be used to add such fraternal housing improvements as fire sprinklers, new roofing and security equipment, along with other infrastructure improvements. The passage of this important

legislation would allow fraternal educational foundations to use tax-deductible charitable contributions to make the same student infrastructure improvements that colleges and universities currently can make with tax-deductible funds; and

Whereas the Collegiate Housing and Infrastructure Act is critical to ensuring the long-term availability and safety of collegiate and university housing nationwide.

Wherefore your memorialist, the Senate of the State of Arizona, prays:

1. That the Congress and President of the United States take immediate steps to ensure the passage and enactment of the Collegiate Housing and Infrastructure Act.

2. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-51. A resolution adopted by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania relative to grants received as payment for damage done by natural disaster; to the Committee on Finance.

HOUSE RESOLUTION 84

Whereas the Internal Revenue Service has recently issued a ruling that grant moneys received by homeowners who incurred damage due to a natural disaster shall include those payments as gross income under section 61 of the Internal Revenue Code and therefore subject the payments to Federal income taxation; and

Whereas many homeowners in the Commonwealth of Pennsylvania incurred flood damage due to the 2004 hurricane season; and

Whereas at least 19 homeowners along the Neshaminy Creek have received grants to elevate their homes in accordance with the Federal Emergency Management Agency Hazard Mitigation Grant Program; and

Whereas the Federal income tax burden on these homeowners, who are required to include the emergency grant payments in their income, could total several thousand dollars; and

Whereas the Internal Revenue Service may try to make its ruling apply retroactively, further impacting homeowners who have received emergency grant payments in the past: Therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania urge the Congress to direct the Internal Revenue Service to rescind its ruling that certain emergency grant payments be subject to Federal income tax; and be it further

Resolved, That copies of this resolution be transmitted to the presiding officers of each house of Congress and to each member of Congress from Pennsylvania.

POM-52. A joint resolution adopted by the Legislature of the State of Maine relative to the reform of Social Security offsets of the government pension offset and the windfall elimination provision; to the Committee on Finance.

JOINT RESOLUTION

Whereas under current federal law, individuals who receive a Social Security benefit and a public retirement benefit derived from employment not covered under Social Security are subject to a reduction in the Social Security benefits; and

Whereas these laws, contained in the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II, Federal Old-Age, Survivors, and Disability Insurance Benefits, and known as the Government Pension Offset and the Windfall Elimination

Provision, greatly affect public employees, particularly women; and

Whereas the Windfall Elimination Provision reduces by a formula the Social Security benefit of a person who is also receiving a pension from a public employer that does not participate in Social Security; and

Whereas the Government Pension Offset and the Windfall Elimination Provision are particularly burdensome on the finances of low-income and moderate-income public service workers, such as school teachers, clerical workers and school cafeteria employees, whose wages are low to start; and

Whereas the Government Pension Offset and the Windfall Elimination Provision both unfairly reduce benefits for those public employees and their spouses whose careers cross the line between the private and public sectors; and

Whereas since many lower-paying public service jobs are held by women, both the Government Pension Offset and the Windfall Elimination Provision have a disproportionately adverse effect on women; and

Whereas in some cases, additional support in the form of income, housing, heating and prescription drug and other safety net assistance from state and local governments is needed to make up for the reductions imposed at the federal level; and

Whereas other participants in Social Security do not have their benefits reduced in this manner; and

Whereas to participate or not to participate in Social Security in public sector employment is a decision of employers, even though both the Government Pension Offset and the Windfall Elimination Provision directly punish employees and their spouses; and

Whereas although the Government Pension Offset was enacted in 1977 and the Windfall Elimination Provision was enacted in 1983, many of the benefits in dispute were paid into Social Security prior to that time; and

Whereas bills are present in Congress in both the House of Representatives and the Senate, known as "The Social Security Fairness Acts," that would amend the federal Social Security Act, 42 United States Code, Chapter 7, Subchapter II and totally repeal both the Government Pension Offset and the Windfall Elimination Provision: Now, therefore, be it

Resolved, That we, your memorialists, request that the President of the United States and the United States Congress work together to support reform proposals that include the following protections for low-income and moderate-income government retirees:

1. Protections permitting retention of a combined public pension and Social Security benefits with no applied reductions;

2. Protections permanently ensuring that level of benefits by indexing it to inflation; and

3. Protections ensuring that no current recipient's benefit is reduced by the reform legislation; and be it further

Resolved, That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable George W. Bush, President of the United States; the President of the United States Senate; the Speaker of the House of Representatives of the United States; and each Member of the Maine Congressional Delegation.

POM-53. A joint memorial adopted by the Legislature of the State of Idaho relative to the Pocatello Proton Accelerator Cancer Treatment Facility in Pocatello, Idaho; to the Committee on Health, Education, Labor, and Pensions.

HOUSE JOINT MEMORIAL 3

Whereas proton therapy is a form of radiation that provides numerous advantages

over conventional radiation and surgery in the treatment of many cancers, some of which are not otherwise treatable, based on the fact that it is noninvasive, painless and is performed on an outpatient basis. Protons provide a superior dose to tumors while sparing surrounding healthy tissue, eliminating painful and life-impairing side effects associated with surgery and other forms of radiation therapy; and

Whereas Loma Linda University Medical Center located in California, established a research team in 1987 for the purpose of developing and designing the world's first proton beam treatment center. The research team, now known as "Optivus," maintains exclusive worldwide rights to the Loma Linda University Medical Center proprietary technology. In over a decade, the facility at Loma Linda University Medical Center has delivered in excess of 200,000 patient treatments and the market for the technology continues to grow; and

Whereas the concept of a proton accelerator cancer treatment facility in Pocatello, Idaho, has been under study for a number of years; and

Whereas the Portneuf Medical Center, located in Pocatello, Idaho, is in the process of an eight-year expansion program with a goal of providing a single hospital facility with many services decentralized into five centers of excellence; and

Whereas Optivus has the expertise to deliver, operate and maintain a proton beam treatment center, with FDA cleared technology, capable of delivering a high volume of patient treatments each year in Pocatello, Idaho; and

Whereas the City of Pocatello, Bannock County, Portneuf Medical Center, and other available resources have agreed, in concept, to provide support for the development of the Pocatello Proton Accelerator Cancer Treatment Facility at or near the campus of the new Portneuf Medical Center; and

Whereas the facility will provide state-of-the-art medical services to the communities of rural Idaho, the surrounding states, and other national and international markets for cancer treatment, as well as create numerous high paying jobs and generate significant revenue for the local economy; and

Whereas funding for the facility will be secured through a combination of funds, debt and/or financial guarantees: Now, therefore, be it

Resolved by the members of the First Regular Session of the Fifty-eighth Idaho Legislature, the House of Representatives and the Senate concurring therein, That we urge the President and Congress to vigorously support the campaign to develop the Pocatello Proton Accelerator Cancer Treatment Facility in Pocatello, Idaho, supporting the concept that rural health is a significant issue affecting every rural community in this nation and that the development of the Pocatello Proton Accelerator Cancer Treatment Facility will not only provide much needed medical care to rural Idaho, but also to surrounding states and other national and international markets; be it further

Resolved, That the Chief Clerk of the House of Representatives be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, and the congressional delegation representing the State of Idaho in the Congress of the United States.

POM-54. A resolution adopted by the Senate of the Legislature of the State of New Jersey relative to the reauthorization of the assault weapons ban; to the Committee on the Judiciary.

SENATE RESOLUTION 84

Whereas the provision included in the federal Violent Crime Control and Law Enforcement Act of 1994 which banned the sale of semi-automatic assault weapons is set to expire on September 13, 2004; and

Whereas the assault weapons covered by the ban are not designed for sport use, but incorporate military features intended for combat in a war setting; and

Whereas the ban not only required domestic gun manufacturers to stop producing semi-automatic assault weapons and ammunition clips which held more than 10 rounds, except for military or police use, but also halted imports of assault weapons not already banned; and

Whereas prior to their ban, semi-automatic assault weapons had become the "weapon of choice" for drug traffickers, gangs and paramilitary extremist groups; and

Whereas many major national law enforcement organizations support the federal assault weapons ban, in light of their high firepower and ability to penetrate body armor; and

Whereas one in five police officers slain in the line of duty during the years 1998 through 2001 were killed with an assault weapon; and

Whereas assault rifles have been used in some of the nation's most shocking crimes, including the Stockton schoolyard massacre, the CIA headquarters shootings, and the Branch-Davidian standoff in Waco, Texas; and

Whereas the continuing confiscation of assault weapons from crime scenes will result in criminals having less access to these dangerous weapons; and

Whereas there are various bills pending in Congress which would have the affect of reauthorizing the assault weapons ban, including a proposal to postpone the sunset of the provision for ten years and another to repeal the sunset date entirely: Now therefore, be it

Resolved by the Senate of the State of New Jersey:

1. The President and the Congress of the United States are urged to enact a reauthorization the assault weapons ban. The members of this State's Congressional delegation are urged to work diligently to achieve the enactment of this legislation.

2. Duly authenticated copies of this resolution, signed by the President of the Senate and attested by the Secretary thereof, shall be transmitted to the Vice President of the United States, the Speaker of the United States House of Representatives, the majority and minority leaders of the United States Senate and the United States House of Representatives, and each member of Congress elected from this State.

POM-55. A resolution adopted by the City Commission of the City of Lauderdale Lakes of the State of Florida relative to the community development block grant program ("CDBG"); to the Committee on Banking, Housing, and Urban Affairs.

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. LUGAR:

S. 853. A bill to direct the Secretary of State to establish a program to bolster the mutual security and safety of the United States, Canada, and Mexico, and for other purposes; to the Committee on Foreign Relations.

By Mr. FEINGOLD:

S. 854. A bill to require labeling of raw agricultural forms of ginseng, including the country of harvest, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. COLLINS:

S. 855. A bill to improve the security of the Nation's ports by providing Federal grants to support Area Maritime Transportation Security Plans and to address vulnerabilities in port areas identified in approved vulnerability assessments or by the Secretary of Homeland Security; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ROCKEFELLER (for himself and Mr. DURBIN):

S. 856. A bill to amend title XVIII of the Social Security Act to extend the minimum medicare deadlines for filing claims to take into account delay in processing adjustment from secondary payor status to primary payor status; to the Committee on Finance.

By Mr. SUNUNU (for himself, Mr. BROWNBACK, and Mr. DEMINT):

S. 857. A bill to reform Social Security by establishing a Personal Social Security Savings Program and to provide new limitations on the Federal Budget; to the Committee on Finance.

By Mr. VOINOVICH (for himself and Mr. INHOFE):

S. 858. A bill to reauthorize Nuclear Regulatory Commission user fees, and for other purposes; to the Committee on Environment and Public Works.

By Mr. SANTORUM (for himself, Mr. KERRY, Mr. SMITH, Ms. STABENOW, Mr. ALLARD, and Mr. SARBANES):

S. 859. A bill to amend the Internal Revenue Code of 1986 to allow an income tax credit for the provision of homeownership and community development, and for other purposes; to the Committee on Finance.

By Mr. ALEXANDER (for himself and Mr. KENNEDY):

S. 860. A bill to amend the National Assessment of Educational Progress Authorization Act to require State academic assessments of student achievement in United States history and civics, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ISAKSON (for himself and Mr. ROCKEFELLER):

S. 861. A bill to amend the Internal Revenue Code of 1986 to provide transition funding rules for certain plans electing to cease future benefit accruals, and for other purposes; to the Committee on Finance.

By Mr. SANTORUM (for himself and Ms. LANDRIEU):

S. 862. A bill to amend title XVIII of the Social Security Act to increase inpatient hospital payments under the Medicare Program to Puerto Rico hospitals; to the Committee on Finance.

By Mr. CONRAD (for himself, Mr. ALLEN, Mr. ALEXANDER, Mr. BAUCUS, Mr. BINGAMAN, Mr. CHAFEE, Mr. COCHRAN, Mr. CORZINE, Mr. CRAIG, Mr. DODD, Mr. DORGAN, Mr. DURBIN, Mrs. FEINSTEIN, Mr. HAGEL, Mr. JEFFORDS, Mr. KENNEDY, Mr. KERRY, Mr. LAUTENBERG, Mr. LEVIN, Mr. MCCAIN, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. PRYOR, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SCHUMER, Ms. STABENOW, Mr. STEVENS, and Mr. WARNER):

S. 863. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centenary of the bestowal of the Nobel Peace Prize on President Theodore Roosevelt, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. INHOFE (for himself and Mr. VOINOVICH):

S. 864. A bill to amend the Atomic Energy Act of 1954 to modify provisions relating to nuclear safety and security, and for other purposes; to the Committee on Environment and Public Works.

By Mr. VOINOVICH:

S. 865. A bill to amend the Atomic Energy Act of 1954 to reauthorize the Price-Anderson provisions; to the Committee on Environment and Public Works.

By Mrs. MURRAY:

S.J. Res. 16. A joint resolution authorizing special awards to World War I and World War II veterans of the United States Navy Armed Guard; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRAPO:

S. Res. 114. A resolution recognizing the 100th anniversary of the American Thoracic Society, celebrating its achievements, and encouraging the Society to continue offering its guidance on lung-related health issues to the people of the United States and to the world; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SALAZAR (for himself, Mrs. MURRAY, Mr. COLEMAN, Mr. WYDEN, Mrs. DOLE, Mr. DURBIN, Mr. BUNNING, Mr. KENNEDY, and Mrs. FEINSTEIN):

S. Res. 115. A resolution designating May 2005 as "National Cystic Fibrosis Awareness Month"; to the Committee on the Judiciary.

By Mrs. DOLE (for herself, Mr. BURR, Mr. CORZINE, and Mr. SANTORUM):

S. Res. 116. A resolution commemorating the life, achievements, and contributions of Frederick C. Branch; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mr. SANTORUM):

S. Res. 117. A resolution designating the week of May 9, 2005, as "National Hepatitis B Awareness Week"; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 98

At the request of Mr. ALLARD, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 98, a bill to amend the Bank Holding Company Act of 1956 and the Revised Statutes of the United States to prohibit financial holding companies and national banks from engaging, directly or indirectly, in real estate brokerage or real estate management activities, and for other purposes.

S. 154

At the request of Ms. LANDRIEU, her name was added as a cosponsor of S. 154, a bill to grant a Federal charter to the National American Indian Veterans, Incorporated.

S. 185

At the request of Mr. NELSON of Florida, the names of the Senator from Hawaii (Mr. INOUE), the Senator from Michigan (Ms. STABENOW) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 185, a bill to amend title 10, United States Code, to repeal the requirement for the reduction of certain Survivor Benefit Plan