

With this legislation, we intend to make a simple correction to the tax code that clearly indicates that tribes are eligible recipients of food donated under section 170(e)(3) of the Internal Revenue Code. This correction is long overdue and would remedy an egregious inequity in the Federal tax code that affects Natives nationwide.

Please allow me to provide a few examples of how this legislation could foster positive change. In Alaska, approximately half of the food donated to the Food Bank of Alaska from corporations could go to tribes throughout Alaska. Much of this food would go to villages that are only accessible by air or water. In South Dakota, roughly 30 percent of the food the Community Food Banks of South Dakota distributes would go to reservations. In North Dakota, the amount of food donated to the Great Plains Food Bank could double if this legislation were enacted. The Montana Food Bank Network projects that food donations could increase by 16 percent. A food bank based in Albuquerque, NM estimates that their food donations could triple in the first year alone.

It is imperative that we address this important issue expeditiously. The health and well-being of low income American Indians and Alaska Natives across the Nation is at stake.

I ask unanimous consent that the text of this bill be printed in the RECORD.

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

S. 1115

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHARITABLE CONTRIBUTIONS OF INVENTORY TO INDIAN TRIBES .

(a) IN GENERAL.—Section 170(e)(3) of the Internal Revenue Code of 1986 (relating to special rule for contributions of inventory and other property) is amended by adding at the end the following new subparagraph:

“(D) SPECIAL RULE FOR INDIAN TRIBES.—

“(i) IN GENERAL.—For purposes of this paragraph, an Indian tribe (as defined in section 7871(c)(3)(E)(ii)) shall be treated as an organization eligible to be a donee under subparagraph (A).

“(ii) USE OF PROPERTY.—For purposes of subparagraph (A)(i), if the use of the property donated is related to the exercise of an essential governmental function of the Indian tribal government (within the meaning of section 7871), such use shall be treated as related to the purpose or function constituting the basis for the organization’s exemption.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2005.

AMENDMENTS SUBMITTED AND PROPOSED

SA 764. Mr. MARTINEZ (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be 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 of 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.

TEXT OF AMENDMENTS

SA 764. Mr. MARTINEZ (for himself and Mr. NELSON of Florida) submitted an amendment intended to be 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 of 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 title XXII, add the following:

SEC. 2207. WHARF UPGRADES, NAVAL STATION MAYPORT, FLORIDA.

Of the amount authorized to be appropriated by section 2204(a)(4) for the Navy for architectural and engineering services and construction design, \$500,000 shall be available for the design of wharf upgrades at Naval Station Mayport, Florida.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 24, 2005, at 3 p.m., to conduct a hearing on “Money Laundering and Terror Financing Issues in the Middle East.”

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, May 24, 2005, at 10 a.m. on S. 529, a bill to authorize funding for the U.S. Anti-Doping Agency (USADA) and to designate it as the official doping agency of the U.S. Olympic Committee.

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

COMMITTEE ON FINANCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, May 24, 2005, at 10 a.m., in 628 Dirksen Senate Office Building, to consider the nominations of Alex Azar, II, to be Deputy Secretary of Health and Human Services, Department of Health and Human Services, Washington, DC; Timothy D. Adams, to be Under Secretary for International Affairs, U.S. Department of Treasury; Shara L. Aranoff, to be Member of the International Trade Commission; Suzanne C. DeFrancis to be Assistant Secretary for Public Affairs, U.S. Department of Health and

Human Services; and Charles E. Johnson, to be Assistant Secretary for Budget, Technology and Finance, U.S. Department of Health and Human Services.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 24, 2005 at 9:30 a.m. to hold a hearing on nominations.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent, pursuant to Rule 26.5(a) of the Standing Rules of the Senate, that the Select Committee on Intelligence be authorized to meet after conclusion of the first two hours after the meeting of the Senate commences on May 24, 2005.

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

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Tuesday, May 24, 2005, at 2 p.m. for a hearing regarding “Overview of the Competitive Effects of Specialty Hospitals.”

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA

Mr. CORNYN. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet on Tuesday, May 24, 2005, at 10 a.m. for a hearing entitled, “Safeguarding the Merit System: A Review of the U.S. Office of Special Counsel.”

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

PRIVILEGE OF THE FLOOR

Mr. REED. Mr. President, I ask unanimous consent that Claire Steele, a fellow in my office, be granted the privilege of the floor for the remainder of today’s session.

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

Mr. FEINGOLD. Mr. President, I ask unanimous consent that Avery Wentzel, a legal intern on my Senate Judiciary Committee staff, be granted the privilege of the floor during the debate on Justice Owen.

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

ORDER FOR STAR PRINT

Mr. FRIST. I ask unanimous consent Senate report 109-69 be star printed with the changes at the desk.