

Whereas a genuinely free and fair election requires government and public authorities to ensure that candidates and political parties enjoy equal treatment before the law and that government resources are not employed to the advantage of individual candidates or political parties; and

Whereas the establishment of a transparent, free and fair election process for the 2005 parliamentary elections is an important step in Azerbaijan's progress toward full integration into the democratic community of nations: Now, therefore, be it

Resolved, That the Senate—

(1) calls on the Government of the Republic of Azerbaijan to hold orderly, peaceful, and free and fair parliamentary elections in November 2005 in order to ensure the long-term growth and stability of the country;

(2) calls upon the Government of Azerbaijan to guarantee the full participation of opposition parties in the upcoming elections, including members of opposition parties arrested in the months leading up to the November 2005 parliamentary elections;

(3) calls upon the opposition parties to fully and peacefully participate in the November 2005 parliamentary elections, and calls upon the Government of Azerbaijan to create the conditions for the participation on equal grounds of all viable candidates;

(4) believes it is critical that the November 2005 parliamentary elections be viewed by the people of Azerbaijan as free and fair, and that all sides refrain from violence during the campaign, on election day, and following the election;

(5) calls upon the Government of Azerbaijan to guarantee election monitors from the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE), Azeri political parties, representatives of candidates, nongovernmental organizations, and other private institutions and organizations, both foreign and domestic, unimpeded access to all aspects of the election process;

(6) supports recommendations made by the Council of Europe on amendments to the Unified Election Code of Azerbaijan, specifically to ensure equitable representation of opposition and pro-government forces in all election commissions;

(7) urges the international community and domestic nongovernmental organizations to provide a sufficient number of election observers to ensure credible monitoring and reporting of the November 2005 parliamentary elections;

(8) recognizes the need for the establishment of an independent media and assurances by the Government of Azerbaijan that freedom of the press will be guaranteed; and

(9) calls upon the Government of Azerbaijan to guarantee freedom of speech and freedom of assembly.

SENATE RESOLUTION 261—EXPRESSING THE SENSE OF THE SENATE THAT THE CRISIS OF HURRICANE KATRINA SHOULD NOT BE USED TO WEAKEN, WAIVE, OR ROLL BACK FEDERAL PUBLIC HEALTH, ENVIRONMENTAL, AND ENVIRONMENTAL JUSTICE LAWS AND REGULATIONS, AND FOR OTHER PURPOSES

Mr. KERRY (for himself, Mr. DURBIN, Mr. REID, Mr. OBAMA, Mrs. BOXER, and Mr. JEFFORDS) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 261

Whereas Hurricane Katrina made landfall in the Gulf Region on August 29, 2005, destroying property, causing massive floods, and resulting in more than \$35,000,000,000 in insured property losses and over 1,000 deaths;

Whereas expeditiously rebuilding those areas affected by Hurricane Katrina and providing the victims of the storm with normalcy and relief must be the top priorities for Congress;

Whereas Secretary of Homeland Security Michael Chertoff recently commented, "We are going to have to clean probably the greatest environmental mess we have ever seen in the country as a result of Hurricane Katrina";

Whereas Hurricane Katrina demonstrates the connection between the health and safety of communities and the health of natural resources;

Whereas many of the hardest hit areas in New Orleans and the Gulf Coast from Hurricane Katrina were low-income and minority communities already facing decades of environmental injustices;

Whereas at least 9 major oil spills, and scores of smaller oil and hazardous substance spills, leaks, and other releases have occurred;

Whereas 60 underground storage tanks, hazardous waste storage facilities, and industrial facilities, and 5 Superfund sites in New Orleans were hit by Hurricane Katrina, yet monitoring reported to date has only been conducted at a handful of sites for a limited number of contaminants;

Whereas nearly 1,000 drinking-water systems were disabled or impaired because of power outages or structural damage, many people have been told to boil their water, and safe drinking water may not be available for the entire population for years to come;

Whereas the Environmental Protection Agency's initial water quality tests found that flood water in New Orleans contains 10 times more E. Coli bacteria than the Agency considers safe for human contact and lead concentrations that exceed drinking water standards, and the mix of contaminants poses a serious disease risk to those wading through the filthy water;

Whereas proper implementation and enforcement of Federal public health and environmental regulations are necessary to protect human health, especially among vulnerable populations, and are necessary in times of emergency to ensure that the response to a disaster does not exacerbate the initial impact;

Whereas major industrial facilities and toxic waste sites disproportionately impact low-income individuals, minorities, children, the elderly, and all underserved communities;

Whereas more than 1 in 4 Americans, including 10,000,000 children, live within 4 miles of a Superfund site, which poses serious public health issues when sites are not cleaned up adequately and in a timely manner;

Whereas the health of low-income and minority communities continues to suffer, largely because of the cumulative impact of all sources of pollution on public health in the acute impact area and the failure to consider cumulative impacts upon siting of new industrial facilities and cleanup of existing toxic communities;

Whereas the addition of poor environmental protection and enforcement to existing health vulnerabilities has only exacerbated the conditions in these communities, which often suffer from higher rates of illness and death in comparison with middle-class, suburban, and more affluent communities;

Whereas Federal public health and environmental laws provide many opportunities to address environmental risks and hazards in minority and low-income communities if applied and implemented;

Whereas Executive Order 12898 states that each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations;

Whereas in 2005, the Congress passed and President Bush signed into law (Public Law 109-54) language prohibiting the Environmental Protection Agency from using appropriated funds to work in contravention of Executive Order 12898 and further delay the implementation of this Order, which is critical to achieving environmental and health equity across all community lines;

Whereas environmental cleanup of affected areas must be done in an effective and timely manner to ensure the victims of Hurricane Katrina can return to their homes without enduring preventable environmental or health risks; and

Whereas weakening, waiving, and rolling back Federal public health and environmental protections would further threaten the heavily-damaged area of the Gulf Coast, negatively impact the public health of the already most-affected communities, and put public health and the environment at greater future risk at the expense of all communities: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the crisis of Hurricane Katrina and other such disasters should not be used to weaken, waive, or roll back Federal public health, environmental, and environmental justice laws and regulations;

(2) State, local, and regional authorities must retain their authority for compliance and permitting of industrial and other facilities, and their role in enforcing and implementing monitoring and cleanup regulations;

(3) testing, monitoring, cleanup, and recovery in the region hit by Hurricane Katrina and other areas of national emergency—

(A) should be completed in a manner designed to protect public health and the environment and ensure habitability of the region and mitigate against the effects of future storms; and

(B) should be carried out in compliance with Executive Order 12898; and

(4) the Federal rebuilding of communities and the economy of the Gulf Region should be a model of the integrated, diverse, and sustainable society that all people in the United States desire and deserve.

SENATE CONCURRENT RESOLUTION 55—EXPRESSING THE SENSE OF THE CONGRESS REGARDING THE CONDITIONS FOR THE UNITED STATES TO BECOME A SIGNATORY TO ANY MULTILATERAL AGREEMENT ON TRADE RESULTING FROM THE WORLD TRADE ORGANIZATION'S DOHA DEVELOPMENT AGENDA ROUND

Mr. CRAIG (for himself, Mr. ROCKEFELLER, Mr. HATCH, Mr. BAUCUS, Ms. SNOWE, Mr. BINGAMAN, Mr. CRAPO, Mrs. LINCOLN, Mr. DEWINE, Mr. REED, Mr. ALLEN, Mr. KOHL, Mr. SPECTER, Mr. LEVIN, Mr. VOINOVICH, Mr. BYRD, Mrs. DOLE, Ms. MIKULSKI, Mr. SHELBY, Ms.

COLLINS, Mr. SARBANES, Mr. GRAHAM, Mr. REID, Mr. COLEMAN, Ms. STABENOW, Mr. SANTORUM, and Mr. DURBIN) submitted the following concurrent resolution; which was referred to the Committee on Finance:

S. CON. RES. 55

Whereas members of the World Trade Organization (WTO) are currently engaged in a round of trade negotiations known as the Doha Development Agenda (Doha Round);

Whereas the Doha Round includes negotiations aimed at clarifying and improving disciplines under the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (Antidumping Agreement) and the Agreement on Subsidies and Countervailing Measures (Subsidies Agreement);

Whereas the WTO Ministerial Declaration adopted on November 14, 2001 (WTO Paper No. WT/MIN(01)/DEC/1) specifically provides that the Doha Round negotiations are to preserve the "basic concepts, principles and effectiveness" of the Antidumping Agreement and the Subsidies Agreement;

Whereas in section 2102(b)(14)(A) of the Bipartisan Trade Promotion Authority Act of 2002, the Congress mandated that the principal negotiating objective of the United States with respect to trade remedy laws was to "preserve the ability of the United States to enforce rigorously its trade laws . . . and avoid agreements that lessen the effectiveness of domestic and international disciplines on unfair trade, especially dumping and subsidies";

Whereas the countries that have been the most persistent and egregious violators of international fair trade rules are engaged in an aggressive effort to significantly weaken the disciplines provided in the Antidumping Agreement and the Subsidies Agreement and undermine the ability of the United States to effectively enforce its trade remedy laws;

Whereas chronic violators of fair trade disciplines have put forward proposals that would substantially weaken United States trade remedy laws and practices, including mandating that unfair trade orders terminate after a set number of years even if unfair trade and injury are likely to recur, mandating that trade remedy duties reflect less than the full margin of dumping or subsidization, mandating higher de minimis levels of unfair trade, making cumulation of the effects of imports from multiple countries more difficult in unfair trade investigations, outlawing the critical practice of "zeroing" in antidumping investigations, mandating the weighing of causes, and mandating other provisions that make it more difficult to prove injury;

Whereas United States trade remedy laws have already been significantly weakened by numerous unjust and activist WTO dispute settlement decisions which have created new obligations to which the United States never agreed;

Whereas trade remedy laws remain a critical resource for American manufacturers, agricultural producers, and aquacultural producers in responding to closed foreign markets, subsidized imports, and other forms of unfair trade, particularly in the context of the challenges currently faced by these vital sectors of the United States economy;

Whereas the United States had a current account trade deficit of approximately \$668,000,000,000 in 2004, including a trade deficit of almost \$162,000,000,000 with China alone, as well as a trade deficit of \$40,000,000,000 in advanced technology;

Whereas United States manufacturers have lost over 3,000,000 jobs since June 2000, and United States manufacturing employment is currently at its lowest level since 1950;

Whereas many industries critical to United States national security are at severe risk from unfair foreign competition; and

Whereas the Congress strongly believes that the proposals put forward by countries seeking to undermine trade remedy disciplines in the Doha Round would result in serious harm to the United States economy, including significant job losses and trade disadvantages; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) the United States should not be a signatory to any agreement or protocol with respect to the Doha Development Round of the World Trade Organization negotiations, or any other bilateral or multilateral trade negotiations, that—

(A) adopts any proposal to lessen the effectiveness of domestic and international disciplines on unfair trade or safeguard provisions, including proposals—

(i) mandating that unfair trade orders terminate after a set number of years even if unfair trade and injury are likely to recur;

(ii) mandating that trade remedy duties reflect less than the full margin of dumping or subsidization;

(iii) mandating higher de minimis levels of unfair trade;

(iv) making cumulation of the effects of imports from multiple countries more difficult in unfair trade investigations;

(v) outlawing the critical practice of "zeroing" in antidumping investigations; or

(vi) mandating the weighing of causes or other provisions making it more difficult to prove injury in unfair trade cases; and

(B) would lessen in any manner the ability of the United States to enforce rigorously its trade laws, including the antidumping, countervailing duty, and safeguard laws;

(2) the United States trade laws and international rules appropriately serve the public interest by offsetting injurious unfair trade, and that further "balancing modifications" or other similar provisions are unnecessary and would add to the complexity and difficulty of achieving relief against injurious unfair trade practices; and

(3) the United States should ensure that any new agreement relating to international disciplines on unfair trade or safeguard provisions fully rectifies and corrects decisions by WTO dispute settlement panels or the Appellate Body that have unjustifiably and negatively impacted, or threaten to negatively impact, United States law or practice, including a law or practice with respect to foreign dumping or subsidization.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1882. Mr. CONRAD (for himself and Mr. DORGAN) submitted an amendment intended to be proposed by him to the bill H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 1883. Mr. CONRAD (for himself, Mr. BAUCUS, Mr. SALAZAR, Mr. ENZI, Mr. THOMAS, and Mr. BURNS) submitted an amendment intended to be proposed by him to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 1884. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1885. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1886. Mr. HARKIN (for himself, Mr. OBAMA, Mr. REID, Mr. KENNEDY, Mr. DURBIN, Mr. BAYH, Mr. DODD, Mr. SCHUMER, Mr. REED, Mr. BIDEN, Mr. STEVENS, and Mrs. MURRAY) proposed an amendment to the bill H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes.

SA 1887. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 2863, supra; which was ordered to lie on the table.

SA 1888. Mr. SALAZAR (for himself, Mr. REED, and Mr. LIEBERMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2863, supra; which was ordered to lie on the table.

SA 1889. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 2863, supra; which was ordered to lie on the table.

SA 1890. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 2863, supra; which was ordered to lie on the table.

SA 1891. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 2863, supra; which was ordered to lie on the table.

SA 1892. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 2863, supra; which was ordered to lie on the table.

SA 1893. Ms. LANDRIEU submitted an amendment intended to be proposed by her to the bill H.R. 2863, supra; which was ordered to lie on the table.

SA 1894. Mr. STEVENS (for Mr. GRASSLEY (for himself and Mr. BAUCUS)) proposed an amendment to the bill S. 1778, to extend medicare cost-sharing for qualifying individuals through September 2006, to extend the Temporary Assistance for Needy Families Program, transitional medical assistance under the Medicaid Program, and related programs through March 31, 2006, and for other purposes.

SA 1895. Mr. BINGAMAN (for himself and Mr. DOMENICI) submitted an amendment intended to be proposed by him to the bill H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 1896. Mr. DAYTON submitted an amendment intended to be proposed by him to the bill H.R. 2863, supra; which was ordered to lie on the table.

SA 1897. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

SA 1898. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill S. 1042, supra; which was ordered to lie on the table.

SA 1899. Mr. AKAKA submitted an amendment intended to be proposed by him to the bill H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30 2006, and for other purposes; which was ordered to lie on the table.

SA 1900. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 2863, supra; which was ordered to lie on the table.