

SENATE RESOLUTION 571—RECOGNIZING HISPANIC HERITAGE MONTH AND CELEBRATING THE VAST CONTRIBUTIONS OF HISPANIC AMERICANS TO THE STRENGTH AND CULTURE OF THE UNITED STATES

Mr. FRIST (for himself, Mr. REID, Mr. MARTINEZ, Mr. SALAZAR, Mr. SANTORUM, Mrs. HUTCHISON, Mr. CRAPO, Mr. ALEXANDER, Mr. BINGAMAN, Mr. LIEBERMAN, Mr. MENENDEZ, and Mr. NELSON of Florida) submitted the following resolution; which was considered and agreed to:

S. RES. 571

Whereas from September 15, 2006, through October 15, 2006, the United States celebrates Hispanic Heritage Month;

Whereas the presence of Hispanics in North America predates the founding of the United States, and, as among the first to settle in the New World, Hispanics and their descendants have had a profound and lasting influence on the history, values, and culture of the United States;

Whereas, since the arrival of the earliest Spanish settlers more than 400 years ago, millions of Hispanic men and women have come to the United States from Mexico, Puerto Rico, Cuba, and other Caribbean regions, Central America, South America, and Spain, in search of freedom, peace, and opportunity;

Whereas Hispanic Americans have contributed throughout the ages to the prosperity and culture of the United States;

Whereas the Bureau of the Census now lists Hispanic Americans as the largest ethnic minority within the United States;

Whereas Hispanic Americans serve in all branches of the Armed Forces and have fought valiantly in every war in the history of the United States;

Whereas the Medal of Honor is the highest United States military distinction, awarded since the Civil War for “conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty”;

Whereas 41 men of Hispanic origin have earned this distinction, including 21 such men who sacrificed their lives;

Whereas many Hispanic Americans who served in the Armed Forces have continued their service to the United States;

Whereas many Hispanic Americans are dedicated public servants, holding posts at the highest levels of government, including 3 current seats in the United States Senate; and

Whereas Hispanic Americans have a deep commitment to faith, family, and community, an enduring work ethic, and a perseverance to succeed: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes September 15, 2006, through October 15, 2006, as Hispanic Heritage Month;

(2) celebrates the vast contributions of Hispanic Americans to the strength and culture of the United States; and

(3) encourages the people of the United States to observe Hispanic Heritage Month with appropriate programs and activities.

SENATE CONCURRENT RESOLUTION 115—EXPRESSING THE SENSE OF CONGRESS WITH RESPECT TO RAISING AWARENESS AND ENHANCING THE STATE OF COMPUTER SECURITY IN THE UNITED STATES, AND SUPPORTING THE GOALS AND IDEALS OF NATIONAL CYBER SECURITY AWARENESS MONTH

Mr. BURNS (for himself and Ms. CANTWELL) submitted the following concurrent resolution; which was referred to the Committee on Commerce, Science, and Transportation:

Whereas over 205,000,000 Americans use the Internet in the United States, including over 84,000,000 home-users through broadband connections, to communicate with family and friends, manage their finances, pay their bills, improve their education, shop at home, and read about current events;

Whereas the approximately 26,000,000 small businesses in the United States, who represent 99.7 percent of all United States employers and employ 50 percent of the private work force, increasingly rely on the Internet to manage their businesses, expand their customer reach, and enhance their connection with their supply chain;

Whereas, according to the Department of Education, nearly 100 percent of public schools in the United States have Internet access, with approximately 93 percent of instructional classrooms connected to the Internet;

Whereas having access to the Internet in the classroom enhances the education of our children by providing access to educational online content and encouraging responsible self-initiative to discover research resources;

Whereas, according to the Pew Institute, almost 9 in 10 teenagers between the ages of 12 and 17, or 87 percent of all youth (approximately 21,000,000 people) use the Internet, and 78 percent (or about 16,000,000 students) say they use the Internet at school;

Whereas teen use of the Internet at school has grown 45 percent since 2000, and educating children of all ages about safe, secure, and ethical practices will not only protect their computer systems, but will also protect the physical safety of our children, and help them become good cyber citizens;

Whereas the growth and popularity of social networking websites have attracted millions of teenagers, providing them with a range of valuable services;

Whereas teens should be taught how to avoid potential threats like cyber bullies, online predators, and identity thieves that they may encounter while using cyber services;

Whereas the critical infrastructure of our Nation relies on the secure and reliable operation of information networks to support our Nation’s financial services, energy, telecommunications, transportation, health care, and emergency response systems;

Whereas cyber security is a critical part of the overall homeland security of our Nation, in particular the control systems that control and monitor our drinking water, dams, and other water management systems, our electricity grids, oil and gas supplies, and pipeline distribution networks, our transportation systems, and other critical manufacturing processes;

Whereas terrorists and others with malicious motives have demonstrated an interest in utilizing cyber means to attack our Nation;

Whereas the mission of the Department of Homeland Security includes securing the homeland against cyber terrorism and other attacks;

Whereas Internet users and our information infrastructure face an increasing threat of malicious attacks through viruses, worms, Trojans, and unwanted programs such as spyware, adware, hacking tools, and password stealers, that are frequent and fast in propagation, are costly to repair, and disable entire computer systems;

Whereas, according to Privacy Rights Clearinghouse, since February 2005, over 90,000,000 records containing personally-identifiable information have been breached, and the overall increase in serious data breaches in both the private and public sectors are threatening the security and well-being of the citizens of the United States;

Whereas consumers face significant financial and personal privacy losses due to identity theft and fraud, as reported in over 686,000 consumer complaints in 2005 received by the Consumer Sentinel database operated by the Federal Trade Commission;

Whereas Internet-related complaints in 2005 accounted for 46 percent of all reported fraud complaints received by the Federal Trade Commission;

Whereas the total amount of monetary losses for such Internet-related complaints exceeded \$680,000,000, with a median loss of \$350 per complaint;

Whereas the youth of our Nation face increasing threats online such as inappropriate content or child predators;

Whereas, according to the National Center For Missing and Exploited Children, 34 percent of teens are exposed to unwanted sexually explicit material on the Internet, and 1 in 7 children report having been approached by an online child predator;

Whereas national organizations, policy-makers, government agencies, private sector companies, nonprofit institutions, schools, academic organizations, consumers, and the media recognize the need to increase awareness of computer security and enhance the level of computer and national security in the United States;

Whereas the mission of National Cyber Security Alliance is to increase awareness of cyber security practices and technologies to home-users, students, teachers, and small businesses through educational activities, online resources and checklists, and public service announcements; and

Whereas the National Cyber Security Alliance has designated October as National Cyber Security Awareness Month, which will provide an opportunity to educate the people of the United States about computer security: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) supports the goals and ideals of National Cyber Security Awareness Month; and

(2) will work with Federal agencies, national organizations, businesses, and educational institutions to encourage the development and implementation of existing and future computer security voluntary consensus standards, practices, and technologies in order to enhance the state of computer security in the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 5007. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 4970 proposed by Mr. DEMINT to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes.

SA 5008. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 4923 proposed by Mr. ISAKSON to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5009. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 4957 proposed by Mrs. CLINTON (for herself and Mrs. DOLE) to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5010. Mr. INOUE (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 4993 submitted by Mr. DEMINT and intended to be proposed to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5011. Mr. INOUE (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 4992 submitted by Mr. DEMINT and intended to be proposed to the amendment SA 4970 proposed by Mr. DEMINT to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5012. Mr. INOUE (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 4970 proposed by Mr. DEMINT to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5013. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5014. Mr. SMITH (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5015. Mr. LAUTENBERG submitted an amendment intended to be proposed to amendment SA 4942 proposed by Mr. LAUTENBERG to the bill H.R. 4954, supra; which was ordered to lie on the table.

SA 5016. Mr. STEVENS proposed an amendment to the bill H.R. 4954, supra.

SA 5017. Mr. STEVENS (for Mr. GRASSLEY) proposed an amendment to the bill H.R. 4954, supra.

SA 5018. Mr. STEVENS (for Ms. SNOWE) proposed an amendment to the bill H.R. 4954, supra.

TEXT OF AMENDMENTS

SA 5007. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 4970 proposed by Mr. DEMINT to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. . . . PROHIBITION OF ISSUANCE OF TRANSPORTATION SECURITY CARDS TO CONVICTED FELONS.

Section 70105 of title 46, United States Code, is amended—

(1) in subsection (b)(1), by striking “decides that the individual poses a security risk under subsection (c)” and inserting “determines under subsection (c) that the individual poses a security risk”; and

(2) in subsection (c), by amending paragraph (1) to read as follows:

“(1) DISQUALIFICATIONS.—

“(A) PERMANENT DISQUALIFYING CRIMINAL OFFENSES.—Except as provided under paragraph (2), an individual is permanently disqualified from being issued a transportation security card under subsection (b) if the individual has been convicted, or found not guilty by reason of insanity, in a civilian or military jurisdiction of any of the following felonies:

“(i) Espionage or conspiracy to commit espionage.

“(ii) Sedition or conspiracy to commit sedition.

“(iii) Treason or conspiracy to commit treason.

“(iv) A crime listed in chapter 113B of title 18, a comparable State law, or conspiracy to commit such crime.

“(v) A crime involving a transportation security incident. In this clause, a transportation security incident—

“(I) is a security incident resulting in a significant loss of life, environmental damage, transportation system disruption, or economic disruption in a particular area (as defined in section 70101 of title 46); and

“(II) does not include a work stoppage or other nonviolent employee-related action, resulting from an employer-employee dispute.

“(vi) Improper transportation of a hazardous material under section 5124 of title 49, or a comparable State law;

“(vii) Unlawful possession, use, sale, distribution, manufacture, purchase, receipt, transfer, shipping, transporting, import, export, storage of, or dealing in an explosive or incendiary device (as defined in section 232(5) of title 18, explosive materials (as defined in section 841(c) of title 18), or a destructive device (as defined in 921(a)(4) of title 18).

“(viii) Murder.

“(ix) Conspiracy or attempt to commit any of the crimes described in clauses (v) through (viii).

“(x) A violation of the Racketeer Influenced and Corrupt Organizations Act (18 U.S.C. 1961 et seq.), or a comparable State law, if 1 of the predicate acts found by a jury or admitted by the defendant consists of 1 of the offenses listed in clauses (iv) and (viii).

“(xi) Any other felony that the Secretary determines to be a permanently disqualifying criminal offense.

“(B) INTERIM DISQUALIFYING CRIMINAL OFFENSES.—Except as provided under paragraph (2), an individual is disqualified from being issued a biometric transportation security card under subsection (b) if the individual has been convicted, or found not guilty by reason of insanity, during the 7-year period ending on the date on which the individual applies for such or card, or was released from incarceration during the 5-year period ending on the date on which the individual applies for such a card, of any of the following felonies:

“(i) Assault with intent to murder.

“(ii) Kidnapping or hostage taking.

“(iii) Rape or aggravated sexual abuse.

“(iv) Unlawful possession, use, sale, manufacture, purchase, distribution, receipt, transfer, shipping, transporting, delivery, import, export of, or dealing in a firearm or other weapon. In this clause, a firearm or other weapon includes, but is not limited to—

“(I) firearms (as defined in section 921(a)(3) of title 18); and

“(II) items contained on the United States Munitions Import List under 447.21 of title 27 Code of Federal Regulations.

“(v) Extortion.

“(vi) Dishonesty, fraud, or misrepresentation, including identity fraud.

“(vii) Bribery.

“(viii) Smuggling.

“(ix) Immigration violations.

“(x) A violation of the Racketeer Influenced and Corrupt Organizations Act (18 U.S.C. 1961, et seq.) or a comparable State law, other than a violation listed in subparagraph (A)(x).

“(xi) Robbery.

“(xii) Distribution of, possession with intent to distribute, or importation of a controlled substance.

“(xiii) Arson.

“(xiv) Conspiracy or attempt to commit any of the crimes in this subparagraph.

“(xv) Any other felony that the Secretary determines to be a disqualifying criminal offense under this subparagraph.

“(C) OTHER POTENTIAL DISQUALIFICATIONS.—Except as provided under subparagraphs (A) and (B), an individual may not be denied a

transportation security card under subsection (b) unless the Secretary determines that individual—

“(i) has been convicted within the preceding 7-year period of a felony or found not guilty by reason of insanity of a felony—

“(I) that the Secretary believes could cause the individual to be a terrorism security risk to the United States; or

“(II) for causing a severe transportation security incident;

“(ii) has been released from incarceration within the preceding 5-year period for committing a felony described in clause (i);

“(iii) may be denied admission to the United States or removed from the United States under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.); or

“(iv) otherwise poses a terrorism security risk to the United States.”

SA 5008. Mr. KENNEDY submitted an amendment intended to be proposed to amendment SA 4923 proposed by Mr. ISAKSON to the bill H.R. 4954, to improve maritime and cargo security through enhanced layered defenses, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. . . . CARGO SCREENING.

(a) RADIATION RISK REDUCTION.—

(1) SAFETY PROTOCOLS.—Before requiring any port cargo screening procedures involving the use of ionizing or non-ionizing radiation, the Secretary, in consultation with the Secretary of Labor and the Director of the National Institute of Occupational Safety and Health at the Centers for Disease Control, shall develop and implement protocols to protect the safety of port workers and the general public.

(2) PUBLICATION.—The protocols developed under paragraph (1) shall be—

(A) published and made available for public comment; and

(B) designed to reduce the short- and long-term exposure of worker and the public to the lowest levels feasible.

(3) REPORT.—Not later than 1 year after the implementation of protocols under paragraph (1), the Council of the National Academy of Sciences and Director of the National Institute of Occupational Safety and Health shall each submit a report to Congress that includes—

(A) information regarding the exposure of workers and the public and the possible risk to their health and safety, if any, posed by these screening procedures; and

(B) any recommendations for modification of the cargo screening protocols to reduce exposure to ionizing or non-ionizing radiation to the lowest levels feasible.

(b) GOVERNMENT RESPONSIBILITY.—Any employer of an employee who has an illness or injury for which exposure to ionizing or non-ionizing radiation from port cargo screening procedures required under Federal law is a contributing cause may seek, and shall receive, full reimbursement from the Federal Government for additional costs associated with such illness or injury, including costs incurred by the employer under the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 901 et seq.), State workers' compensation laws, or other equivalent programs.

SA 5009. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 4957 proposed by Mrs. CLINTON (for herself and Mrs. DOLE) to the bill H.R. 4954, to improve maritime and cargo security through enhanced