(Mr. BIDEN), the Senator from Maine (Ms. COLLINS), the Senator from Massachusetts (Mr. KERRY), the Senator from California (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Michigan (Mr. LEVIN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Maryland (Mr. SARBANES) and the Senator from North Carolina (Mrs. DOLE) were added as cosponsors of S.J. Res. 19, a joint resolution calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act.

S. CON. RES. 37

At the request of Mr. DEWINE, the names of the Senator from Delaware (Mr. BIDEN), the Senator from Iowa (Mr. HARKIN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. Con. Res. 37, a concurrent resolution honoring the life of Sister Dorothy Stang.

S. RES. 39

At the request of Ms. LANDRIEU, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. Res. 39, a resolution apologizing to the victims of lynching and the descendants of those victims for the failure of the Senate to enact anti-lynching legislation.

At the request of Mr. VOINOVICH, his name was added as a cosponsor of S. Res. 39, supra.

At the request of Mr. REED, his name was added as a cosponsor of S. Res. 39, supra.

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. Res. 39, supra.

At the request of Mr. BINGAMAN, his name was added as a cosponsor of S. Res. 39, supra.

S. RES. 104

At the request of Mr. FEINGOLD, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. Res. 104, a resolution expressing the sense of the Senate encouraging the active engagement of Americans in world affairs and urging the Secretary of State to take the lead and coordinate with other governmental agencies and non-governmental organizations in creating an online database of international exchange programs and related opportunities.

S. RES. 154

At the request of Mr. BIDEN, the names of the Senator from Nebraska (Mr. NELSON), the Senator from Delaware (Mr. CARPER) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Res. 154, a resolution designating October 21, 2005 as ''National Mammography Day''.

S. RES. 155

At the request of Mr. BIDEN, the names of the Senator from Kentucky (Mr. BUNNING), the Senator from New York (Mrs. CLINTON), the Senator from Minnesota (Mr. DAYTON), the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. Res. 155, a resolution designating the week of November 6 through November 12, 2005, as ''National Veterans Awareness Week'' to emphasize the need to develop educational programs regarding the contributions of veterans to the country.

S. RES. 169

At the request of Mr. SANTORUM, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. Res. 169, a resolution expressing the sense of the Senate with respect to free trade negotiations that could adversely impact consumers of sugar in the United States as well as United States agriculture and the broader economy of the United States.

AMENDMENT NO. 771

At the request of Mr. JEFFORDS, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of amendment No. 771 intended to be proposed to H.R. 6, a bill Reserved.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCAIN (for himself and Mr. DORGAN):

S. 1231. A bill to amend the Indian Self-Determination and Education Assistance Act to modify provisions relating to the National Fund for Excellence in American Indian Education; to the Committee on Indian Affairs.

Mr. MCCAIN. Mr. President, today I introduce the National Fund for Excellence in American Indian Education Amendments Act of 2005 to revise the Act.

In 2000, Congress authorized the establishment of a Federally-chartered non-profit foundation to further the educational opportunities for Native American students. This foundation, named the National Fund for Excellence in American Indian Education, was established in July, 2004 and has the potential for success in providing critical support to Native American students.

The legislation I introduce today will enable the foundation to become self-sufficient by authorizing appropriations for endowment or seed money and authorize the Secretary of the Interior to provide funding for the foundation's operating costs on a reimbursement basis. The legislation authorizes $5 million each fiscal year 2007 through 2009 and increases the administration cost limit from 10 percent to 15 percent of donations and transferred funds. This bill will also allow the Board to appoint the Chief Operating Officer who will be experienced in Indian education.

Mr. President, this legislation will provide significant improvements for the foundation in its mission of advancing Indian education and I urge my colleagues to join me in this effort. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1231

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Fund for Excellence in American Indian Education Amendments Act of 2005''.

SEC. 2. NATIONAL FUND FOR EXCELLENCE IN AMERICAN INDIAN EDUCATION.

Section 501 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458bbb) is amended—

(1) in subsection (g), by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—The officers of the Foundation shall be—

''(A) a chief operating officer, to be appointed in accordance with paragraph (2); and

''(B) any other officers, to be appointed or elected in accordance with the constitution and bylaws of the Foundation.

''(2) CHIEF OPERATING OFFICER.—

''(A) APPOINTMENT.—The Board shall appoint a chief operating officer to the Foundation.

''(B) REQUIREMENTS.—The chief operating officer of the Foundation shall—

''(i) demonstrate experience and knowledge in matters relating to—

''(I) education, in general; and

''(II) education of Indians, in particular; and

''(ii) serve at the direction of the Board.''; and

(2) by adding at the end the following:

''(o) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to carry out this section $5,000,000 for each of fiscal years 2007 through 2009.

''(2) EFFECT ON OTHER FUNDS.—Funds appropriated under paragraph (1) shall not reduce the amount of funds available for any other program relating to Indian education.''.

SEC. 3. ADMINISTRATIVE SERVICES AND SUPPORT.

Section 502 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458bbb–1) is amended—

(1) in subsection (a), by striking paragraph (2) and inserting the following:

''(2) may provide funds—

''(A) to pay the operating costs of the Foundation; and

''(B) to reimburse travel expenses of a member of the Board under section 501; and''; and

(2) in subsection (b), by inserting ''operating and'' before ''travel expenses''.

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

S. 1233. A bill for the relief of Diana Gecaj Engstrom; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, today I and my colleague Senator OBAMA are introducing a private relief bill on behalf of Diana Gejac Engstrom. This bill would grant legal permanent residency status to Ms. Engstrom.

The Engstrom story is one of service. Both the late Todd Engstrom and his widow, Diana, have spent their professional lives in service of human rights and American ideals. Todd served as a Commander in the United Nations Special Operations Group; Diana worked as a United Nations translator in Kosovo. After their marriage in 2003, Diana filed for legal permanent residency, with the ultimate goal of achieving American citizenship.

After the commencement of Operation Iraqi Freedom, Todd joined EOD Technology, Inc. as a Security Manager for Iraq. The U.S. Army assigned Todd to Iraq as a contractor to support our rebuilding efforts. Before leaving for Iraq, Todd asked Diana to raise his son, Dalton, in the event of his death.

Assigned to an area just outside of Fallujah, Todd helped train Iraqi security forces. On September 14, 2004, Todd died in a rocket-propelled grenade attack on his convoy by Iraqi insurgents.

As it stands, in addition to the tragedy of losing her husband, Diana can no longer continue the process of applying for legal residency and is in danger of deportation. Diana and Todd were not married for 2 years and therefore our immigration laws will not allow her to apply for permanent residency as a widow. The permanent residency application process for the surviving spouses of active duty soldiers who die in the course of duty is allowed, under current immigration law, to continue after death, even if the couple has not been married for 2 years.

Todd died in service of the American mission in Iraq; Congress should grant Diana the right to stay on the path towards LPR status. Deporting Diana would unjustly deny Todd's wish that Diana raise his son Dalton.

Todd trained Iraq soldiers so the Iraqi government could one day defend the country on its own. President Bush has made the training of Iraqi security services a central goal in the reconstruction of Iraq. Todd died in pursuit of this goal. Todd's service to our country was significant. His wife should not be made to suffer both the loss of her husband and deportation. This private bill will ensure that the sacrifice of Todd Engstrom is not forgotten.

By Mr. CRAIG:

S. 1234. A bill to increase, effective as of December 1, 2005, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans; to the Committee on Veterans' Affairs.

Mr. CRAIG. Mr. President, I have sought recognition to comment on legislation I am introducing today to provide a cost-of-living, COLA, adjustment for certain veterans benefits programs. This COLA adjustment would affect payments made to nearly 3 million Department of Veterans Affairs, VA, beneficiaries, and would be reflected in beneficiary checks that are received in January 2006, and thereafter.

An annual cost-of-living adjustment in veterans benefits is an important tool which protects veterans' cash-transfer benefits against the corrosive effects of inflation. The principal programs affected by the adjustment would be compensation paid to disabled veterans, and dependency and indemnity compensation—DIC—payments made to the surviving spouses, minor children and other dependants of persons who died in service, or who died after service as a result of service-connected injuries or diseases.

The President's budget anticipates inflation to be at a 2.3 percent level at the close of this year as measured by the consumer price index—CPI—published by the Department of Labor's Bureau of Labor Statistics. If inflation is held to the 2.3-percent level, that will be the level of COLA adjustment under this legislation since it ties the increase directly to the CPI increase as measured by the Department of Labor. Whatever the CPI increase eventually turns out to be, however, veterans' and survivors' benefits payments must be protected by being increased by a like amount. The Senate has already concurred with that judgment with passage of a budget resolution which assumes an increase equal to the CPI and which sets aside the funds necessary to finance the COLA increase envisioned by this legislation.

I ask my colleagues to support this vital legislation.

I request unanimous consent that this bill be printed in the RECORD.

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

S. 1234

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 2005".

SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—Effective on December 1, 2005, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2005, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) WARTIME DISABILITY COMPENSATION.—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts under sections 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount under section 1162 of such title.

(4) DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF INCREASE.—

(1) PERCENTAGE.—Except as provided in paragraph (2), each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2005, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(2) ROUNDING.—Each dollar amount increased under paragraph (1), if not a whole dollar amount, shall be rounded to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85–857 (72 Stat. 1263) who have not received compensation under chapter 11 of title 38, United States Code.

SEC. 3. PUBLICATION OF ADJUSTED RATES.

The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in section 2(b), as increased under that section, not later than the date on which the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2006.

By Mr. CRAIG:

S. 1235. A bill to amend chapters 19 and 37 of title 38, United States Code, to extend the availability of $400,000 in coverage under the servicemembers' life insurance and veterans' group life insurance programs, and for other purposes; to the Committee on Veterans' Affairs.

Mr. CRAIG. Mr. President, I have sought recognition to comment on legislation that I have introduced today that will improve insurance and housing benefits available for our Nation's servicemembers and veterans. The "Veterans Benefits Improvement Act of 2005" would increase the maximum amount of Servicemembers' Group Life Insurance, SGLI, and Veterans' Group Life Insurance, VGLI, coverage from $250,000 to $400,000; would require the Secretary of Defense to notify spouses of insured servicemembers when those servicemembers elect an SGLI beneficiary other than their spouse or when they elect to reduce SGLI coverage amounts; would provide a two-year, post-discharge window within which totally disabled veterans might elect to convert their insurance coverage from SGLI to VGLI; and would provide flexibility to VA's hybrid adjustable rate mortgage program so that servicemembers and veterans might use their VA home loan benefits in conjunction with this popular type of mortgage financing.

There already has been a great deal of discussion in the 109th Congress about the adequacy of benefits for the survivors of those who have lost their lives in service. There has also been a great deal of action. Section 1012 of Public Law 109–13, the "Emergency Supplemental Appropriation Act for Defense, the Global War on Terror, and Tsunami Relief, 2005," made improvements to the SGLI program. However, section 1012 also specified that the SGLI improvements made in the act be terminated effective September 30, 2005, and that the law as it existed prior to the enactment of Public Law 109–13 be revived on that date. As I understand it, the purpose of the termination language was to give the committee of jurisdiction—in this case, the Veterans' Affairs Committee, which I

chair in the Senate—the opportunity to proceed with proposals that would put a more permanent stamp on changes to the SGLI program.

Towards that end, and consistent with the changes enacted in Public Law 109–13, section 2(a) of my legislation would increase the maximum amount of SGLI and VGLI coverage from $250,000 to $400,000 effective October 1, 2005. SGLI coverage meets the insurance needs of servicemembers and Reserve members; VGLI coverage is available to meet the insurance needs of veterans as they transition out of military or naval service. The higher amount of coverage in my bill, in combination with other Federal assistance provided by VA, the Department of Defense, and the Social Security Administration, would provide for a more appropriate level of financial assistance for survivors of insured servicemembers and veterans. For example, the surviving spouse of an Army Sergeant killed in action who has two dependent children would have eligibility for up to $625,186 in lump-sum benefit assistance from the Federal government.

In addition, section 2(a) of the legislation I have introduced today would require the Secretary of Defense to notify, in writing, the spouses of servicemembers who elect either to name beneficiaries other than their spouses, or who elect to reduce their SGLI coverage. Under existing law, servicemembers have the right to name the insurance beneficiary of their choice. There are, however, some incidences of spouses of married servicemembers being left without adequate insurance for themselves or their children because they were unaware of the insurance decisions the servicemembers had made. I believe the spousal notification requirement in my bill strikes an appropriate balance between the longstanding rights of servicemembers to make their own, unfettered insurance choices, and the rights of spouses to be informed of matters that may impact on their future financial stability.

Turning to the insurance needs of severely disabled servicemembers, section 2(b) of this bill would extend for 1 year the period within which totally disabled veterans discharged from service might apply to convert their SGLI coverage to VGLI coverage. Under current law, servicemembers discharged from service have a 120-day grace period within which they are provided premium-free coverage under SGLI and may convert to VGLI coverage without needing to meet underwriting requirements. Servicemembers separated from service who are totally disabled may apply for an extension of the free SGLI coverage and VGLI conversion benefit that lasts up to one year after military discharge. There are two benefits of applying for the 1 year extension. The first is that SGLI coverage during the 1 year period is provided at no cost to the servicemember. The second is that the application for extension also serves as an application for automatic conversion from SGLI to VGLI. The opportunity to convert life insurance coverage to VGLI is essential for totally disabled veterans, many of whom have no hope of obtaining commercial insurance coverage.

VA's Insurance Service conducts targeted outreach to severely disabled veterans in an attempt to encourage them to apply for the 1 year extension of SGLI and conversion to VGLI benefit. However, information obtained from this outreach effort reveals that many severely disabled veterans are not taking advantage of the extension because they are precluded from post-separation financial planning by the effects of their disabilities and their need to focus on rehabilitation. Preliminary data obtained from VA suggest only 45 percent of totally disabled servicemembers apply for the extension despite VA's outreach effort. My legislation will provide 1 additional year within which severely disabled veterans may apply. The extra year will give VA more time—a total of 2 years after their discharge from the military—to reach veterans when they are perhaps more able to focus on their financial planning needs.

Finally, section 3 of the legislation I have introduced today would provide VA with greater flexibility to set appropriate interest rate cap protections on hybrid ARM loans it guarantees. Under existing law, VA has the authority to guaranty hybrid ARM loans through fiscal year 2008. Hybrid ARM loans are a new, and popular, financing option for borrowers that features a fixed period of interest on a loan for between 3 and 10 years followed by a period of annual adjustments thereafter. For VA hybrid ARM loans with an initial fixed rate of 5 or more years, VA may prescribe the maximum increase of the initial adjustment and the maximum adjustment permitted over the life of the loan. These interest rate "caps" are common in the mortgage financing industry, and serve to protect borrowers against wild upward swings in interest rates that might make a borrower more likely to default. However, unlike the flexibility given to VA to set caps for the initial adjustment and for the aggregate adjustment for the life of a loan, the law specifically limits annual interest rate adjustments after the initial adjustment to one percentage point. I am informed by industry and VA experts that without providing VA with greater flexibility to set an appropriate interest rate cap for annual adjustments, lenders will either be reluctant to make VA hybrid ARM loans available to veterans, or will require that veterans pay higher interest rates than otherwise would be required. My legislation would provide VA with the flexibility it needs to fix this problem.

Mr. President, the provisions of this legislation are important for veterans and their loved ones. We must give greater peace of mind to the families of those serving in the military, especially during a wartime period, that their Government has made available to them life insurance coverage to meet their basic financial needs in the event of death. We must give every opportunity for severely wounded servicemembers, many with war wounds, to remain insured under a government life insurance policy if their injuries might preclude them from being covered at reasonable cost under a private policy. And we must ensure that we remain flexible with mortgage industry standards so that veterans have the greatest array of financing options available to them when seeking to partake in the American dream of home ownership. My bill will accomplish all of these things and I ask my colleagues for their support of it.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1235

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Benefits Improvement Act of 2005".

SEC. 2. GROUP LIFE INSURANCE.

(a) SERVICEMEMBERS' GROUP LIFE INSURANCE.—Section 1967 of title 38, United States Code, as in effect on October 1, 2005, is amended—

(1) in subsection (a)—

(A) in paragraph (2), by adding at the end the following:

"(C) With respect to a policy of insurance covering an insured member, the Secretary of Defense shall make a good-faith effort to notify the spouse of a member if the member elects, at any time, to—

"(i) reduce amounts of insurance coverage of an insured member; or

"(ii) name a beneficiary other than the insured member's spouse.

"(D) The failure of the Secretary of Defense to provide timely notification under subparagraph (C) shall not affect the validity of an election by the member.

"(E) If a servicemember marries or remarries after making an election under subparagraph (C), the Secretary of Defense is not required to notify the spouse of such election. Elections made after marriage or remarriage are subject to the notice requirement under subparagraph (C)."; and

(B) in paragraph (3)—

(i) in subparagraph (A), by striking clause (i) and inserting the following:

"(i) In the case of a member, $400,000."; and

(ii) in subparagraph (B), by striking "member or spouse" and inserting "member, be evenly divisible by $50,000 and, in the case of a member's spouse"; and

(2) in subsection (d), by striking "$250,000" and inserting "$400,000".

(b) DURATION OF COVERAGE.—Section 1968(a) of title 38, United States Code, is amended—

(1) in paragraph (1)(A), by striking "one year" and inserting "2 years"; and

(2) in paragraph (4), by striking "one year" and inserting "2 years".

(c) VETERANS' GROUP LIFE INSURANCE.—Section 1977(a) of title 38, United States Code, as in effect on October 1, 2005, is amended by striking "$250,000" each place it appears and inserting "$400,000".

SEC. 3. ADJUSTABLE RATE MORTGAGES.

Section 3707(c)(4) of title 38, United States Code, is amended by striking "1 percentage point" and inserting "such percentage as the Secretary may prescribe".

SEC. 4. EFFECTIVE DATE.

The amendments made by this Act shall take effect on October 1, 2005, immediately after the execution of section 1012(i) of Public Law 109–13.

By Mr. McCAIN (for himself and Mr. LIEBERMAN):

S. 1237. A bill to expedite the transition to digital television while helping consumers to continue to use their analog televisions; to the Committee on Finance.

Mr. McCAIN. Mr. President, I rise today to introduce a bill to support the Nation's finest: our police, fire fighters and other emergency response personnel. The Spectrum Availability for Emergency-response and Law-enforcement to Improve Vital Emergency Services Act, otherwise known as The SAVE LIVES Act. This bill is drafted in response to the 9–11 Commission's final report, which recommended the "expedited and increased assignment of radio spectrum for public safety purposes."

To meet this recommendation, the SAVE LIVES Act would set a date certain for the allocation of spectrum to public safety agencies, specifically the 24 MHz of spectrum in the 700 MHz band that Congress promised public safety agencies in 1997. This is a promise Congress has yet to deliver to our Nation's first responders. Now is the time for congressional action before another national emergency or crisis takes place. Access to this specific spectrum is essential to our Nation's safety and welfare as emergency communications sent over these frequencies are able to penetrate walls and travel great distances, and can assist multiple jurisdictions in deploying interoperable communications systems.

In addition to setting a date certain, this bill would authorize funds for public safety agencies to purchase emergency communications equipment and ensure that Congress has the ability to consider whether additional spectrum should be provided for public safety communications prior to the recovered spectrum being auctioned. The bill contains significant language concerning consumer education of the digital television transition. The bill would mandate that warning labels be displayed on analog television sets sold prior to the transition, require warning language to be displayed at television retailers, command the distribution at retailers of brochures describing the television set options available, and call on broadcasters to air informational programs to better prepare consumers for the digital transition.

The bill would ensure that no television viewer's set would go "dark" by providing digital-to-analog converter boxes to over-the-air viewers that have a household income that does not exceed 200 percent of the poverty line and by allowing cable companies to down convert digital signal signals if necessary. I continue to believe that broadcast television is a powerful communications tool and important information source for citizens. I know that on 9/11, I learned about the attack on the Twin Towers and the Pentagon like most Americans—by watching television. Therefore, this bill seeks to not only protect citizens' safety but also the distribution of broadcast television.

Lastly, the bill would establish a tax credit for the recycling of television sets and require the Environmental Protection Agency to report to Congress on the need for a national electronic waste recycling program.

The 9–11 Commission's final report contained harrowing tales about police officers and fire fighters who were inside the Twin Towers and unable to receive evacuation orders over their radios from commanders. In fact, the report found that this inability to communicate was not only a problem for public safety organizations responding at the World Trade Center, but also for those responding at the Pentagon and Somerset County, PA, crash sites where multiple organizations and multiple jurisdictions responded. Therefore, the Commission recommended that Congress accelerate the availability of more spectrum for public safety.

The SAVE LIVES Act would implement the important recommendation and ensure that when our Nation experiences another attack, or other critical emergencies occur, our police, fire fighters, and other emergency response personnel will have the ability to communicate with each other and their commanders to prevent another catastrophic loss of life. Now is the time for congressional action before another national emergency or crisis takes place.

Several lawmakers attempted to act last year during the debate on the intelligence reform bill, but our efforts were thwarted by the powerful National Association of Broadcasters. This year, I hope we can all work together and to pass a bill that ensures the country is not only better prepared in case of another attack but also protects the vital communications outlet of broadcast television. I believe the SAVE LIVES Act does just that.

Mr. President, in an effort to expeditiously retrieve the spectrum for the Nation's first responders, to preserve over-the-air television accessibility to consumers and to ensure the adequate funding of both, I urge the enactment of the SAVE LIVES Act.

By Mrs. FEINSTEIN (for herself, Mr. BINGAMAN, and Mr. DOMENICI):

S. 1238. A bill to amend the Public Lands Corps Act of 1993 to provide for the conduct of projects that protect forests, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Public Lands Corps Healthy Forest Restoration Act of 2005. I am introducing this bill with Senators DOMENICI and BINGAMAN, whose cosponsorship I greatly appreciate. I also understand that Congressmen GREG WALDEN and TOM UDALL are introducing an identical version of the bill in the House, which I also appreciate.

This bill authorizes the Secretaries of Agriculture and Interior to enter into contracts and cooperative agreements with qualified corps to perform appropriate conservation projects, assist governments and Indian tribes in performing research and public education associated with natural and cultural resources, introduce young people to public service and expand their educational opportunities, and stimulate interest among the Nation's youth in careers in conservation and land management.

Consistent with the Healthy Forest Restoration Act, this bill also identifies a series of priority projects for corps to carry out including the restoration and protection of public lands threatened by severe fire, insect or disease infestation or other damaging agents; the protection, restoration, or enhancement of forest ecosystem components to promote the recovery of threatened and endangered species; the improvement of biological diversity; and, the enhancement of productivity and carbon sequestration.

In general, the Secretaries may give a preference to those corps that enroll young people who are economically, physically, or educationally disadvantaged. When it comes to the priority projects, the Secretaries shall "to the maximum extent practicable" give preference to those corps that have a substantial number of members who are disadvantaged. It also allows the Secretaries to grant noncompetitive hiring status to corps alumni for future Federal hiring. Finally, the bill authorizes $15 million a year, of which $10 million is for the priority projects identified in the bill and $5 million is for nonpriority projects.

I have named this legislation the Public Lands Corps Healthy Forests Restoration Act because it builds on both the Public Lands Corps Act of 1993 and the recently enacted Healthy Forest Restoration Act. I also want to note that last year the administration supported an earlier, but substantially similar, version of this bill.

This bill uses the cost saving resources of youth corps to carry out projects. It is estimated that youth corps generate $1.60 in immediate benefits for every dollar in costs. This figure is important given both the great need and great costs associated with fighting fires. The Federal Government is responsible for overseeing 689 million acres of land and five Federal agencies reported spending $1.6 billion in 2002 on fire fighting suppression efforts—a whopping $300 million more than the previous record.

As an example of what can happen in one State, consider 2003's catastrophic wildfires in southern California. Before these wildfires were contained, they scorched a total of 739,597 acres, killed 24 people, and destroyed approximately 3,631 homes and thousands of other structures. Not only did insurance payouts cost more than $3 billion, but public expenditures for firefighting and recovery ran into the hundreds of millions of dollars. And California is certainly not the only State to incur large costs from fires.

I want to reduce the chances of this type of catastrophe recurring in the future. To do so, we must use every resource at our disposal. I know that youth service and conversation corps can play a significant role in reducing the physical and financial strain that public land management agencies bear, and help protect our Nation's public lands from wildfires and other forms of devastation.

I have seen firsthand the benefits that service and conservation corps bring to communities and the difference that they make in the lives of disadvantaged youth. In 1983, I founded the first urban youth corps as mayor of San Francisco, and during that time I saw a great improvement in the quality of life of the corps members and of the city itself. When the program started, it had a million-dollar budget and employed 36 disadvantaged young people 18 to 23 years old. They needed some direction, wanted a challenge, and to make themselves socially useful.

That first year, we paid corps members $3.35 an hour to repair bathrooms in affordable housing for senior citizens and others, build a park in Hunter's Point, clear scotch broom from the Twin Peaks hillside, and fix up Alcatraz Island. In the subsequent 22 years, the San Francisco Conservation Corps, SFCC, has grown into a multisite, multifaceted agency that engages more than 500 young adults annually who have completed over 3.5 million hours of community service.

The San Francisco Conservation Corps has also given thousands of corps members a sense of personal pride, helped connect them with their community, and prove that hard work pays off. I started the corps to help young people break out of the cycle of poverty and crime and improve their job skills by giving them guidance and support through labor-intensive activities.

I am introducing this bill with the hope that the success of the San Francisco Conservation Corps can be duplicated nationwide. This program will not reach every disadvantaged young person in need of guidance and a second chance. But it is a start, and I urge my colleagues to join me in this effort.

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

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

S. 1238

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Public Lands Corps Healthy Forests Restoration Act of 2005''.

SEC. 2. AMENDMENTS TO THE PUBLIC LANDS CORPS ACT OF 1993.

(a) DEFINITIONS.—Section 203 of the Public Lands Corps Act of 1993 (16 U.S.C. 1722) is amended—

(1) by redesignating paragraphs (8), (9), (10), and (11) as paragraphs (9), (10), (11), and (13), respectively;

(2) by inserting after paragraph (7) the following:

''(8) PRIORITY PROJECT.—The term 'priority project' means an appropriate conservation project conducted on eligible service lands to further 1 or more of the purposes of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 et seq.), as follows:

''(A) To reduce wildfire risk to a community, municipal water supply, or other at-risk Federal land.

''(B) To protect a watershed or address a threat to forest and rangeland health, including catastrophic wildfire.

''(C) To address the impact of insect or disease infestations or other damaging agents on forest and rangeland health.

''(D) To protect, restore, or enhance forest ecosystem components to—

''(i) promote the recovery of threatened or endangered species;

''(ii) improve biological diversity; or

''(iii) enhance productivity and carbon sequestration.''; and

(3) by inserting after paragraph (11) (as redesignated by paragraph (1)) the following:

''(12) SECRETARY.—The term 'Secretary' means—

''(A) with respect to National Forest System land, the Secretary of Agriculture; and

''(B) with respect to Indian lands, Hawaiian home lands, or land administered by the Department of the Interior, the Secretary of the Interior.''.

(b) QUALIFIED YOUTH OR CONSERVATION CORPS.—Section 204(c) of the Public Lands Corps Act of 1993 (16 U.S.C. 1723(c)) is amended—

(1) by striking ''The Secretary of the Interior and the Secretary of Agriculture are'' and inserting the following:

''(1) IN GENERAL.—The Secretary is''; and

(2) by adding at the end the following:

''(2) PREFERENCE.—

''(A) IN GENERAL.—For purposes of entering into contracts and cooperative agreements under paragraph (1), the Secretary may give preference to qualified youth or conservation corps located in a specific area that have a substantial portion of members who are economically, physically, or educationally disadvantaged to carry out projects within the area.

''(B) PRIORITY PROJECTS.—In carrying out priority projects in a specific area, the Secretary shall, to the maximum extent practicable, give preference to qualified youth or conservation corps located in that specific area that have a substantial portion of members who are economically, physically, or educationally disadvantaged.''.

(c) CONSERVATION PROJECTS.—Section 204(d) of the Public Lands Corps Act of 1993 (16 U.S.C. 1723(d)) is amended—

(1) in the first sentence—

(A) by striking ''The Secretary of the Interior and the Secretary of Agriculture may each'' and inserting the following:

''(1) IN GENERAL.—The Secretary may''; and

(B) by striking ''such Secretary'' and inserting ''the Secretary'';

(2) in the second sentence, by striking ''Appropriate conservation'' and inserting the following:

''(2) PROJECTS ON INDIAN LANDS.—Appropriate conservation''; and

(3) by striking the third sentence and inserting the following:

''(3) DISASTER PREVENTION OR RELIEF PROJECTS.—The Secretary may authorize appropriate conservation projects and other appropriate projects to be carried out on Federal, State, local, or private land as part of a Federal disaster prevention or relief effort.''.

(d) CONSERVATION CENTERS AND PROGRAM SUPPORT.—Section 205 of the Public Lands Corps Act of 1993 (16 U.S.C. 1724) is amended—

(1) by striking the heading and inserting the following:

''SEC. 205. CONSERVATION CENTERS AND PROGRAM SUPPORT.'';

(2) by striking subsection (a) and inserting the following:

''(a) ESTABLISHMENT AND USE.—

''(1) IN GENERAL.—The Secretary may establish and use conservation centers owned and operated by the Secretary for—

''(A) use by the Public Lands Corps; and

''(B) the conduct of appropriate conservation projects under this title.

''(2) ASSISTANCE FOR CONSERVATION CENTERS.—The Secretary may provide to a conservation center established under paragraph (1) any services, facilities, equipment, and supplies that the Secretary determines to be necessary for the conservation center.

''(3) STANDARDS FOR CONSERVATION CENTERS.—The Secretary shall—

''(A) establish basic standards of health, nutrition, sanitation, and safety for all conservation centers established under paragraph (1); and

''(B) ensure that the standards established under subparagraph (A) are enforced.

''(4) MANAGEMENT.—As the Secretary determines to be appropriate, the Secretary may enter into a contract or other appropriate arrangement with a State or local government agency or private organization to provide for the management of a conservation center.''; and

(3) by adding at the end the following:

''(d) ASSISTANCE.—The Secretary may provide any services, facilities, equipment, supplies, technical assistance, oversight, monitoring, or evaluations that are appropriate to carry out this title.''.

(e) LIVING ALLOWANCES AND TERMS OF SERVICE.—Section 207 of the Public Lands Corps Act of 1993 (16 U.S.C. 1726) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) LIVING ALLOWANCES.—The Secretary shall provide each participant in the Public Lands Corps and each resource assistant with a living allowance in an amount established by the Secretary.''; and

(2) by adding at the end the following:

''(c) HIRING.—The Secretary may—

''(1) grant to a member of the Public Lands Corps credit for time served with the Public Lands Corps, which may be used toward future Federal hiring; and

''(2) provide to a former member of the Public Lands Corps noncompetitive hiring status for a period of not more than 120 days after the date on which the member's service with the Public Lands Corps is complete.''.

(f) FUNDING.—The Public Lands Corps Act of 1993 is amended—

(1) in section 210 (16 U.S.C. 1729), by adding at the end the following:

''(c) OTHER FUNDS.—Amounts appropriated pursuant to the authorization of appropriations under section 211 are in addition to amounts allocated to the Public Lands Corps

through other Federal programs or projects.''; and

(2) by inserting after section 210 the following:

''SEC. 211. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There is authorized to be appropriated to carry out this title $15,000,000 for each fiscal year, of which $10,000,000 is authorized to carry out priority projects.

''(b) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, amounts appropriated for any fiscal year to carry out this title shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which the amounts are appropriated.''.

(g) CONFORMING AMENDMENTS.—The Public Lands Corps Act of 1993 is amended—

(1) in section 204 (16 U.S.C. 1723)—

(A) in subsection (b)—

(i) in the first sentence, by striking ''Secretary of the Interior or the Secretary of Agriculture'' and inserting ''Secretary'';

(ii) in the third sentence, by striking ''Secretaries'' and inserting ''Secretary''; and

(iii) in the fourth sentence, by striking ''Secretaries'' and inserting ''Secretary''; and

(B) in subsection (e), by striking ''Secretary of the Interior and the Secretary of Agriculture'' and inserting ''Secretary'';

(2) in section 205 (16 U.S.C. 1724)—

(A) in subsection (b), by striking ''Secretary of the Interior and the Secretary of Agriculture'' and inserting ''Secretary''; and

(B) in subsection (c), by striking ''Secretary of the Interior and the Secretary of Agriculture'' and inserting ''Secretary'';

(3) in section 206 (16 U.S.C. 1725)—

(A) in subsection (a)—

(i) in the first sentence—

(I) by striking ''Secretary of the Interior and the Secretary of Agriculture are each'' and inserting ''Secretary is''; and

(II) by striking ''such Secretary'' and inserting ''the Secretary'';

(ii) in the third sentence, by striking ''Secretaries'' and inserting ''Secretary''; and

(iii) in the fourth sentence, by striking ''Secretaries'' and inserting ''Secretary''; and

(B) in the first sentence of subsection (b), by striking ''Secretary of the Interior or the Secretary of Agriculture'' and inserting ''the Secretary''; and

(4) in section 210 (16 U.S.C. 1729)—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''Secretary of the Interior and the Secretary of Agriculture are each'' and inserting ''Secretary is''; and

(ii) in paragraph (2), by striking ''Secretary of the Interior and the Secretary of Agriculture are each'' and inserting ''Secretary is''; and

(B) in subsection (b), by striking ''Secretary of the Interior and the Secretary of Agriculture'' and inserting ''Secretary''.

By Mr. MCCAIN (for himself, Mr. DORGAN, and Mr. BAUCUS):

S. 1239. A bill to amend the Indian Health Care Improvement Act to permit the Indian Health Service, an Indian tribe, a tribal organization, or an urban Indian organization to pay the monthly part D premium of eligible medicare beneficiaries; to the Committee on Indian Affairs.

Mr. MCCAIN. Mr. President, today I introduce the American Indian Elderly and Disabled Access to Health Care Act of 2005 to revise the Indian Health Care Improvement Act.

The legislation I introduce today will amend the Indian Health Care Improvement Act to permit the Indian Health Service, an Indian tribe, tribal or Urban Indian organization to use their funding to pay the Medicare Part D premiums of eligible Indian beneficiaries. These premium payments are for the American Indians and Alaska Natives enrolled in the prescription drug plans under part D of title XVIIl of the Social Security Act. Currently, these funds can be used for paying Medicare Parts A and B premiums but not Part D, and this legislation will enable eligible Indian beneficiaries to enroll and participate in the Part D program when it begins in January, 2006.

Mr. President, this legislation will increase the ability of the elderly and disabled American Indians and Alaska Natives to access the prescription drug benefits available under Medicare Part D and assist the Indian Health Service in achieving potentially significant cost savings. I urge my colleagues to join me in improving access to health care for American Indians and Alaska Natives.

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

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

S. 1239

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''American Indian Elderly and Disabled Access to Health Care Act of 2005''.

SEC. 2. PAYMENT OF MEDICARE MONTHLY PART D PREMIUM.

(a) IN GENERAL.—Section 404 of the Indian Health Care Improvement Act (25 U.S.C. 1644) is amended by adding at the end the following new subsection:

''(d) PAYMENT OF MONTHLY PART D PREMIUM UNDER THE MEDICARE PROGRAM.—

''(1) PAYMENT OF MONTHLY PART D PREMIUM.—The Service, an Indian tribe, a tribal organization, or an urban Indian organization may use appropriated funds or funds collected pursuant to the authority granted in this title to pay the monthly beneficiary premium (as determined under section 1860D–13 of the Social Security Act (42 U.S.C. 1395w–113) of an eligible medicare beneficiary enrolled in a prescription drug plan or an MA–PD plan under part D of title XVIII of such Act (42 U.S.C. 1395w–101 et seq.).

''(2) CONSIDERATIONS.—In deciding whether to pay the premium of an eligible medicare beneficiary under paragraph (1), the Indian Health Service, Indian tribe, tribal organization, or urban Indian organization shall consider the cost effectiveness of paying such premium for such individual, taking into account—

''(A) the beneficiary's expected drug utilization; and

''(B) other factors that the Service, Indian tribe, tribal organization, or urban Indian organization determines appropriate for the purpose of determining the cost effectiveness of paying such premium.

''(3) ELIGIBLE BENEFICIARY DEFINED.—The term 'eligible medicare beneficiary' means an individual who—

''(A) is an Indian;

''(B) is a part D eligible individual (as defined in section 1860D–1(a)(3)(A) of the Social Security Act (42 U.S.C. 1395w–101(a)(3)(A))); and

''(C) is not a subsidy eligible individual who receives a full premium subsidy under 1860D–14(a)(1)(A) of such Act (42 U.S.C. 1395w–114(a)(1)(A)).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to monthly beneficiary premium payments made with respect to months beginning on or after January 1, 2006.

By Mr. SMITH (for himself and Mrs. LINCOLN):

S. 1240. A bill to amend the Internal Revenue Code of 1986 to allow an investment tax credit for the purchase of trucks with new diesel engine technologies, and for other purposes; to the Committee on Finance.

Mr. SMITH. Mr. President, today I introduce legislation critically important to our Nation's continued economic growth and future environmental progress. I am joined by my friend and colleague from Arkansas, Senator LINCOLN.

Nearly everything sold in the United States moves by truck at some stage of delivery. In fact, America's trucking industry is responsible for moving nearly 70 percent of the tonnage of all products sold in the U.S.—a total of more than 9.8 billion tons of freight shipped in 2004.

If trucking serves as the circulatory system for the U.S. economy, then diesel engines provide America's economic heartbeat. Because of their superior fuel efficiency, durability and reliability, diesel engines power 100 percent of the long-haul trucks responsible for the bulk of freight deliveries in the U.S. Engineers have revolutionized this technology over the past decade by dramatically reducing emissions while maintaining diesel's inherent fuel efficiency. For example, a new truck sold today produces 78 percent fewer smog-forming and particulate emissions than a similar truck built in 1987.

Even more advanced, cleaner technology is scheduled to begin rolling on America's highways in 2007. Beginning that year, a new Environmental Protection Agency, EPA, regulation for diesel trucks will require further reductions in smog-forming and particulate emissions—reductions of over 90 percent compared to current levels. When fully implemented in 2010, EPA's clean diesel rule is estimated to reduce smog-forming emissions of nitrogen oxides by 2.6 million tons each year, along with 110,000 tons of fine particulate matter annually.

These clean diesel trucks are expected to play a leading role in helping cities and states meet strict new federal standards for ozone and fine particulates. And the technology is real; truck manufacturers and suppliers have demonstrated their commitment to delivering clean diesel by 2007.

However, we must recognize that clean air comes at a price. Trucks containing clean diesel engines that meet the EPA regulation in 2007 will include innovative emissions control technology that will increase purchase and

maintenance costs. Additionally, the 2007 trucks will run on low-sulfur diesel fuel that will be more expensive because of the added cost of sulfur removal. These additional financial burdens will fall upon America's trucking industry—where 96 percent of companies are designated as small businesses.

Equally important for those of us concerned about clean air, we must recognize that EPA's projected environmental benefits will materialize only if trucking companies can afford to purchase the cleaner but more expensive trucks equipped with the clean diesel engines. Federal regulation can require manufacturers to produce emissions compliant products, but the government cannot mandate the purchase of these clean diesel trucks. Customers always have the option of holding on to older trucks longer, rebuilding older engines, leasing older trucks, or turning to the used truck market. They can also simply buy more trucks today, with older design components and without the cleanest technology, and defer the purchase of cleaner trucks.

The bottom line is that the actual trucks in service on America's highways in 2007 and beyond will not yield the emissions reductions currently projected by EPA's own air quality models unless trucking companies can afford to buy the new clean diesels. Absent a short-term incentive for the purchase of these new trucks in 2007, simple economics will drive most trucking companies to either pre-purchase trucks that do not meet the new EPA regulation or extend the lives of their current fleets. This ''pre-buy/low-buy'' scenario played out most recently with the introduction of lower emission diesel trucks in October 2002.

Avoiding this problem, Mr. President, is the reason I am introducing this legislation today. Truck manufacturers and suppliers have responded to our clean air challenge and will be ready for the on-time delivery of remarkably clean trucks in 2007. The Federal Government needs to take the next step by helping to ensure the widest possible distribution of this clean diesel technology into the U.S. trucking fleet.

Under the proposal I am introducing today with Senator LINCOLN, taxpayers would be allowed an investment tax credit equal to 5 percent of the cost of EPA-compliant diesel equipment for acquisitions after December 31, 2006 but before January 1, 2008. The credits could be used against the taxpayer's regular tax or AMT liability. The credit would be part of the general business credit and thus credits unutilized in a taxable year would be carried over to another taxable year.

In addition, taxpayers would be allowed to expense the acquisition cost of qualifying equipment acquired and placed in service after December 31, 2006 and before January 1, 2008, for purposes of both the regular tax and the AMT.

Enacting the short-term tax incentive that Senator LINCOLN and I propose would put the cost of new clean diesel technology on at least a level playing field with the cost of today's trucks. It would ensure that trucking companies have the financial ability to purchase these modern clean diesels. Consequently, our legislation would ensure that Americans can breathe easier because the full air quality benefits intended by EPA's clean diesel rule will be realized.

I look forward to working with Senator LINCOLN and the rest of my colleagues to see this important clean air legislation enacted.

By Mr. KOHL (for himself and Mr. FEINGOLD):

S. 1241. A bill to suspend temporarily the duty on fixed ratio speed changers for truck-mounted concrete mixers; to the Committee on Finance.

Mr. KOHL. Mr. President, I rise today to introduce legislation which would temporarily suspend the duty on fixed ratio speed changers for truck-mounted concrete mixers. In the past 5 years, the manufacturers of diesel engines have been subject to new regulations, including more stringent emission standards for diesel engines, which have increased the cost to make the engines. That cost increase has been passed onto consumers. This legislation would allow U.S. manufacturers to import the parts duty free and help manufacturers remain competitive and continue to provide high quality and affordable engines.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1241

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

SECTION 1. FIXED RATIO SPEED CHANGERS.

(a) IN GENERAL.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

''	9902.84.01	Fixed ratio speed changers for truck-mounted concrete mixer drums (provided for in subheading 8483.40.50)	Free	No change	No change	On or before 12/31/2008	''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of enactment of this Act.

Mr. GRASSLEY (for himself and Mrs. LINCOLN):

S. 1244. A bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term needs; to the Committee on Finance.

Mr. GRASSLEY, Mr. President, I rise today to introduce the Long-Term Care and Retirement Security Act. I am pleased to be sponsoring this bill with my distinguished colleague from Arkansas, Senator BLANCHE LINCOLN.

Our bill would ease the tremendous cost of long-term care for Americans everywhere. First, it would allow individuals a tax deduction for the cost of long-term care insurance premiums. Increasingly, Americans are interested in private long-term care insurance to pay for nursing home stays, assisted living, home health aides, and other services. However, most people find the policies unaffordable. The younger the person is at the time the longcare insurance contract is purchased, the lower the insurance premium. Yet most people are not ready to buy a policy until retirement. A deduction for long-term care insurance premiums would encourage more people to buy a long-term care insurance policy.

Our proposal would also give individuals or their care gives a $3,000 tax credit to help cover their long-term care expenses. This would apply to those who have been certified by a doctor as needing help with at least three activities of daily living, such as eating, bathing or dressing. This credit—would help care givers pay for medical supplies, nursing care and any other expenses incurred while caring for family members with disabilities.

This year, I have been pleased to see our Nation turn its attention to the need to address the challenges of our aging population. The President has used the power of the Presidency to jumpstart a national discussion of the need to reform Social Security. Attention also has been focused on the need to increase our abysmally low savings rate and to ensure that workers' pensions are fully funded. At the same time, I have been glad to see attention also focused on helping Americans' prepare for future long-term care expenses. Enactment of the bill we are introducing today would mark a giant step forward in doing just that.

An aging Nation has no time to waste in preparing for long-term care, and the need to help people afford long-term care is more pressing than ever. I look forward to working with Senator LINCOLN and our colleagues in the Senate to get our bill passed into law as soon as possible.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1244

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Long-Term Care and Retirement Security Act of 2005''.

SEC. 2. TREATMENT OF PREMIUMS ON QUALIFIED LONG-TERM CARE INSURANCE CONTRACTS.

(a) IN GENERAL.—Part VII of subchapter B of chapter 1 of the Internal Revenue Code of 1986 (relating to additional itemized deductions) is amended by redesignating section 224 as section 225 and by inserting after section 223 the following new section:

''SEC. 224. PREMIUMS ON QUALIFIED LONG-TERM CARE INSURANCE CONTRACTS.

''(a) IN GENERAL.—In the case of an individual, there shall be allowed as a deduction an amount equal to the applicable percentage of the amount of eligible long-term care premiums (as defined in section 213(d)(10)) paid during the taxable year for coverage for the taxpayer and the taxpayer's spouse and dependents under a qualified long-term care insurance contract (as defined in section 7702B(b)).

''(b) APPLICABLE PERCENTAGE.—For purposes of subsection (a), the applicable percentage shall be determined in accordance with the following table:

For taxable years beginning in calendar year—	The applicable percentage is—
2005, 2006, or 2007	25
2008	35
2009	65
2010 or thereafter	100.

''(c) COORDINATION WITH OTHER DEDUCTIONS.—Any amount paid by a taxpayer for any qualified long-term care insurance contract to which subsection (a) applies shall not be taken into account in computing the amount allowable to the taxpayer as a deduction under section 162(l) or 213(a).''.

(b) LONG-TERM CARE INSURANCE PERMITTED TO BE OFFERED UNDER CAFETERIA PLANS AND FLEXIBLE SPENDING ARRANGEMENTS.—

(1) CAFETERIA PLANS.—The last sentence of section 125(f) of such Code (defining qualified benefits) is amended by inserting before the period at the end ''; except that such term shall include the payment of premiums for any qualified long-term care insurance contract (as defined in section 7702B) to the extent the amount of such payment does not exceed the eligible long-term care premiums (as defined in section 213(d)(10)) for such contract''.

(2) FLEXIBLE SPENDING ARRANGEMENTS.—Section 106 of such Code (relating to contributions by an employer to accident and health plans) is amended by striking subsection (c) and redesignating subsection (d) as subsection (c).

(c) CONFORMING AMENDMENTS.—

(1) Section 62(a) of such Code is amended by inserting before the last sentence at the end the following new paragraph:

''(21) PREMIUMS ON QUALIFIED LONG-TERM CARE INSURANCE CONTRACTS.—The deduction allowed by section 224.''.

(2) Sections 223(b)(4)(B), 223(d)(4)(C), 223(f)(3)(B), 3231(e)(11), 3306(b)(18), 3401(a)(22), 4973(g)(1), and 4973(g)(2)(B)(i) of such Code are each amended by striking ''section 106(d)'' and inserting ''section 106(c)''.

(3) Section 6041 of such Code is amended—

(A) in subsection (f)(1) by striking ''(as defined in section 106(c)(2))'', and

(B) by adding at the end the following new subsection:

''(h) FLEXIBLE SPENDING ARRANGEMENT DEFINED.—For purposes of this section, a flexible spending arrangement is a benefit program which provides employees with coverage under which—

''(1) specified incurred expenses may be reimbursed (subject to reimbursement maximums and other reasonable conditions), and

''(2) the maximum amount of reimbursement which is reasonably available to a participant for such coverage is less than 500 percent of the value of such coverage.

In the case of an insured plan, the maximum amount reasonably available shall be determined on the basis of the underlying coverage.''.

(4) The table of sections for part VII of subchapter B of chapter 1 of such Code is amended by striking the last item and inserting the following new items:

''Sec. 224. Premiums on qualified long-term care insurance contracts

''Sec. 225. Cross reference''.

(d) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2004.

(2) CAFETERIA PLANS AND FLEXIBLE SPENDING ARRANGEMENTS.—The amendments made by subsection (b) shall apply to taxable years beginning after December 31, 2006.

SEC. 3. CREDIT FOR TAXPAYERS WITH LONG-TERM CARE NEEDS.

(a) IN GENERAL.—Subpart A of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to nonrefundable personal credits) is amended by inserting after section 25B the following new section:

''SEC. 25C. CREDIT FOR TAXPAYERS WITH LONG-TERM CARE NEEDS.

''(a) ALLOWANCE OF CREDIT.—

''(1) IN GENERAL.—There shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the applicable credit amount multiplied by the number of applicable individuals with respect to whom the taxpayer is an eligible caregiver for the taxable year.

''(2) APPLICABLE CREDIT AMOUNT.—For purposes of paragraph (1), the applicable credit amount shall be determined in accordance with the following table:

For taxable years beginning in calender year—	The applicable credit amount is—
2005	$1,000
2006	1,500
2007	2,000
2008	2,500
2009 or thereafter	3,000.

''(b) LIMITATION BASED ON ADJUSTED GROSS INCOME.—

''(1) IN GENERAL.—The amount of the credit allowable under subsection (a) shall be reduced (but not below zero) by $100 for each $1,000 (or fraction thereof) by which the taxpayer's modified adjusted gross income exceeds the threshold amount. For purposes of the preceding sentence, the term 'modified adjusted gross income' means adjusted gross income increased by any amount excluded from gross income under section 911, 931, or 933.

''(2) THRESHOLD AMOUNT.—For purposes of paragraph (1), the term 'threshold amount' means—

''(A) $150,000 in the case of a joint return, and

''(B) $75,000 in any other case.

''(3) INDEXING.—In the case of any taxable year beginning in a calendar year after 2005, each dollar amount contained in paragraph (2) shall be increased by an amount equal to the product of—

''(A) such dollar amount, and

''(B) the medical care cost adjustment determined under section 213(d)(10)(B)(ii) for the calendar year in which the taxable year begins, determined by substituting 'August 2004' for 'August 1996' in subclause (II) thereof.

If any increase determined under the preceding sentence is not a multiple of $50, such increase shall be rounded to the next lowest multiple of $50.

''(c) DEFINITIONS.—For purposes of this section—

''(1) APPLICABLE INDIVIDUAL.—

''(A) IN GENERAL.—The term 'applicable individual' means, with respect to any taxable year, any individual who has been certified, before the due date for filing the return of tax for the taxable year (without extensions), by a physician (as defined in section 1861(r)(1) of the Social Security Act) as being an individual with long-term care needs described in subparagraph (B) for a period—

''(i) which is at least 180 consecutive days, and

''(ii) a portion of which occurs within the taxable year.

Notwithstanding the preceding sentence, a certification shall not be treated as valid unless it is made within the 39½ month period ending on such due date (or such other period as the Secretary prescribes).

''(B) INDIVIDUALS WITH LONG-TERM CARE NEEDS.—An individual is described in this subparagraph if the individual meets any of the following requirements:

''(i) The individual is at least 6 years of age and—

''(I) is unable to perform (without substantial assistance from another individual) at least 3 activities of daily living (as defined in section 7702B(c)(2)(B)) due to a loss of functional capacity, or

''(II) requires substantial supervision to protect such individual from threats to health and safety due to severe cognitive impairment and is unable to preform, without reminding or cuing assistance, at least 1 activity of daily living (as so defined) or to the extent provided in regulations prescribed by the Secretary (in consultation with the Secretary of Health and Human Services), is unable to engage in age appropriate activities.

''(ii) The individual is at least 2 but not 6 years of age and is unable due to a loss of functional capacity to perform (without substantial assistance from another individual) at least 2 of the following activities: eating, transferring, or mobility.

''(iii) The individual is under 2 years of age and requires specific durable medical equipment by reason of a severe health condition or requires a skilled practitioner trained to address the individual's condition to be available if the individual's parents or guardians are absent.

''(2) ELIGIBLE CAREGIVER.—

''(A) IN GENERAL.—A taxpayer shall be treated as an eligible caregiver for any taxable year with respect to the following individuals:

''(i) The taxpayer.

''(ii) The taxpayer's spouse.

''(iii) An individual with respect to whom the taxpayer is allowed a deduction under section 151(c) for the taxable year.

''(iv) An individual who would be described in clause (iii) for the taxable year if section 151(c) were applied by substituting for the exemption amount an amount equal to the sum of the exemption amount, the standard deduction under section 63(c)(2)(C), and any additional standard deduction under section 63(c)(3) which would be applicable to the individual if clause (iii) applied.

''(v) An individual who would be described in clause (iii) for the taxable year if—

''(I) the requirements of clause (iv) are met with respect to the individual, and

''(II) the requirements of subparagraph (B) are met with respect to the individual in lieu of the support test under subsection (c)(1)(D) or (d)(1)(C) of section 152.

''(B) RESIDENCY TEST.—The requirements of this subparagraph are met if an individual has as his principal place of abode the home of the taxpayer and—

''(i) in the case of an individual who is an ancestor or descendant of the taxpayer or the taxpayer's spouse, is a member of the taxpayer's household for over half the taxable year, or

''(ii) in the case of any other individual, is a member of the taxpayer's household for the entire taxable year.

''(C) SPECIAL RULES WHERE MORE THAN 1 ELIGIBLE CAREGIVER.—

''(i) IN GENERAL.—If more than 1 individual is an eligible caregiver with respect to the same applicable individual for taxable years ending with or within the same calendar year, a taxpayer shall be treated as the eligible caregiver if each such individual (other than the taxpayer) files a written declaration (in such form and manner as the Secretary may prescribe) that such individual will not claim such applicable individual for the credit under this section.

''(ii) NO AGREEMENT.—If each individual required under clause (i) to file a written declaration under clause (i) does not do so, the individual with the highest adjusted gross income shall be treated as the eligible caregiver.

''(iii) MARRIED INDIVIDUALS FILING SEPARATELY.—In the case of married individuals filing separately, the determination under this subparagraph as to whether the husband or wife is the eligible caregiver shall be made under the rules of clause (ii) (whether or not one of them has filed a written declaration under clause (i)).

''(d) IDENTIFICATION REQUIREMENT.—No credit shall be allowed under this section to a taxpayer with respect to any applicable individual unless the taxpayer includes the name and taxpayer identification number of such individual, and the identification number of the physician certifying such individual, on the return of tax for the taxable year.

''(e) TAXABLE YEAR MUST BE FULL TAXABLE YEAR.—Except in the case of a taxable year closed by reason of the death of the taxpayer, no credit shall be allowable under this section in the case of a taxable year covering a period of less than 12 months.''.

(b) CONFORMING AMENDMENTS.—

(1) Section 6213(g)(2) of such Code is amended by striking ''and'' at the end of subparagraph (L), by striking the period at the end of subparagraph (M) and inserting '', and'', and by inserting after subparagraph (M) the following new subparagraph:

''(N) an omission of a correct TIN or physician identification required under section 25C(d) (relating to credit for taxpayers with long-term care needs) to be included on a return.''.

(2) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by inserting after the item relating to section 25B the following new item:

''Sec. 25C. Credit for taxpayers with long-term care needs''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2004.

SEC. 4. ADDITIONAL CONSUMER PROTECTIONS FOR LONG-TERM CARE INSURANCE.

(a) ADDITIONAL PROTECTIONS APPLICABLE TO LONG-TERM CARE INSURANCE.—Subparagraphs (A) and (B) of section 7702B(g)(2) of the Internal Revenue Code of 1986 (relating to requirements of model regulation and Act) are amended to read as follows:

''(A) IN GENERAL.—The requirements of this paragraph are met with respect to any contract if such contract meets—

''(i) MODEL REGULATION.—The following requirements of the model regulation:

''(I) Section 6A (relating to guaranteed renewal or noncancellability), other than paragraph (5) thereof, and the requirements of section 6B of the model Act relating to such section 6A.

''(II) Section 6B (relating to prohibitions on limitations and exclusions) other than paragraph (7) thereof.

''(III) Section 6C (relating to extension of benefits).

''(IV) Section 6D (relating to continuation or conversion of coverage).

''(V) Section 6E (relating to discontinuance and replacement of policies).

''(VI) Section 7 (relating to unintentional lapse).

''(VII) Section 8 (relating to disclosure), other than sections 8F, 8G, 8H, and 8I thereof.

''(VIII) Section 11 (relating to prohibitions against post-claims underwriting).

''(IX) Section 12 (relating to minimum standards).

''(X) Section 13 (relating to requirement to offer inflation protection).

''(XI) Section 25 (relating to prohibition against preexisting conditions and probationary periods in replacement policies or certificates).

''(XII) The provisions of section 26 relating to contingent nonforfeiture benefits, if the policyholder declines the offer of a nonforfeiture provision described in paragraph (4).

''(ii) MODEL ACT.—The following requirements of the model Act:

''(I) Section 6C (relating to preexisting conditions).

''(II) Section 6D (relating to prior hospitalization).

''(III) The provisions of section 8 relating to contingent nonforfeiture benefits, if the policyholder declines the offer of a nonforfeiture provision described in paragraph (4).

''(B) DEFINITIONS.—For purposes of this paragraph—

''(i) MODEL PROVISIONS.—The terms 'model regulation' and 'model Act' mean the long-term care insurance model regulation, and the long-term care insurance model Act, respectively, promulgated by the National Association of Insurance Commissioners (as adopted as of October 2000).

''(ii) COORDINATION.—Any provision of the model regulation or model Act listed under clause (i) or (ii) of subparagraph (A) shall be treated as including any other provision of such regulation or Act necessary to implement the provision.

''(iii) DETERMINATION.—For purposes of this section and section 4980C, the determination of whether any requirement of a model regulation or the model Act has been met shall be made by the Secretary.''.

(b) EXCISE TAX.—Paragraph (1) of section 4980C(c) of the Internal Revenue Code of 1986 (relating to requirements of model provisions) is amended to read as follows:

''(1) REQUIREMENTS OF MODEL PROVISIONS.—

''(A) MODEL REGULATION.—The following requirements of the model regulation must be met:

''(i) Section 9 (relating to required disclosure of rating practices to consumer).

''(ii) Section 14 (relating to application forms and replacement coverage).

''(iii) Section 15 (relating to reporting requirements).

''(iv) Section 22 (relating to filing requirements for marketing).

''(v) Section 23 (relating to standards for marketing), including inaccurate completion of medical histories, other than paragraphs (1), (6), and (9) of section 23C.

''(vi) Section 24 (relating to suitability).

''(vii) Section 29 (relating to standard format outline of coverage).

''(viii) Section 30 (relating to requirement to deliver shopper's guide).

The requirements referred to in clause (vi) shall not include those portions of the personal worksheet described in Appendix B relating to consumer protection requirements not imposed by section 4980C or 7702B.

''(B) MODEL ACT.—The following requirements of the model Act must be met:

''(i) Section 6F (relating to right to return).

''(ii) Section 6G (relating to outline of coverage).

''(iii) Section 6H (relating to requirements for certificates under group plans).

''(iv) Section 6J (relating to policy summary).

''(v) Section 6K (relating to monthly reports on accelerated death benefits).

''(vi) Section 7 (relating to incontestability period).

''(C) DEFINITIONS.—For purposes of this paragraph, the terms 'model regulation' and 'model Act' have the meanings given such terms by section 7702B(g)(2)(B).''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to policies issued more than 1 year after the date of the enactment of this Act.

SEC. 5. TREATMENT OF EXCHANGES OF LONG-TERM CARE INSURANCE CONTRACTS.

(a) IN GENERAL.—Subsection (a) of section 1035 of the Internal Revenue Code of 1986 (relating to exchanges of insurance policies) is amended by striking the period at the end of paragraph (3) and inserting ''; or'' and by adding at the end the following new paragraph:

''(4) a qualified long-term care insurance contract for another qualified long-term care insurance contract.''.

(b) QUALIFIED LONG-TERM CARE INSURANCE CONTRACT.—Subsection (b) of section 1035 of such Code (relating to definitions) is amended by adding at the end the following new paragraph:

''(4) QUALIFIED LONG-TERM CARE INSURANCE CONTRACT.—The term 'qualified long-term care insurance contract' means—

''(A) any qualified long-term care insurance contract (as defined in section 7702B), and

''(B) any contract which is treated as such by section 321(f)(2) of the Health Insurance Portability and Accountability Act of 1996.''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to exchanges after December 31, 1997.

(2) WAIVER OF LIMITATIONS.—If the credit or refund of any overpayment of tax with respect to a taxable year ending before the date of the enactment of this Act resulting from the application of section 1035(a)(4) of the Internal Revenue Code of 1986, as added by this section, is prevented at any time by the operation of any law or rule of law (including res judicata), such credit or refund may nevertheless be allowed or made if the claim therefor is filed before the close of the 1-year period beginning on the date of the enactment of this Act.

Mrs. LINCOLN. Mr. President, I am pleased to introduce the Long Term Care and Retirement Security Act of 2005 with the Chairman of the Senate Finance Committee and my good friend from Iowa, Senator CHARLES GRASSLEY.

The introduction of our bill coincides nicely with the debate we are about to have in the Senate Finance Committee about Medicaid. Almost one-third of Medicaid costs can be attributed to long term care of the elderly and disabled.

The first of the 77 million Baby Boomers turn 65 years old in 2011. I believe that Congress needs to help them prepare for their futures now by investing in a private long term care policy. We must also make them aware that many long term care services are not covered by private health insurance or by Medicare. Historically, long term care costs have been paid first by families out-of-pocket and then by Medicaid for those who qualify and ''spend down'' to the income and assets limits.

Our legislation will create a tax credit for caregivers and individuals faced with the immediate expense of long-term care. The bill would also help Americans better prepare for their future needs by providing a tax deduction to help consumers pay long-term care insurance premiums for policies that meet strong consumer protection standards. Such plans will cover both medical and non-medical supportive care and personal care assistance so that elders can age at home.

Unless we encourage Americans to plan ahead, demand and costs for long term care services could deplete their savings and exhaust government programs. These tax incentives are a good first step forward to avoiding this problem.

I believe this bill should be seriously considered during the Medicaid debate. States all over the country are being impacted by decreased revenues and are being forced to make tough choices. At the same time, enrollment in Medicaid is increasing.

In fact, compared to other states, enrollment in Medicaid in Arkansas is growing at one of the fastest rates. Monthly Medicaid enrollment grew by 9.6 percent from June 2002 to June 2003, while the national average was 5.9 percent.

This legislation should also be a part of our debate on Social Security and retirement security. Long term care insurance should be a part of every family's retirement plan. Nursing home care is expensive, and not all state Medicaid programs pay for long term care within an individual's home.

I urge my colleagues to become cosponsors of this important legislation and work with Senator GRASSLEY and me to pass it as soon as possible.

By Mr. DODD (for himself, Mr. JEFFORDS, Mr. KERRY, and Mr. FEINGOLD):

S. 1246. A bill to require the Secretary of Education to revise regulations regarding student loan payment deferment with respect to borrowers who are in postgraduate medical or dental internship, residency, or fellowship programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I rise today with Senators JEFFORDS, KERRY and FEINGOLD to introduce the Medical Education Affordability Act, MEAA. The purpose of this bill is to make medical and dental education more affordable.

Upon graduation from college, students who demonstrate economic hardship are eligible to extend their student loan deferment for up to 3 additional years. Using the economic hardship deferment, a formula that takes into account earnings and debt level, the majority of medical and dental residents defer repayment of their student loans until the end of their residency period. Unfortunately, for those specialties that require a residency of more than 3 years—OB/GYN, psychiatry, and general surgery to name a few—student loan repayment begins before a resident's medical or dental education is completed. This situation creates an enormous financial burden for residents who have, in most cases, incurred significant debt. In 2004, the average indebtedness for graduating medical students was $115,000, for graduating dental students it was $122,263. While lenders are currently required to offer forbearance to medical and dental students, this is an expensive option as interest continues to accrue and may be capitalized more often.

The Medical Education Affordability Act would solve this problem by extending the economic hardship deferment to cover the entire length of a medical or dental residency. By altering the definition we are removing a significant financial obstacle facing students with residency periods longer than 3 years. I want to stress again, residents will still have to demonstrate economic hardship—MEAA only extends the deferment for borrowers that continue to meet the debt-to-income requirements of the economic hardship deferment.

Mr. President, I hope my colleagues will join me in support of medical education by signing onto this bill. By working together, I believe that the Senate as a body can act to ensure that more individuals are able to pursue a full range of medical specialties.

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

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

S. 1246

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Medical Education Affordability Act''.

SEC. 2. REGULATION REVISION REQUIRED.

(a) ACTION REQUIRED.—Not later than 90 days after the date of enactment of this Act, the Secretary of Education shall revise the regulations of the Department of Education that are promulgated to carry out the provisions relating to student loan repayment deferment under the Federal Family Education Loan Program under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.), the William D. Ford Federal Direct Loan Program under part D of title IV of such Act (20 U.S.C. 1087a et seq.), and the Federal Perkins Loan Program under part E of title IV of such Act (20 U.S.C. 1087aa et seq.), which are promulgated under sections 682.210, 685.204, and 674.34 of title 34, Code of Federal Regulations, to comply with the requirements of subsection (b).

(b) REQUIREMENTS.—The student loan repayment deferment regulations shall be revised to provide, with respect to a borrower who is in a postgraduate medical or dental internship, residency, or fellowship program, that if the borrower qualifies for student loan repayment deferment under the economic hardship provision—

(1) the deferment shall be available for the length of the internship, residency, or fellowship program if the program—

(A) must be successfully completed by the borrower before the borrower may begin professional practice or service; or

(B) leads to a degree or certificate awarded by a health professional school, hospital, or health care facility that offers postgraduate training; and

(2) the borrower shall not be required to apply annually for such student loan repayment deferment during the length of the program.

By Mr. DODD (for himself, Ms. MIKULSKI, Ms. LANDRIEU, Mr. LEVIN, Ms. CANTWELL, and Mr. KERRY):

S. 1247. A bill to amend the Higher Education Act of 1965 to establish a scholarship program to encourage and support students who have contributed substantial public services; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I rise to introduce, along with Senators MIKULSKI, LANDRIEU, LEVIN, CANTWELL and KERRY, the Youth Service Scholarship Act. This Act would authorize the Secretary of Education to award college scholarships of up to $5,000 a year to high school students and undergraduates who perform community service.

A recent study titled Community Service and Service Learning in U.S. Public Schools reveals that 66 percent of public schools involve students in community service. This means that approximately 54,000 public schools in America currently engage about 13.7 million students in community service each year. Other studies have shown that nearly 84 percent of high school students participate in volunteer activities either in or out of school and two-thirds of college students have recently participated in volunteer activities.

The Youth Service Scholarship Act is designed to assist low-income students who dedicate a significant portion of their time to volunteer service with money for college. This Act would authorize the Secretary of Education to award college scholarships of up to $5,000 to high school students who perform over 300 hours of community service in both their junior and senior years. In order to be considered, high school applicants must maintain a 3.0 grade point average, submit character recommendations, and write an essay

on the nature of their community service. Additional money will be available if the student continues to participate in a significant amount of community service once they are in college.

Voluntarism not only brings support and services to communities in need, it provides significant benefits to the students who participate. Research has shown that students who volunteer are 50 percent less likely to use drugs and alcohol or engage in destructive behavior. Additionally, students who volunteer are more likely to receive good grades, be philanthropic, graduate, and be interested in going to college.

In the 21st Century, higher education is not a luxury, it is a necessity. For many of our low-income youth, finding money to pay for college is an obstacle to enrollment. This scholarship program provides aid to motivated and inspired youth.

I urge my colleagues to join me in supporting the Youth Service Scholarship Act. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1247

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Youth Service Scholarship Act of 2005''.

SEC. 2. FINDINGS.

Congress finds that—

(1) young people under 18 years of age are now our Nation's most impoverished age group, with 1 of every 5 living in poverty, a higher proportion than in 1968, and the percentage of minority children living in poverty is about twice as high;

(2) more than 1 of 4 families is headed by a single parent and the percentage of such families has risen steadily over the past few decades, rising 13 percent since 1990;

(3) there is a need to engage youth as active participants in decisionmaking that affects their lives, including in the design, development, implementation, and evaluation of youth development programs at the Federal, State, and community levels;

(4) existing outcome driven youth development strategies, pioneered by community-based organizations, hold real promise for promoting positive behaviors and preventing youth problems;

(5) formal evaluations of youth development programs have documented significant reductions in drug and alcohol use, school misbehavior, aggressive behavior, violence, truancy, high-risk sexual behavior, and smoking;

(6) compared to youth in the United States generally, youth participating in community-based organizations are more than 26 percent more likely to report having received recognition for good grades than youth in the United States generally and nearly 20 percent more likely to rate the likelihood of their going to college as very high; and

(7) the availability and use of Federal resources can be an effective incentive to leverage broader community support to enable local programs, activities, and services to provide the full array of developmental core resources, remove barriers to access, promote program effectiveness, and facilitate coordination and collaboration within the community.

SEC. 3. ESTABLISHMENT OF PROGRAM.

Subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–11 et seq.) is amended—

(1) by redesignating section 407E as section 406E; and

(2) by adding at the end the following:

''CHAPTER 4—PUBLIC SERVICE INCENTIVES

''SEC. 407A. PURPOSE.

''The purpose of this chapter is to establish a scholarship program to reward low-income students who have, during high school, and who continue, during college, to make significant public service contributions to their communities.

''SEC. 407B. SCHOLARSHIPS AUTHORIZED.

''(a) QUALIFICATIONS FOR SCHOLARSHIPS.—The Secretary is authorized to award a scholarship to enable a student to pay the cost of attendance at an institution of higher education during the student's first 4 academic years of undergraduate education, if the student—

''(1) in order to be eligible for the first year of such scholarship, performed not less than 300 hours of qualifying public service during each of 2 academic years of the student's secondary school enrollment;

''(2) in order to be eligible for the second or any subsequent year of such scholarship, performed not less than 300 hours of qualifying public service during the academic year of postsecondary school attendance preceding the academic year for which the student seeks such scholarship;

''(3) was eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1721 et seq.);

''(4) is eligible to receive Federal Pell Grants for the year in which the scholarships are awarded, except that a student shall not be required to comply or verify compliance with section 484(a)(5) for purposes of receiving a scholarship under this chapter; and

''(5) otherwise demonstrates compliance with regulations prescribed by the Secretary under section 407G.

''(b) DEFINITION OF QUALIFYING PUBLIC SERVICE.—For purposes of subsection (a), the term 'qualifying public service' means service that would be eligible for treatment as community service under the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.) or under the Federal work-study program under part C.

''SEC. 407C. AMOUNT OF SCHOLARSHIP.

''(a) AMOUNT OF AWARD.—

''(1) IN GENERAL.—Except as provided in paragraph (2) and subsection (b), the amount of a scholarship awarded under this chapter for any academic year shall be equal to $5,000.

''(2) ADJUSTMENT FOR INSUFFICIENT APPROPRIATIONS.—If, after the Secretary determines the total number of students selected under section 407D for an academic year, funds available to carry out this chapter for the academic year are insufficient to fully fund all awards under this chapter for the academic year, the amount of the scholarship paid to each student under this chapter shall be reduced proportionately.

''(b) ASSISTANCE NOT TO EXCEED COST OF ATTENDANCE.—A scholarship awarded under this chapter to any student, in combination with the Federal Pell Grant assistance and other student financial assistance available to such student, may not exceed the student's cost of attendance.

''SEC. 407D. SELECTION OF SCHOLARSHIP RECIPIENTS.

''The Secretary shall designate a panel to select students for the award of scholarships under this chapter. Such panel shall be composed of 9 individuals who are selected by the Secretary and shall be composed of equal numbers of youths, community representatives, and teachers. The Secretary shall ensure that no individual assigned under this section to review any application has any conflict of interest with regard to the application that might impair the impartiality with which the individual conducts the review under this section.

''SEC. 407E. APPLICATIONS.

''Any eligible student desiring to obtain a scholarship under this section shall submit to the Secretary an application at such time, in such manner, and containing such information or assurances as the Secretary may require. Such application shall—

''(1) demonstrate that the eligible student is maintaining satisfactory academic progress and is achieving a grade point average of at least 3.0 (on a scale of 4), or its equivalent;

''(2) include a recommendation from—

''(A) the supervisor of the community service project of the applicant; and

''(B) another individual not related to, but familiar with the character of the applicant such as a teacher, coach, or employer; and

''(3) include an essay by the applicant on the nature of the community service performed by the applicant.

''SEC. 407F. PROGRAM DISSEMINATION AND PROMOTION.

''(a) DEVELOPMENT AND DISSEMINATION.—The Secretary shall develop and disseminate to the public information on the availability of, and application process for, scholarships under this chapter.

''(b) PROMOTION.—In disseminating information about the scholarship program under this chapter, the Secretary shall—

''(1) disseminate such information directly or through arrangements with local educational agencies, public and private elementary schools and secondary schools, nonprofit organizations, consumer groups, Federal, State, or local agencies, and the media; and

''(2) at a minimum, include a description and the purpose of the scholarship program, an explanation of how to obtain an application, and a description of the application process and procedures.

''SEC. 407G. REGULATIONS.

''The Secretary shall prescribe such regulations as may be necessary to carry out this chapter.

''SEC. 407H. EVALUATION.

''Not earlier than 2 years after the first fiscal year for which funds are made available under this chapter, the Secretary shall prepare and submit to Congress an evaluation of the effectiveness of the program under this chapter. Such evaluation shall include—

''(1) an evaluation of the demand, by grade level and types of community service sites, for the scholarships provided under this chapter;

''(2) general data on the background of program participants and the types of service performed; and

''(3) an itemization of the costs of administering the program under this chapter.

''SEC. 407I. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this chapter $5,000,000 for fiscal year 2006 and such sums as are necessary for each of the 3 succeeding fiscal years.''.

By Ms. LANDRIEU (for herself, Mr. LEVIN, and Mr. SCHUMER):

S. 1248. A bill to establish a servitude and emancipation archival research clearinghouse in the National Archives; to the Committee on Homeland Security and Governmental Affairs.

Ms. LANDRIEU. Mr. President, I rise today to commemorate the 140th anniversary on this upcoming Sunday of Major General Gordon Granger and his Union soldiers' arrival in Galveston, TX. On that day in 1865, these troops brought with them the news that the war had ended and that the enslaved peoples were henceforth free. Since its origin in 1865, the observance of June 19 as African American Emancipation Day, or Juneteenth, is the oldest known celebration of slavery's end.

It took two and a half years from the time that President Lincoln's Emancipation Proclamation went into effect for the news of freedom to arrive in Texas. That it took 2 years for African Americans to learn that the war was over, and that they were now free seems absurd in our information age. Yet, despite the transformation made in our society by computers, networks and the internet, there are still gaps in the information accessible to African Americans around this country. The bill that I introduce today attempts to address one of them.

Mr. President, it is a very human instinct for people to want to understand who they are from the lense of who are their ancestors and where they are from. The very commercially successful, and critically acclaimed television series ''Roots'' was a seminal event in this nation's interest in genealogy. Yet while people across the nation were inspired by Alex Haley's tale to understand their own family history, African Americans trying to do the same confronted unique challenges. Unfortunately, African Americans who attempt to trace their genealogy encounter huge hurdles in reclaiming the usual documentary history that allows most Americans to piece together their heritage. For this reason, I am proposing the Servitude and Emancipation Archival Research Clearing House, SEARCH, Act of 2005. This bill establishes a national database within the National Archives and Records Administration, NARA, housing various documents that would assist those in search of a history that, because of slavery, is almost impossible to find in the most ordinary registers and census records.

Traditionally, someone researching their genealogy would try looking up wills and land deeds; however, enslaved African Americans were prohibited from owning property. In fact, African Americans, must frequently rely on the records of slave owners—most of which are in private hands—in hope that they had kept records containing birth and death information. Even if records do exist, many African Americans in the past did not have formal last names, thus compounding the difficulty of tracing their lives. The omission of surnames also precludes use of the most popular and major source of genealogical research, the United States Census. Furthermore, letters, diaries, and other first-person records used by most genealogical researchers are scarcely available for slaves, owing to the fact that they could not legally learn to read or write.

We may think that after 1865, African Americans could begin using traditional genealogical records like voter registrations and school records. However, African Americans did not immediately begin to participate in many of the privileges of citizenship, including voting and attending school. Discrimination meant that African Americans were barred from sitting on juries or owning businesses. Segregation meant segregated neighborhoods, schools, churches, clubs, and fraternal organizations, and thus segregated societies maintained segregated records. For example, some telephone directories in South Carolina did not include African Americans in the regular alphabetical listing, but rather at the end of the book. An African American must maneuver these distinctive nuances in order to conduct proper genealogical research. In my own State of Louisiana, descendants of the 9th Cavalry Regiment and 25th Infantry Regiment, known as the Buffalo Soldiers, would have to know to look in the index of United States Colored Troops since there is no mention of them in the index of State Military Regiments.

Abraham Lincoln said, ''A man who cares nothing about his past can care little about his future.'' By providing $5 million for the National Historical Publications and Records Commission to establish and maintain a national database, the SEARCH Act has the potential to significantly reduce the time and painstaking efforts of those African Americans who truly care about their American past to contribute to the American future. This bill also seeks to authorize $5 million for States, colleges, and universities to preserve, catalogue, and index records locally.

In a democracy, records matter. The mission of NARA is to ensure that anyone can have access to the records that matter to them. The SEARCH Act of 2005 seeks to fulfill that mission by helping African Americans navigate genealogical research sources and negotiate the unique challenges that confront them in this process. No longer should any American have to wait to learn information, which in itself can offer such freedom.

I hope my colleagues will join me in celebrating the 140th anniversary of Juneteenth by passing this measure. I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1248

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Servitude and Emancipation Archival Research ClearingHouse Act of 2005'' or the ''SEARCH Act of 2005''.

SEC. 2. ESTABLISHMENT OF DATABASE.

(a) IN GENERAL.—The Archivist of the United States shall establish, as a part of the National Archives, a national database consisting of historic records of servitude and emancipation in the United States to assist African Americans in researching their genealogy.

(b) MAINTENANCE.—The database established by this Act shall be maintained by the National Historical Publications and Records Commission.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated—

(1) $5,000,000 to establish the national database authorized by this Act; and''

(2) $5,000,000 to provide grants to States and colleges and universities to preserve local records of servitude and emancipation.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 171—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD SUBMIT TO CONGRESS A REPORT ON THE TIME FRAME FOR THE WITHDRAWAL OF UNITED STATES TROOPS FROM IRAQ

Mr. FEINGOLD submitted the following resolution; which was referred to the Committee on Armed Services:

S. RES. 171

Whereas United States forces in Iraq have served with courage and distinction and they and their families deserve to know what exactly their mission is and approximately how long they may expect to remain in Iraq;

Whereas establishing time frames for the transfer of sovereignty and for elections in Iraq has resulted in real political and strategic advantages for the United States and has advanced the development of democracy in Iraq;

Whereas establishing a clear time frame for the withdrawal of United States troops from Iraq would help to refute conspiracy theories and eliminate suspicions that obstruct the United States policy goals in Iraq and undermine the legitimacy of the Government of Iraq;

Whereas President George W. Bush stated on April 13, 2004 that ''as a proud and independent people, Iraqis do not support an indefinite occupation and neither does America'' and that United States troops will remain in Iraq ''as long as necessary and not one day more'';

Whereas a sound strategic plan for United States military operations in Iraq would include information regarding the numbers of Iraqi troops that must be effectively trained and the amount of time that will be required to train them;

Whereas the President has declined to set out specific goals for the United States military operations in Iraq or a clear time frame for achieving such goals;

Whereas a clear plan and time frame for United States military operations in Iraq would facilitate more responsible budgeting for the costs of United States operations in Iraq; and

Whereas confusion about the United States mission in Iraq does not serve the United States vital interests in establishing stability in Iraq or fighting the terrorist networks that continue to threaten the United States: Now, therefore, be it

Resolved, That—

(1) the Senate—

(A) supports the men and women of the Armed Forces of the United States in Iraq and deeply appreciates their admirable service; and