

baseball color barrier; Leroy "Satchel" Paige, who was considered one of the greatest pitchers of all time; Josh Gibson, who was a prolific home-run hitter; Larry Doby, the first African American to play in the American League in July 1947; and John Jordan "Buck" O'Neil, who was the first African American coach in the Major Leagues and who is now head of the Negro Leagues Baseball Museum.

It is important that we remember and honor these players. In breaking down the baseball color barrier, these pioneers dealt a blow to hatred and prejudice across America. Today, we can honor them by declaring May 20, 2006 as, "Negro Leaguers Recognition Day."

#### AUTHORITIES FOR COMMITTEES TO MEET

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. THOMAS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Monday, December 12, 2005, at 2:30 p.m., on TSA's New Security Procedures and Changes to the Prohibited Items List.

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

#### RELATIVE TO THE DEATH OF EUGENE JOSEPH MCCARTHY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 330, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will state the resolution by title. The bill clerk read as follows:

A resolution (S. Res. 330) relative to the death of Eugene Joseph McCarthy, former U.S. Senator from the State of Minnesota.

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

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

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

The resolution (S. Res. 330) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

##### S. RES. 330

Whereas Eugene J. McCarthy devoted many years of his life to teaching in public high schools and other institutions of higher learning in the service of the youth of our Nation;

Whereas Eugene J. McCarthy served in the House of Representatives from 1949 to 1959;

Whereas Eugene J. McCarthy served the people of Minnesota with distinction from 1959 to 1971 in the United States Senate;

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Eugene J. McCarthy, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Eugene J. McCarthy.

#### COMMEMORATING THE LIFE, ACHIEVEMENTS, AND CONTRIBUTIONS OF ALAN A. REICH

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from and the Senate proceed to the consideration of S. Res. 321.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 321) commemorating the life, achievements, and contributions of Alan A. Reich.

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

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

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

The resolution (S. Res. 321) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

##### S. RES. 321

Whereas Alan Reich devoted his life to civic involvement and efforts to improve the quality of life for individuals with disabilities;

Whereas Alan Reich was born in Pearl River, New York, was a well-respected and beloved member of his family, and served as an inspirational figure in the disability community;

Whereas Alan Reich—

(1) graduated from Dartmouth College in 1952, where he was an all-American track and field athlete;

(2) received a Master's degree in Russian literature from Middlebury College in 1953;

(3) was awarded a diploma in Slavic languages and Eastern European studies from the University of Oxford;

(4) received an M.B.A. from Harvard University in 1959; and

(5) was a brilliant linguist who spoke 5 languages;

Whereas Alan Reich served in the Army from 1953 to 1957 as an infantry officer and Russian language interrogation officer in Germany, and was named as a member of the United States Army Infantry Officer Candidate School Hall of Fame;

Whereas Alan Reich married Gay Forsythe Reich, and shared with her 50 years of marriage and a deep commitment to each other and their three children, James, Jeffery, and Elizabeth;

Whereas from 1960 to 1970, Alan Reich was employed as an executive at Polaroid Corporation when, at age 32, he became a quadriplegic due to a swimming accident, and used a wheelchair as a result of his injury;

Whereas although Alan Reich was told he would not drive or write again, he relearned both skills and returned to work at Polaroid Corporation;

Whereas Alan Reich—

(1) served in the Department of State from 1970 to 1975 as a Deputy Assistant Secretary for Educational and Cultural Affairs;

(2) later served as Director of the Bureau of East-West Trade for the Department of Commerce;

(3) was named the President of the United States Council for the International Year of Disabled Persons in 1978; and

(4) was the first person to address the United Nations General Assembly from a wheelchair when the United Nations opened the International Year of the Disabled in 1981;

Whereas in 1982, Alan Reich transformed the Council for the International Year of Disabled Persons into the National Organization on Disability, an organization that actively seeks on national, State, and local levels full and equal participation for individuals with disabilities in all aspects of life;

Whereas Alan Reich—

(1) founded the Bimillennium Foundation in 1984 to encourage national leaders to set goals aimed at improving the lives of people with disabilities for the year 2000;

(2) served as past Chairman of the People-to-People Committee on Disability; and

(3) worked to advance research in regeneration of the central nervous system as Chairman of the Paralysis Cure Research Foundation and as President of the National Paraplegia Foundation;

Whereas Alan Reich, who used a wheelchair for 43 years, led an effort that raised \$1,650,000 to add the statue of Franklin Delano Roosevelt in a wheelchair to the memorial of the former President in Washington, D.C.;

Whereas Alan Reich stated in 2001, "The unveiling is a major national moment, the removal of the shroud of shame that cloaks disability. The statue will become a shrine to people with disabilities, but it will also inspire everyone to overcome obstacles. When you see the memorial that follows the statue, what will be in your mind is that he did all this from a wheelchair.";

Whereas in July 2005, Alan Reich received the George H.W. Bush Medal, an award established to honor outstanding service under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

Whereas Alan Reich is survived by his wife, partner, and best friend, Gay, their 2 sons James and Jeffery, their daughter Elizabeth, and 11 grandchildren; and

Whereas Alan Reich passed away on November 8, 2005, and the contributions he made to his family, his community, and his Nation will not be forgotten: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life, achievements, and contributions of Alan Reich;

(2) extends its deepest sympathies to the family of Alan Reich for their loss of this great and generous man; and

(3) respectfully requests the Secretary of the Senate to transmit a copy of this resolution to the family of Alan Reich.

#### NATIONAL FUND FOR EXCELLENCE IN AMERICAN INDIAN EDUCATION AMENDMENTS ACT OF 2005

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 188, S. 1231.

The PRESIDING OFFICER. The clerk will state the bill by title.

The bill clerk read as follows:

A bill (S. 1231) to amend the Indian Self-Determination and Education Assistance Act

to modify provisions relating to the National Fund for Excellence in American Indian Education.

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Indian Affairs with an amendment.

[Strike the part shown in black brackets and insert the part shown in italic.]

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.**

[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.”;

“(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”;

“(2) in subsection (b), by inserting “operating and” before “travel expenses”.]

**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.”;*

*(2) in subsection (l)(1), by striking “Beginning with” and all that follows through subparagraph (B) and inserting the following: “For each fiscal year following the first fiscal year during which the Foundation is in operation, the administrative costs of the Foundation shall not exceed—*

*“(A) for the first fiscal year, an amount equal to 20 percent of the sum of—*

*“(i) the amounts transferred to the Foundation under subsection (m) during the preceding fiscal year; and*

*“(ii) donations received from private sources during the preceding fiscal year;*

*“(B) for the second fiscal year, an amount equal to 15 percent of the sum of—*

*“(i) the amounts transferred to the Foundation under subsection (m) during the preceding fiscal year; and*

*“(ii) donations received from private sources during the preceding fiscal year; and*

*“(C) for the third fiscal year, and each fiscal year thereafter, an amount equal to 10 percent of the sum of—*

*“(i) the amounts transferred to the Foundation under subsection (m) during the preceding fiscal year; and*

*“(ii) donations received from private sources during the preceding fiscal year.”;*

*(3) 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”;*

*(2) in subsection (b)—*

*(A) in the subsection heading, by striking “REIMBURSEMENT” and inserting “REIMBURSEMENT”;*

*(B) by inserting “operating and” before “travel expenses”.*

*“(2) in subsection (b), by inserting “operating and” before “travel expenses”.*

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**NATIONAL INDIAN GAMING COMMISSION ACCOUNTABILITY ACT OF 2005**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 193, S. 1295.

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

The bill clerk read as follows:

A bill (S. 1295) to amend the Indian Gaming Regulatory Act to provide for accountability and funding of the National Indian Gaming Commission.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (S. 1295) was read the third time and passed, as follows:

S. 1295

*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 Indian Gaming Commission Accountability Act of 2005”.

**SEC. 2. COMMISSION ACCOUNTABILITY AND FUNDING.**

(a) POWERS OF THE COMMISSION.—Section 7 of the Indian Gaming Regulatory Act (25 U.S.C. 2706) is amended by adding at the end the following:

“(d) APPLICATION OF GOVERNMENT PERFORMANCE AND RESULTS ACT.—

“(1) IN GENERAL.—In carrying out any action under this Act, the Commission shall be subject to the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285).

“(2) PLANS.—In addition to any plan required under the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285), the Commission shall submit a plan to provide technical assistance to tribal gaming operations in accordance with that Act.”.

(b) COMMISSION FUNDING.—Section 18(a)(2) of the Indian Gaming Regulatory Act (25 U.S.C. 2717(a)(2)) is amended by striking subparagraph (B) and inserting the following:

“(B) The total amount of all fees imposed during any fiscal year under the schedule established under paragraph (1) shall not exceed 0.080 percent of the gross gaming revenues of all gaming operations subject to regulation under this Act.”.

**UNANIMOUS-CONSENT AGREEMENT—H.R. 4340**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Democratic leader, the Senate proceed to the immediate consideration of H.R. 4340, the Bahrain Free Trade Agreement. I ask unanimous consent that there be 60 minutes of debate, with 20 minutes under the control of Senator DORGAN and 40 minutes equally divided between the majority and the minority, and that following the use or yielding back

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the committee-reported substitute be agreed to; the bill, as amended, be read the third time and passed; the motions to reconsider be laid upon the table; and that any statements relating to the bill be printed in the RECORD.

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

The committee amendment in the nature of a substitute was agreed to.

The bill (S. 1231), as amended, was read the third time and passed.