

proposed by him to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities and the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table as follows:

At the end of subtitle D of title VI, add the following:

**SEC. 642. REPEAL OF REQUIREMENT OF REDUCTION OF SBP SURVIVOR ANNUITIES BY DEPENDENCY AND INDEMNITY COMPENSATION.**

(a) REPEAL.—Subchapter II of chapter 73 of title 10, United States Code is amended—

(1) in section 1450(c)(1), by inserting after “to whom section 1448 of this title applies” the following: “(except in the case of a death as described in subsection (d) or (f) of such section)”; and

(2) in section 1451(c)—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively.

(b) PROHIBITION ON RETROACTIVE BENEFITS.—No benefits may be paid to any person for any period before the effective date provided under subsection (e) by reason of the amendments made by subsection (a).

(c) PROHIBITION ON RECOUPMENT OF CERTAIN AMOUNTS PREVIOUSLY REFUNDED TO SBP RECIPIENTS.—A surviving spouse who is or has been in receipt of an annuity under the Survivor Benefit Plan under subchapter II of chapter 73 of title 10, United States Code, that is in effect before the effective date provided under subsection (e) and that is adjusted by reason of the amendments made by subsection (a) and who has received a refund of retired pay under section 1450(e) of title 10, United States Code, shall not be required to repay such refund to the United States.

(d) RECONSIDERATION OF OPTIONAL ANNUITY.—Section 1448(d)(2) of title 10, United States Code, is amended by adding at the end the following new sentences: “The surviving spouse, however, may elect to terminate an annuity under this subparagraph in accordance with regulations prescribed by the Secretary concerned. Upon such an election, payment of an annuity to dependent children under this subparagraph shall terminate effective on the first day of the first month that begins after the date on which the Secretary concerned receives notice of the election, and, beginning on that day, an annuity shall be paid to the surviving spouse under paragraph (1) instead.”

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the later of—

(1) the first day of the first month that begins after the date of the enactment of this Act; or

(2) the first day of the fiscal year that begins in the calendar year in which this Act is enacted.

**SEC. 643. EFFECTIVE DATE FOR PAID-UP COVERAGE UNDER SURVIVOR BENEFIT PLAN.**

Section 1452(j) of title 10, United States Code, is amended by striking “October 1, 2008” and inserting “October 1, 2005”.

**PRIVILEGE OF THE FLOOR**

Mr. CORNYN. Mr. President, I ask unanimous consent that Caroline Garner, a member of my staff, be granted the privileges of the floor.

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

**PRIVILEGE OF THE FLOOR**

Mr. DAYTON. Mr. President, I ask unanimous consent the privilege of the floor be granted to Dana Chasin on my staff today and for subsequent debate on judicial nominations.

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

**TRANSPORTATION EQUITY ACT: A LEGACY FOR USERS**

On Tuesday, May 17, 2005, the Senate passed H.R. 3, as follows:

(The bill will be printed in a future edition of the RECORD.)

**APPOINTMENT**

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a–1928d, as amended, appoints the following Senators to the Senate Delegation to the NATO Parliamentary Assembly during the 109th Congress: The Honorable JEFF SESSIONS of Alabama; the Honorable MIKE ENZI of Wyoming; the Honorable JIM BUNNING of Kentucky; and the Honorable NORM COLEMAN of Minnesota.

**ORDER TO PRINT H.R. 3**

Mr. FRIST. I ask unanimous consent that H.R. 3, as passed by the Senate, be printed as passed.

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

**RECOGNIZING THE 25TH ANNIVERSARY OF THE ERUPTION OF MOUNT ST. HELENS**

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 146, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 146) recognizing the 25th anniversary of the eruption of Mount St. Helens.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid on the table, and any statements be printed in the RECORD without intervening action or debate.

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

The resolution (S. Res. 146) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

**S. RES. 146**

Whereas, on May 18, 1980, at 8:32 a.m. Pacific Daylight Time, the volcano of Mount St. Helens erupted, changing its elevation from 9,677 feet to 8,363 feet;

Whereas the eruption was triggered by an earthquake of magnitude 5.1 approximately 1 mile beneath the volcano;

Whereas the lateral blast covered an area approximately 230 square miles and reached as far as 17 miles northwest of the crater;

Whereas the velocity of the blast was estimated to be at least 300 miles per hour;

Whereas the pyroclastic flows covered 6 square miles, reached temperatures of 1,300 degrees Fahrenheit, and moved at speeds between 50 and 80 miles per hour;

Whereas, as a result of the eruption, over 4,000,000,000 board-feet of timber was blown down, which is enough material to build about 150,000 homes;

Whereas volcanic ash clouded the sky above eastern Washington, reached the east coast of the United States in 3 days, and eventually circled the globe in 15 days;

Whereas the eruption claimed the lives of 57 people; and

Whereas tens of thousands of animals perished: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes the 25th Anniversary of the eruption of Mount St. Helens on May 18, 2005;

(2) acknowledges the importance of monitoring all 169 volcanoes in the United States and its territories;

(3) recognizes the invaluable work of the Department of the Interior, the United States Geological Survey, the United States Forest Service, the Directorate of Emergency Preparedness and Response of the Department of Homeland Security, and the Cascade Volcano Observatory in monitoring the activities of Mount St. Helens;

(4) acknowledges the progress in science that has led to a more comprehensive understanding of volcanology, seismology, and plate tectonics, thus enhancing the ability to predict volcanic activity and eruptions; and

(5) supports monitoring volcanoes and helping to develop emergency response plans to ensure that the people and communities of the United States are safe.

**NATIONAL INTERNET SAFETY MONTH**

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to consideration of S. Res. 147 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 147) designating June 2005 as National Internet Safety Month.

There being no objection, the Senate proceeded to consider the resolution.

Ms. MURKOWSKI. Mr. President, I rise in support of the resolution designating June 2005 as National Internet Safety Month. I am pleased to have Mr. CRAPO, Mr. DEWINE, Mr. CRAIG, Ms. LANDRIEU, Mrs. LINCOLN, Mr. ALLEN, and Mrs. FEINSTEIN join me in submitting this resolution.

The Internet has become one of the most significant advances in the twentieth century and, as a result, it affects people's lives in a positive manner each day. However, this technology presents dangers that need to be brought to the attention of all Americans.

Never before has the problem of on-line predatory behavior been more of a concern. Consider the pervasiveness of Internet access by children and the rapid increase in Internet crime and predatory behavior. Never before have powerful educational solutions—like

Internet safety curricula for grades kindergarten through 12, youth empowerment Internet safety campaigns and community-based Internet safety awareness presentations with the formation of community action teams—been more critical and readily at hand. It is imperative that every community in every State be made aware of the increase in Internet-based criminal activity so that all Americans may learn about the Internet safety strategies which will help them to keep their children safe from victimization.

Consider the facts: In the United States, more than 90 percent of children in grades 5 through 12 now use computers and have Internet access. Twenty-six percent of children in that age group are online for more than 5 hours a week and 12 percent spend more time online than they do with their friends.

An alarming statistic is that 39 percent of youths in grades 5 through 12 in the United States admit giving out their personal information, such as their name, age and gender over the Internet. Furthermore, 12 percent of students in the same age group have been asked by a stranger on the Internet to meet face to face. Unfortunately, 11.5 percent of students in this age group have actually met face to face with a stranger they met on the Internet.

Most disturbing are the patterns of Internet crimes against children. In 1996, the Federal Bureau of Investigation was involved in 113 cases involving Internet crimes against children. In 2001, the FBI opened 1,541 cases against people suspected of using the Internet to commit crimes involving child pornography or abuse. The U.S. Customs Service now places the number of Web sites offering child pornography at more than 100,000. Moreover, there was a 345 percent increase in the production of these sites just between February 2001 and July 2001, according to a recent study.

Now is the time for America to focus its attention on supporting Internet safety, especially bearing in mind that children will soon be on summer vacation and will subsequently spend more time online. Recent Internet crime trends indicate a call to action as it pertains to national Internet safety awareness at all levels.

Mr. FRIST. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 147) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 147

Whereas in the United States, more than 90 percent of children in grades 5–12 now use computers;

Whereas 26 percent of children in grades 5–12 in the United States are online for more

than 5 hours a week, and 12 percent of such children spend more time online than they do with their friends;

Whereas 53 percent of children and teens in the United States like to be alone when “surfing” the Internet, and 29 percent of such children believe their parents would either express concern, restrict their Internet use, or take away their computer if their parents knew where they were surfing on the Internet;

Whereas 32 percent of the Nation’s students in grades 5–12 feel they have the skills to get past filtering software, and 31 percent of youths in the United States have visited an inappropriate place on the Internet, 18 percent of them more than once;

Whereas 51 percent of the Nation’s students in grades 5–12 trust the people they chat with on the Internet;

Whereas 12 percent of the Nation’s students in grades 5–12 have been asked by someone they chatted with on the Internet to meet face to face, and 11.5 percent of such students have actually met face to face with a stranger they chatted with on the Internet; and

Whereas 39 percent of youths in grades 5–12 in the United States admit to giving out their personal information, such as name, age, and gender over the Internet, and 14 percent of such youths have received mean or threatening email while on the Internet: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates June 2005 as “National Internet Safety Month”;

(2) recognizes that National Internet Safety Month provides an opportunity to educate the people of the United States on the dangers of the Internet and the importance of being safe and responsible online;

(3) commends and recognizes national and community organizations for their work in promoting awareness of the dangers of the Internet and for providing information and training that develops the critical thinking and decision making skills needed to be safe online; and

(4) calls on Internet safety organizations, law enforcement, educators, community leaders, parents, and volunteers to increase their efforts to raise the level of awareness in the United States regarding the need for online safety.

AUTHORIZING DISPLAY OF SENATE LEADERSHIP PORTRAIT COLLECTION

Mr. FRIST. I ask unanimous consent the Senate now proceed to consideration of S. Res. 148 submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows: A resolution (S. Res. 148) to authorize the display of the Senate leadership portrait collection in the Senate lobby.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements be printed in the RECORD.

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

The resolution (S. Res. 148) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 148

Whereas the objective of the Senate Leadership Portrait Collection is to commemorate the distinguished service to the Senate and the Nation of those Senators who have served as Majority Leader, Minority Leader, or President pro tempore: Now, therefore, be it

*Resolved*, That (a) portraits in the Senate Leadership Portrait Collection may be displayed in the Senate Lobby at the direction of the Senate Commission on Art in accordance with guidelines prescribed pursuant to subsection (d).

(b) The Senate Leadership Portrait Collection shall consist of portraits selected by the Senate Commission on Art of Majority or Minority Leaders and Presidents pro tempore of the Senate.

(c) Any portrait for the Senate Leadership Portrait Collection that is acquired on or after the date of adoption of this resolution shall be of an appropriate size for display in the Senate Lobby, as determined by the Senate Commission on Art.

(d) The Senate Commission on Art shall prescribe such guidelines as it deems necessary, subject to the approval of the Committee on Rules and Administration, to carry out this resolution.

MEASURES READ THE FIRST TIME—S. 1061 AND S. 1062

Mr. FRIST. Mr. President, I understand that there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the titles of the bills for the first time en bloc.

The legislative clerk read as follows:

A bill (S. 1061) to provide for secondary school reform, and for other purposes.

A bill (S. 1062) to amend the Fair Labor Standards Act of 1938 to provide for an increase in the Federal minimum wage.

Mr. FRIST. Mr. President, I now ask for a second reading and, in order to place the bills on the calendar under the provisions of rule XIV, I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection is heard.

The bills will receive their second reading on the next legislative day.

S. 1062

Mr. KENNEDY. Mr. President, it has now been 8 long years since the Nation’s hardworking men and women had an increase in the minimum wage. The essence of the American dream is that if people work hard and play by the rules they can succeed in life and support their families. But for millions of hardworking Americans earning the minimum wage, that dream has become a cruel hoax. An American who works full time, year-round at the current minimum wage of \$5.15 an hour earns \$10,700 a year—\$5,000 below the poverty line for a family of three. The minimum wage is too low.

Today Congressman GEORGE MILLER and I are introducing the Fair Minimum Wage Act of 2005 to raise the minimum wage to \$7.25 an hour in three steps over the next 2 years. This increase will directly raise the pay of