

revisions to regulations promulgated by the Board to carry out that Act, are necessary to further address adequate protection for consumers concerning unauthorized use liability.

SEC. 1308. STUDY OF BANKRUPTCY IMPACT OF CREDIT EXTENDED TO DEPENDENT STUDENTS.

(a) STUDY.—

(1) IN GENERAL.—The Board shall conduct a study regarding the impact that the extension of credit described in paragraph (2) has on the rate of cases filed under title 11 of the United States Code.

(2) EXTENSION OF CREDIT.—The extension of credit described in this paragraph is the extension of credit to individuals who are—

(A) claimed as dependents for purposes of the Internal Revenue Code of 1986; and

(B) enrolled within 1 year of successfully completing all required secondary education requirements and on a full-time basis, in postsecondary educational institutions.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Board shall submit to the Senate and the House of Representatives a report summarizing the results of the study conducted under subsection (a).

SEC. 1309. CLARIFICATION OF CLEAR AND CONSPICUOUS.

(a) REGULATIONS.—Not later than 6 months after the date of enactment of this Act, the Board, in consultation with the other Federal banking agencies (as defined in section 3 of the Federal Deposit Insurance Act), the National Credit Union Administration Board, and the Federal Trade Commission, shall promulgate regulations to provide guidance regarding the meaning of the term “clear and conspicuous”, as used in subparagraphs (A), (B), and (C) of section 127(b)(11) and clauses (ii) and (iii) of section 127(c)(6)(A) of the Truth in Lending Act.

(b) EXAMPLES.—Regulations promulgated under subsection (a) shall include examples of clear and conspicuous model disclosures for the purposes of disclosures required by the provisions of the Truth in Lending Act referred to in subsection (a).

(c) STANDARDS.—In promulgating regulations under this section, the Board shall ensure that the clear and conspicuous standard required for disclosures made under the provisions of the Truth in Lending Act referred to in subsection (a) can be implemented in a manner which results in disclosures which are reasonably understandable and designed to call attention to the nature and significance of the information in the notice.

TITLE XIV—PREVENTING CORPORATE BANKRUPTCY ABUSE

SEC. 1401. EMPLOYEE WAGE AND BENEFIT PRIORITIES.

Section 507(a) of title 11, United States Code, as amended by section 212, is amended—

(1) in paragraph (4) by striking “90” and inserting “180”, and

(2) in paragraphs (4) and (5) by striking “\$4,000” and inserting “\$10,000”.

SEC. 1402. FRAUDULENT TRANSFERS AND OBLIGATIONS.

Section 548 of title 11, United States Code, is amended—

(1) in subsections (a) and (b) by striking “one year” and inserting “2 years”,

(2) in subsection (a)—

(A) by inserting “(including any transfer to or for the benefit of an insider under an employment contract)” after “transfer” the 1st place it appears, and

(B) by inserting “(including any obligation to or for the benefit of an insider under an employment contract)” after “obligation” the 1st place it appears, and

(3) in subsection (a)(1)(B)(ii)—

(A) in subclause (II) by striking “or” at the end,

(B) in subclause (III) by striking the period at the end and inserting “; or”, and

(C) by adding at the end the following:

“(IV) made such transfer to or for the benefit of an insider, or incurred such obligation to or for the benefit of an insider, under an employment contract and not in the ordinary course of business.”.

SEC. 1403. PAYMENT OF INSURANCE BENEFITS TO RETIRED EMPLOYEES.

Section 1114 of title 11, United States Code, is amended—

(1) by redesignating subsection (l) as subsection (m), and

(2) by inserting after subsection (k) the following:

“(1) If the debtor, during the 180-day period ending on the date of the filing of the petition—

“(1) modified retiree benefits; and

“(2) was insolvent on the date such benefits were modified;

the court, on motion of a party in interest, and after notice and a hearing, shall issue an order reinstating as of the date the modification was made, such benefits as in effect immediately before such date unless the court finds that the balance of the equities clearly favors such modification.”.

SEC. 1404. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) EFFECTIVE DATE.—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on the date of the enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this title shall apply only with respect to cases commenced under title 11 of the United States Code on or after the date of the enactment of this Act.

(2) AVOIDANCE PERIOD.—The amendment made by section 1402(1) shall apply only with respect to cases commenced under title 11 of the United States Code more than 1 year after the date of the enactment of this Act.

TITLE XV—GENERAL EFFECTIVE DATE; APPLICATION OF AMENDMENTS

SEC. 1501. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) EFFECTIVE DATE.—Except as otherwise provided in this Act, this Act and the amendments made by this Act shall take effect 180 days after the date of enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—

(1) IN GENERAL.—Except as otherwise provided in this Act and paragraph (2), the amendments made by this Act shall not apply with respect to cases commenced under title 11, United States Code, before the effective date of this Act.

(2) CERTAIN LIMITATIONS APPLICABLE TO DEBTORS.—The amendments made by sections 308, 322, and 330 shall apply with respect to cases commenced under title 11, United States Code, on or after the date of the enactment of this Act.

SEC. 1502. TECHNICAL CORRECTIONS.

(a) CONFORMING AMENDMENTS TO TITLE 11 OF THE UNITED STATES CODE.—Title 11 of the United States Code, as amended by the preceding provisions of this Act, is amended—

(1) in section 507—

(A) in subsection (a)—

(i) in paragraph (5)(B)(ii) by striking “paragraph (3)” and inserting “paragraph (4)”; and

(ii) in paragraph (8)(D) by striking “paragraph (3)” and inserting “paragraph (4)”; and

(B) in subsection (b) by striking “subsection (a)(1)” and inserting “subsection (a)(2)”; and

(C) in subsection (d) by striking “subsection (a)(3)” and inserting “subsection (a)(1)”; and

(2) in section 523(a)(1)(A) by striking “507(a)(2)” and inserting “507(a)(3)”; and

(3) in section 752(a) by striking “507(a)(1)” and inserting “507(a)(2)”; and

(4) in section 766—

(A) in subsection (h) by striking “507(a)(1)” and inserting “507(a)(2)”; and

(B) in subsection (i) by striking “507(a)(1)” each place it appears and inserting “507(a)(2)”; and

(5) in section 901(a) by striking “507(a)(1)” and inserting “507(a)(2)”; and

(6) in section 943(b)(5) by striking “507(a)(1)” and inserting “507(a)(2)”; and

(7) in section 1123(a)(1) by striking “507(a)(1), 507(a)(2)” and inserting “507(a)(2), 507(a)(3)”; and

(8) in section 1129(a)(9)—

(A) in subparagraph (A) by striking “507(a)(1) or 507(a)(2)” and inserting “507(a)(2) or 507(a)(3)”; and

(B) in subparagraph (B) by striking “507(a)(3)” and inserting “507(a)(1)”; and

(9) in section 1226(b)(1) by striking “507(a)(1)” and inserting “507(a)(2)”; and

(10) in section 1326(b)(1) by striking “507(a)(1)” and inserting “507(a)(2)”; and

(b) RELATED CONFORMING AMENDMENT.—Section 6(e) of the Securities Investor Protection Act of 1970 (15 U.S.C. 78fff(e)) is amended by striking “507(a)(1)” and inserting “507(a)(2)”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 27—COMMENDING THE RESULTS OF THE JANUARY 9, 2005, PALESTINIAN PRESIDENTIAL ELECTIONS

Mr. FRIST (for himself, Mr. REID, Mr. LUGAR, Mr. BIDEN, Mr. LEVIN, Mr. SUNUNU, Mr. CHAFEE, Mr. HAGEL, and Mr. FEINGOLD) submitted the following resolution; which was considered and agreed to:

S. RES. 27

Whereas on January 9, 2005, for the first time in 9 years, large numbers of Palestinians living in the West Bank, the Gaza Strip, and Jerusalem voted in elections that were widely described by outside monitors as free and fair;

Whereas the Palestinian people elected former Prime Minister Mahmoud Abbas, also known as Abu Mazen, to the office of President of the Palestinian Authority;

Whereas an estimated 65 percent of eligible Palestinians living in the West Bank, the Gaza Strip, and Jerusalem participated in voting at over 1000 polling stations, and for the first time in nearly 30 years, the Palestinian people elected new leadership;

Whereas on January 9, 2005, President of the United States George W. Bush stated that it was a “historic day for the Palestinian people and for the people of the Middle East” and that “Palestinians throughout the West Bank and Gaza took a key step toward building a democratic future by choosing a new president in elections that observers described as largely free and fair”;

Whereas Israel provided important cooperation with the Palestinian Authority to enable the holding of this election, including minimizing delays at checkpoints and redeploying Israeli security forces away from Palestinian population centers;

Whereas the Palestinian election was an important step towards democracy for the Palestinian people and an example to all those in the region who are striving to achieve democracy in their own nation;

Whereas during his inaugural speech, President Abbas stated that “The winner in

these elections is the great Palestinian people who have created this democratic epic and who will safeguard it", that "The people have voted for the rule of law, order, pluralism, the peaceful transfer of authority, and equality for all", and further "Let us start implementing the Roadmap";

Whereas these comments build upon Mr. Abbas' 1993 statements on the White House lawn, where he said that a Palestinian state and an Israeli state could live in "peaceful coexistence and cooperation";

Whereas the election of Mahmoud Abbas was hailed around the world as a positive step opening new opportunities to move toward peace between the Palestinian Authority and Israel;

Whereas the Palestinian election provided President Abbas with a mandate from the majority of Palestinians to reject violence and pursue peace with Israel;

Whereas the extent of cooperation between the Israelis and Palestinians during the period leading up to and including election day was unprecedented in the past four years and reflects the potential for future cooperation;

Whereas the election must be followed quickly by concrete steps on the part of the new Palestinian President to meet his commitment to reform the Palestinian security services, establish the rule of law, and do all in his power to combat terrorism;

Whereas a democratic Palestinian Authority will serve as one of the most important building blocks for a viable, free, and stable Palestinian state;

Whereas President Abbas' success likely will depend upon his ability to tangibly and quickly improve the quality of life for Palestinians, and end corruption and violence;

Whereas the United States Government stands ready to work with the new Palestinian President to facilitate a renewed dialogue between the new Palestinian leadership and the Government of Israel with the goal of achieving through the Performance Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict (the "Roadmap"), President George W. Bush's vision of two states, Israel and Palestine, living side by side in peace;

Whereas the Roadmap, endorsed by the United States, Israel, the Palestinian Authority, the European Union, Russia, and the United Nations, remains the only realistic and widely recognized plan for making progress toward peace;

Whereas the policy of the United States is to work toward a just and peaceful resolution of the Palestinian-Israeli conflict based on two democratic states, Israel and Palestine, living side by side in peace and security;

Whereas all parties to the Roadmap have an obligation to urgently provide support for the Palestinian Authority in its efforts to confront and fight terror as well as to assist in the creation of true democratic institutions that will enforce the rule of law; and

Whereas people of all peaceful nations believe peace between the Palestinian Authority and the state of Israel will have far reaching positive effects on the entire region and throughout the world; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes that, on January 9, 2005, Mr. Mahmoud Abbas, also known as Abu Mazen, was elected by the Palestinian people to the office of President of the Palestinian Authority in what were widely described as free and fair elections;

(2) recognizes this milestone in the development of Palestinian democracy and congratulates President Abbas on his election to the presidency of the Palestinian Authority;

(3) commends the efforts of the Israeli Government to facilitate the election;

(4) expresses its respect for the freely expressed will of the Palestinian people, and its intention to work with President Abbas to help the Palestinian people realize the opportunity for a more peaceful, prosperous future;

(5) urges President Abbas and the new Palestinian leadership to abide by its commitments to reform the security services, establish the rule of law, and press on with the development of democratic institutions, including an independent judiciary and an empowered and democratically elected legislature;

(6) urges President Abbas to move quickly to honor his pledges to halt violence and incitement against Israel, dismantle terrorist organizations, and fulfill the Palestinian Authority's obligations according to the terms of the Roadmap;

(7) supports efforts to increase United States assistance to the Palestinian people and to help President Abbas rebuild and reform the Palestinian Authority's institutions, as President Abbas takes actions consistent with the Roadmap, so that they may better serve the Palestinian people;

(8) urges all members of the international community, particularly all parties to the Roadmap, to take advantage of this historic opportunity by providing timely assistance to the new Palestinian Government as it moves forward to implement the Roadmap, to help it build the necessary political, economic, and security infrastructure essential to establishing a viable, democratic state and improving the lives of the Palestinian people;

(9) calls upon Arab states in particular to provide political and financial support to the Palestinian Authority, to support a complete end to terrorism against Israel, to end incitement against it, and to reach out to the State of Israel in friendship and full recognition;

(10) reaffirms the commitment of the United States to the security of Israel as a democratic, Jewish state, and supports the commitment of Israel to fulfill its obligations under the Roadmap; and

(11) reaffirms the commitment of the United States to the Roadmap including realization of the vision of two democratic states, Israel and Palestine, living side by side in peace and security, and looks forward to working closely with the Executive Branch to achieve this vision.

SENATE RESOLUTION 28—DESIGNATING THE YEAR 2005 AS THE "YEAR OF FOREIGN LANGUAGE STUDY"

Mr. DODD (for himself, Mr. COCHRAN, Mr. AKAKA, Mr. BAUCUS, Mr. BINGAMAN, Mr. DURBIN, Mr. FEINGOLD, Mr. HAGEL, Mr. KENNEDY, Mr. LAUTENBERG, Mr. LIEBERMAN, and Mr. LUGAR) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 28

Whereas according to the 2000 decennial census of the population, 9.3 percent of Americans speak both their native language and another language fluently;

Whereas according to the European Commission Directorate General for Education and Culture, 52.7 percent of Europeans speak both their native language and another language fluently;

Whereas the Elementary and Secondary Education Act of 1965 names foreign language study as part of a core curriculum that includes English, mathematics, science, civics, economics, arts, history, and geography;

Whereas according to the Joint Center for International Language, foreign language study increases a student's cognitive and critical thinking abilities;

Whereas according to the American Council on the Teaching of Foreign Languages, foreign language study increases a student's ability to compare and contrast cultural concepts;

Whereas according to a 1992 report by the College Entrance Examination Board, students with 4 or more years in foreign language study scored higher on the verbal section of the Scholastic Aptitude Test (SAT) than students who did not;

Whereas the Higher Education Act of 1965 labels foreign language study as vital to secure the future economic welfare of the United States in a growing international economy;

Whereas the Higher Education Act of 1965 recommends encouraging businesses and foreign language study programs to work in a mutually productive relationship which benefits the Nation's future economic interest;

Whereas according to the Centers for International Business Education and Research program, foreign language study provides the ability both to gain a comprehensive understanding of and to interact with the cultures of United States trading partners, and thus establishes a solid foundation for successful economic relationships;

Whereas Report 107-592 of the Permanent Select Committee on Intelligence of the House of Representatives concludes that American multinational corporations and nongovernmental organizations do not have the people with the foreign language abilities and cultural exposure that are needed;

Whereas the 2001 Hart-Rudman Report on National Security in the 21st Century names foreign language study and requisite knowledge in languages as vital for the Federal Government to meet 21st century security challenges properly and effectively;

Whereas the American intelligence community stresses that individuals with proper foreign language expertise are greatly needed to work on important national security and foreign policy issues, especially in light of the terrorist attacks on September 11, 2001;

Whereas a 1998 study conducted by the National Foreign Language Center concludes that inadequate resources existed for the development, publication, distribution, and teaching of critical foreign languages (such as Arabic, Vietnamese, and Thai) because of low student enrollment in the United States; and

Whereas a shortfall of experts in foreign languages has seriously hampered information gathering and analysis within the American intelligence community as demonstrated by the 2000 Cox Commission noting shortfalls in Chinese proficiency, and the National Intelligence Council citing deficiencies in Central Eurasian, East Asian, and Middle Eastern languages: Now, therefore, be it

Resolved, That—

(1) it is the sense of the Senate that foreign language study makes important contributions to a student's cognitive development, our national economy, and our national security;

(2) the Senate—

(A) designates the year 2005 as the "Year of Foreign Language Study", during which foreign language study is promoted and expanded in elementary schools, secondary schools, institutions of higher learning, businesses, and government programs; and

(B) requests that the President issue a proclamation calling upon the people of the United States to—

(i) encourage and support initiatives to promote and expand the study of foreign languages; and

(ii) observe the "Year of Foreign Language Study" with appropriate ceremonies, programs, and other activities.

SENATE RESOLUTION 29—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ARMED SERVICES

Mr. WARNER submitted the following resolution; from the Committee on Armed Services; which was referred to the Committee on Rules and Administration:

S. RES. 29

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services is authorized from March 1, 2005, through September 30, 2005; October 1, 2005, through September 30, 2006; and October 1, 2006, through February 28, 2007, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the committee for the period March 1, 2005, through September 30, 2005, under this resolution shall not exceed \$3,859,485, within which amount—

(1) not to exceed \$80,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$30,000 may be expended for the training of the professional staff of such committee (under the procedures specified in section 202(j) of that Act).

(b) For the period October 1, 2005, through September 30, 2006, expenses of the committee under this resolution shall not exceed \$6,778,457, within which amount—

(1) not to exceed \$75,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$30,000 may be expended for the training of the professional staff of such committee (under the procedures specified in section 202(j) of that Act).

(c) For the period October 1, 2006, through February 28, 2007, expenses of the committee under this resolution shall not exceed \$2,886,176, within which amount—

(1) not to exceed \$50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i))); and

(2) not to exceed \$30,000 may be expended for the training of the professional staff of such committee (under the procedures specified in section 202(j) of that Act).

SENATE RESOLUTION 30—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. STEVENS submitted the following resolution; from the Committee on Commerce, Science, and Transportation; which was referred to the Committee on Rules and Administration:

S. 30

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Commerce, Science, and Transportation is authorized from March 1, 2005, through September 30, 2005, October 1, 2005, through September 30, 2006, and October 1, 2006, through February 28, 2007, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2. (a) The expenses of the Committee for the period from March 1, 2005, through September 30, 2005, under this resolution shall not exceed \$3,463,046, of which amount (1) not to exceed \$50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$50,000 may be expended for the training of the professional staff of the Committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2005, through September 30, 2006, expenses of the Committee under this resolution shall not exceed \$6,080,372, of which amount (1) not to exceed \$50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$50,000 may be expended for the training of the professional staff of the Committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2006, through February 28, 2007, expenses of the committee under this resolution shall not exceed \$2,588,267, of which amount (1) not to exceed \$50,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$50,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The Committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2006, and February 28, 2007, respectively.

SEC. 4. Expenses of the Committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the Committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, (2) for the payment of

telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, (4) for payments to the Postmaster, United States Senate, (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, (6) for the payment of Senate Recording and Photographic Services, or (7) for the payment of franked and mass mail costs by the Office of the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the Committee from March 1, 2005, through September 30, 2005, October 1, 2005, through September 30, 2006, and October 1, 2006, through February 28, 2007, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations".

SENATE RESOLUTION 31—EXPRESSING THE SENSE OF THE SENATE THAT THE WEEK OF AUGUST 7, 2005, BE DESIGNATED AS "NATIONAL HEALTH CENTER WEEK" IN ORDER TO RAISE AWARENESS OF HEALTH SERVICES PROVIDED BY COMMUNITY, MIGRANT, PUBLIC HOUSING, AND HOMELESS HEALTH CENTERS, AND FOR OTHER PURPOSES

Mr. COLEMAN (for himself and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 31

Whereas community, migrant, public housing, and homeless health centers ("health centers") are nonprofit, community owned and operated health providers and are vital to the Nation's communities;

Whereas there are more than 1,000 such health centers serving more than 15,000,000 people in over 3,600 communities;

Whereas health centers are found in urban and rural communities in all 50 States, the District of Columbia, Puerto Rico, Guam, and the Virgin Islands;

Whereas health centers have provided cost-effective, high-quality health care to the Nation's poor and medically underserved (including the working poor, the uninsured, and many high-risk and vulnerable populations), acting as a vital safety net in the Nation's health delivery system;

Whereas health centers provide care to 1 of every 7 uninsured individuals, 1 of every 9 Medicaid beneficiaries, 1 of every 7 people of color, and 1 of every 9 rural Americans, all of whom would otherwise lack access to health care;

Whereas health centers are engaged with other innovative programs in primary and preventive care to reach out to over 621,000 homeless persons and more than 709,000 farm workers;

Whereas health centers make health care responsive and cost-effective by integrating the delivery of primary care with aggressive outreach, patient education, transportation, translation, and enabling support services;

Whereas health centers increase the use of preventive health services such as immunizations, Pap smears, mammograms, and glaucoma screenings;

Whereas in communities served by health centers, infant mortality rates have been reduced over the past 4 years even as infant mortality rates across the country have risen;

Whereas health centers are built by community initiative, and run by the patients they serve;

Whereas Federal grants provide seed money empowering health centers to find partners and resources to recruit doctors and needed health professionals;

Whereas Federal grants on average contribute 25 percent of a health center's budget, with the remainder provided by State and local governments, Medicare, Medicaid, private contributions, private insurance, and patient fees;

Whereas there are more than 100 health centers that receive no Federal grant funding, yet continue to serve their communities regardless of their patients' ability to pay;

Whereas all health centers tailor their services to fit the special needs and priorities of their communities, working together with schools, businesses, churches, community organizations, foundations, and State and local governments;

Whereas all health centers contribute to the health and well-being of their communities by keeping children healthy and in school and helping adults remain productive and on the job;

Whereas all health centers encourage citizen participation and provide jobs for nearly 100,000 community residents; and

Whereas the designation of the week of August 7, 2005, as "National Health Center Week" would raise awareness of the health services provided by all health centers: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of August 7, 2005, as "National Health Center Week"; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe the week with appropriate ceremonies and activities.

Mr. COLEMAN. Mr. President, this resolution would designate August 7, 2005 as "National Health Center Week" in order to raise awareness of health services provided by community, migrant, public housing, and homeless centers.

I hope my colleagues will join me in cosponsoring this important resolution and I look forward to its passage in the Senate.

SENATE RESOLUTION 32—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FOREIGN RELATIONS

Mr. LUGAR submitted the following resolution; from the Committee on Foreign Relations; which was referred to the Committee on Rules and Administration:

S. RES. 32

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Foreign Relations, is authorized from March 1, 2005, through September 30, 2005; October 1, 2005, through September 30, 2006; and October 1, 2006, through February 28, 2007, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis

the services of personnel of any such department or agency.

SEC. 2(a). The expenses of the committee for the period March 1, 2005, through September 30, 2005, under this resolution shall not exceed \$3,290,588, of which amount (1) not to exceed \$100,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$5,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2005, through September 30, 2006, expenses of the committee under this resolution shall not exceed \$5,769,387, of which amount (1) not to exceed \$100,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$5,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2006, through February 28, 2007, expenses of the committee under this resolution shall not exceed \$2,452,849, of which amount (1) not to exceed \$100,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$5,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The Committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2007.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2005, through September 30, 2005; October 1, 2005, through September 30, 2006; and October 1, 2006, through February 28, 2007, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."

SENATE RESOLUTION 33—URGING THE GOVERNMENT OF CANADA TO END THE COMMERCIAL SEAL HUNT

Mr. LEVIN (for himself, Ms. COLLINS, Mr. LUGAR, Mr. REED, Mr. LAUTENBERG,

Mrs. FEINSTEIN, Mr. JOHNSON, Mr. JEFFORDS, Mr. WYDEN, Ms. CANTWELL, Mr. DODD, Mr. FEINGOLD, Mr. DURBIN, Mr. SCHUMER, Mrs. MURRAY, and Mr. DORGAN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 33

Whereas on November 15, 2004, the Government of Canada opened a commercial hunt for seals in the waters off the east coast of Canada;

Whereas an international outcry regarding the plight of the seals hunted in Canada resulted in the 1983 ban by the European Union of whitecoat and blueback seal skins and the subsequent collapse of the commercial seal hunt in Canada;

Whereas the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 et seq.) bars the import into the United States of any seal products;

Whereas in February 2003, the Ministry of Fisheries and Oceans in Canada authorized the highest quota for harp seals in Canadian history, allowing nearly 1,000,000 seals to be killed over a 3-year period;

Whereas harp seal pups can be legally hunted in Canada as soon as they have begun to molt their white coats at approximately 12 days of age;

Whereas 95 percent of the seals culled over the past 5 years were pups between just 12 days and 12 weeks of age, many of which had not yet eaten their first solid meal or learned to swim;

Whereas a report by an independent team of veterinarians invited to observe the hunt by the International Fund for Animal Welfare concluded that the seal hunt failed to comply with basic animal welfare regulations in Canada and that governmental regulations regarding humane killing were not being respected or enforced;

Whereas the veterinary report concluded that as many as 42 percent of the seals studied were likely skinned while alive and conscious;

Whereas the commercial slaughter of seals in the Northwest Atlantic is inherently cruel, whether the killing is conducted by clubbing or by shooting;

Whereas many seals are shot in the course of the hunt, but escape beneath the ice where they die slowly and are never recovered, and these seals are not counted in official kill statistics, making the actual kill level far higher than the level that is reported;

Whereas the commercial hunt for harp and hooded seals is a commercial slaughter carried out almost entirely by non-Native people from the East Coast of Canada for seal fur, oil, and penises (used as aphrodisiacs in some Asian markets);

Whereas the fishing and sealing industries in Canada continue to justify the expanded seal hunt on the grounds that the seals in the Northwest Atlantic are preventing the recovery of cod stocks, despite the lack of any credible scientific evidence to support this claim;

Whereas 2 Canadian Government marine scientists reported in 1994 that the true cause of cod depletion in the North Atlantic was over-fishing, and the consensus among the international scientific community is that seals are not responsible for the collapse of cod stocks;

Whereas harp and hooded seals are a vital part of the complex ecosystem of the Northwest Atlantic, and because the seals consume predators of commercial cod stocks, removing the seals might actually inhibit recovery of cod stocks;

Whereas certain ministries of the Government of Canada have stated clearly that

there is no evidence that killing seals will help groundfish stocks to recover; and

Whereas the persistence of this cruel and needless commercial hunt is inconsistent with the well-earned international reputation of Canada: Now, therefore, be it

Resolved, That the Senate urges the Government of Canada to end the commercial hunt on seals that opened in the waters off the east coast of Canada on November 15, 2004.

Mr. LEVIN. Mr. President, according to the highly respected Humane Society of the United States, HSUS, Canada's government has authorized the slaughter of nearly 1 million seals over 3 years, 2004–2006, most of them between 12 days and 12 weeks old. This is the largest kill quota in history, which means that Canada is facilitating the artificial extension of an industry that has ceased to exist in most developed countries.

Canada officially opened its 6 months commercial seal hunt on November 15, 2004, paving the way for hundreds of thousands of baby seals to be killed for their fur during the 2004–2005 season. Today, I am joined by Senators COLLINS, LUGAR, REED, LAUTENBERG, FEINSTEIN, JOHNSON, JEFFORDS, WYDEN, CANTWELL, DODD, FEINGOLD, DURBIN, SCHUMER, MURRAY, and DORGAN in submitting a resolution that urges the Government of Canada to end this senseless, inhumane slaughter. Last year, we submitted a similar resolution, which was favorably reported by the Senate Foreign Relations Committee.

Opposition to the seal hunt is mounting. Canada's own people don't support the hunt. Polling shows that 71 percent of Canadians—including 60 percent of Atlantic Canadians—believe the seal hunt should be banned outright or limited to seals over one year of age. Last week, Canada's conservative newspaper, National Post, called for an end to the hunt. In January 2004, the Belgian government announced its intention to prohibit the sale of seal fur; and in November 2003, 166 members of the British House of Commons signed an Early Day Motion opposing Canada's seal hunt. That motion received strong support from Britain's Foreign Office Minister, Mike O'Brien. The American people don't support it either. According to a 2002 poll conducted by Penn, Schoen and Berland, 79 percent of American voters oppose Canada's seal hunt; and the U.S. Government has gone on record in opposition to this senseless slaughter, as noted in the attached, January 19, 2005, letter from the U.S. Department of State, in response to a letter Senator COLLINS and I wrote to President Bush, urging him to raise this issue during his November 30, 2004 visit with Canadian Prime Minister Paul Martin.

In 2001, a group of independent veterinarians traveled to observe the seal hunt. What they witnessed was shocking to all who are concerned about the humane treatment of animals. The images are difficult to envision but harder to believe: skinning of live animals

and the dragging of live seals across the ice using steel hooks.

Few would argue that this industry still serves a legitimate purpose. Even in Newfoundland, where 93 percent of the hunt occurs, the economic contribution of the seal hunt is marginal. Exports of seal products from Newfoundland account for less than one-tenth of one percent of the province's total exports. Is that worth the damage the seal hunt causes to Canada's reputation? Out of a population of over half a million people, only about 4,000 Newfoundlanders participate in the hunt. That's a total take home pay of well under \$800 per sealer.

Many believe that it makes little sense to continue an industry that only operates for a few weeks a year, in which the concentrated killings takes place. Moreover, it employs only a few hundred people on a seasonal, part-time basis.

The clubbing of baby seals can't be defended or justified, and Canada should end it just as we ended the Alaska baby seal massacre 20 years ago.

I ask unanimous consent that the January 19, 2005 letter from the U.S. State Department be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,

Washington, DC, January 19, 2005.

Hon. CARL LEVIN,

U.S. Senate,

Washington, DC.

DEAR SENATOR LEVIN: This is in response to your letter to the President of November 24, 2004 regarding Canadian commercial seal hunting. The White House has requested that the Department of State respond. We regret the delay in responding. Unfortunately, this letter was not received in the Department of State until mid-December, well after the referenced meeting between President Bush and Prime Minister Paul Martin of Canada.

We are aware of Canada's seal hunting activities and of the opposition to it expressed by many Americans. Furthermore, we can assure you that the United States has a long-standing policy opposing the hunting of seals and other marine mammals absent sufficient safeguards and information to ensure that the hunting will not adversely impact the affected marine mammal population or the ecosystem of which it is a part. The United States policy is reflected in the Marine Mammal Protection Act of 1972 (MMPA) which generally prohibits, with narrow and specific exceptions, the taking of marine mammals in waters or lands subject to the jurisdiction of the United States and the importation of marine mammals and marine mammal products into the United States.

The United States has made known to the Government of Canada its objections and the objections of concerned American legislators and citizens to the Canadian commercial seal hunt on numerous occasions over recent years. The United States has also opposed Canada's efforts within the Arctic Council to promote trade in sealskins and other marine mammal products.

We hope this information is helpful to you. Please do not hesitate to contact us if we can be of assistance in this or any other matter.

Sincerely,

NANCY POWELL,

(For Paul V. Kelly, Asst. Secretary,
Legislative Affairs).

SENATE CONCURRENT RESOLUTION 8—EXPRESSING THE SENSE OF CONGRESS THAT THERE SHOULD CONTINUE TO BE PARITY BETWEEN THE ADJUSTMENTS IN THE PAY OF MEMBERS OF THE UNIFORMED SERVICES AND THE ADJUSTMENTS IN THE PAY OF CIVILIAN EMPLOYEES OF THE UNITED STATES

Mr. SARBANES (for himself, Ms. COLLINS, Mr. AKAKA, Mr. WARNER, Mr. LIEBERMAN, Mr. ALLEN, Ms. MIKULSKI, Ms. SNOWE, Mr. JOHNSON, Mr. DAYTON, Mr. LAUTENBERG, Mr. KENNEDY, Mr. DURBIN, Mr. CORZINE, Ms. LANDRIEU, Mr. BINGAMAN, and Mrs. MURRAY) submitted the following concurrent resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. CON. RES. 8

Whereas members of the uniformed services of the United States and civilian employees of the United States contribute to the general welfare of the United States, maintain the Nation's defenses, and ensure the security of the homeland;

Whereas civilian employees of the United States play a crucial role in the fight against terrorism, as exemplified by—

(1) the civilian employees of the Department of Homeland Security and the Department of Defense who are working to ensure the security of the United States;

(2) the employees of the Intelligence Community and Federal law enforcement who have played a critical role in the investigation of the September 11, 2001, terrorist attacks and who are working to prevent further terrorist attacks;

(3) the civilian employees of the Department of State who are working to maintain a broad and sustained international commitment to wipe out terrorism around the world;

(4) the numerous skilled trade and craft civilian employees of the Federal Government who work side-by-side with the men and women of the Armed Forces to maintain and deploy our air and sea fleet safely and swiftly; and

(5) the employees of the Centers for Disease Control and Prevention within the Department of Health and Human Services who work every day protecting Americans from bioterrorism and those at the Department of Agriculture who strive to keep the Nation's food supply safe;

Whereas Americans depend on civilian employees of the United States for a vast array of important services from high profile disaster relief in times of national or international emergencies to the reliable administration of the Social Security program;

Whereas civilian employees of the United States will continue to serve and defend the United States;

Whereas in fiscal year 2005 the Senate budget resolution supported an across-the-board pay raise for both members of the uniformed services and civilian employees of the United States; and

Whereas the House of Representatives adopted House Resolution 581 affirming the bipartisan commitment to pay parity for fiscal year 2005: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that rates of pay for all civilian employees of the United States should be adjusted at the same time, and in the same proportion, as are rates of pay for members of the uniformed services.

Mr. SARBANES. Mr. President, I am pleased to join with Senators COLLINS, AKAKA, WARNER, LIEBERMAN, ALLEN, MIKULSKI, SNOWE, JOHNSON, DAYTON, LAUTENBERG, KENNEDY, DURBIN, CORZINE, LANDRIEU, BINGAMAN, and MURRAY in submitting a resolution expressing the sense of the Congress that parity between Federal civilian pay and military pay should be maintained.

During this unprecedented time in our Nation's history, both members of the uniformed services and civilian Federal employees are maintaining our Nation's defenses, ensuring the security of the homeland, and making remarkable contributions to the general welfare of the United States. Pay parity among all those who serve our Nation appropriately recognizes the crucial work and honorable sacrifices of the civilian Federal workforce. The contributions of civilian employees range from Department of Defense employees working alongside the military in hostile environments abroad to those at the Department of Health and Human Services who consistently achieve critical breakthroughs in science and medicine. The sacrifice of these individuals is made evident by individuals such as CIA employee Mike Spann, the first casualty of the conflict in Afghanistan; Lawrence Foley, an employee of the U.S. Agency for International Development who was assassinated by terrorists in Jordan; Joseph Curseen, Jr. and Thomas Morris, Jr., postal workers who died as a result of the anthrax attacks of 2001; and many others.

Congress has demonstrated a bipartisan and longstanding commitment to the principle of pay parity by providing for equal pay adjustments in each of the last three years and 17 of the last 19 years. The budget proposal presented to Congress for Fiscal Year 2005 included a 3.5 percent pay raise for members of the uniformed services, but only a 1.5 percent pay raise for our dedicated public servants. However, both Houses of Congress reaffirmed their support for equal pay by including a 3.5 percent raise for both civilian and military employees in their respective resolutions and relevant Fiscal Year 2005 appropriations bills.

Providing equitable pay raises for federal employees is not just an issue of fairness. It is also critical to recruiting and retaining talented individuals in public service, and therefore, to successfully administering important Federal programs. Our Federal Government is facing a "human capital" crisis that threatens institutional experience and knowledge at every level. Within the next five years, our government could lose up to half of its workforce to retirement. These vacancies will occur in an era in which those entering the workforce are far less likely to join public service. Numerous studies by groups such as the Partnership for Public Service and the Council for Excellence in Government indicate that young Americans have developed a

more positive attitude towards government and politics in recent years, but are still unlikely to consider government service as a career. One way to address this looming crisis is to take tangible steps to make Federal service more financially attractive.

I should note that despite the pressing need to draw more qualified candidates to Federal service, the Federal Employee Pay Comparability Act (FEPCA)—designed to bring Federal pay in line with private sector pay—has never been fully implemented. If we are serious about resolving our Federal workforce shortage issue, we must also begin a conversation about implementing FEPCA. At a minimum, however, we should recognize the importance of civilian Federal employees by providing equal pay raises to all those who choose to serve our country. Otherwise we risk further reducing the number of qualified candidates we can recruit to civilian federal jobs.

The dedication of both the uniformed services and our civilian employees embody the greatness of our Nation, day in and day out, through their commitment to public service. I urge my colleagues to support this resolution so that the contributions of both are recognized in an equitable manner.

AMENDMENTS SUBMITTED & PROPOSED

SA 1. Mr. DURBIN (for Mr. LEAHY (for himself and Mr. HATCH)) proposed an amendment to the bill S. 167, to provide for the protection of intellectual property rights, and for other purposes.

TEXT OF AMENDMENTS

SA 1. Mr. DURBIN (for Mr. LEAHY (for himself and Mr. HATCH)) proposed an agreement to the bill S. 167, to provide for the protection of intellectual property rights, and for other purposes; as follows:

On page 21, line 7, strike "12" and insert "13".

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. CHAMBLISS. Mr. President, I announce that the Committee on Agriculture, Nutrition, and Forestry will conduct a hearing on February 3, 2005 in SD-106 at 11 a.m. The purpose of this hearing will be to examine the effects of Bovine Spongiform Encephalopathy (BSE) on U.S. imports and exports of cattle and beef.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 1, 2005, at 9:30 a.m.,

in open session to receive testimony on death benefits and services available to survivors of military personnel and legislative proposals to enhance these benefits.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, February 1, 2005, at 10 a.m., on pending Committee business.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, February 1, 2005 at 9 a.m., to hold a hearing on Iraq.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. HATCH. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, February 1, 2005 at 2:30 p.m., to hold a Business Meeting.

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

PRIVILEGES OF THE FLOOR

Mr. SPECTER. Mr. President, I ask unanimous consent that Michael O'Neill, chief counsel of the Senate Judiciary Committee; Brett Tolman, a detailee from the Department of Justice; and Nicholas Rossi, a detailee from the Federal Bureau of Investigation, be granted floor privileges for the first session of the 109th Congress.

Mr. LEAHY. Mr. President, reserving the right to object, and I will not object, I also ask, for purposes of debate on the Gonzales nomination, unanimous consent that floor privileges be granted to Matthew Nelson.

Mr. SPECTER. With that modification, the unanimous consent request is pursued.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SPECTER. Mr. President, I ask unanimous consent that the following individuals be granted privileges of the floor for the duration of the 109th Congress: Grace Chung Becker, a detailee from the U.S. Sentencing Commission; Bruce Artim, a detailee from the National Institute of Health; and Reed O'Connor, a detailee from the Department of Justice.

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

FAMILY ENTERTAINMENT AND COPYRIGHT ACT OF 2005

Mr. BROWNBACK. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from