

Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Food Additives Permitted for Direct Addition to Food for Human Consumption; Vitamin D3" (Doc. No. 2004F-0374) received on December 8, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC-5111. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Community Services Block Grant Statistical Report and Report on Performance Outcomes for Fiscal Years 2000-2003; to the Committee on Health Education, Labor, and Pensions.

EC-5112. A communication from the Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report regarding and Accountability Review Board concerning Iraq; to the Committee on Foreign Relations.

EC-5113. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to law, the report of the texts and background statements of international agreements, other than treaties; to the Committee on Foreign Relations.

EC-5114. A communication from the Acting Chief, Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Classification of Certain Foreign Entities" ((RIN1545-BD77)(TD9235)) received on December 8, 2005; to the Committee on Finance.

EC-5115. A communication from the Acting Chief, Publications and Regulations, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Final Regulations Providing Guidance on the FICA Treatment of Accident or Disability Payments" ((RIN1545-BC69)(TD9233)) received on December 8, 2005; to the Committee on Finance.

EC-5116. A communication from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Standards; Gulf Opportunity Pilot Loan Program" (RIN3245-AF43) received on December 8, 2005; to the Committee on Small Business and Entrepreneurship.

EC-5117. A communication from the Deputy General Counsel, Office of Size Standards, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Small Business Size Standard; Surety Bond Guarantee Program" (RIN3245-AE81) received on December 8, 2005; to the Committee on Small Business and Entrepreneurship.

EC-5118. A communication from the Attorney, Office of Procurement and Assistance Management, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Acquisition Regulation: Work for Others" (RIN1991-AB64) received on December 8, 2005; to the Committee on Energy and Natural Resources.

EC-5119. A communication from the Director, Supplemental Food Programs Division, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Special Supplemental Nutrition Program for Women, Infants and Children (WIC): Vendor Cost Containment" (RIN0584-AD71) received on December 8, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-244. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as are necessary to enjoin the Federal Emergency Management Agency from mandating that structures rebuilt in the New Orleans area after Hurricane Katrina be elevated; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 41

Whereas, the system of levees meant to protect the greater New Orleans area has been deemed deficient, such levees having been constructed using standards developed to protect farmland rather than extensive residential and commercial development with millions of inhabitants; and

Whereas, it is the consensus opinion of experts in the engineering field across the United States that the safety factors considered by government agencies in the design of these levees were minimal, resulting in poor design and the resulting catastrophic failures of the levee systems around the New Orleans area; and

Whereas, the Federal Emergency Management Agency may mandate through administrative law, rule, or other fashion that structures rebuilt in the New Orleans area be constructed in an elevated manner, so as to be less vulnerable to flooding in the future; and

Whereas, the property owners in the flooded areas were not responsible for the levee failures, nor the resulting flooding, and as they begin to rebuild their homes and businesses they should not be further burdened and penalized by impossibly cumbersome and aesthetically displeasing requirements for rebuilding their structures in an elevated manner: therefore, be it

Resolved, that the Legislature of Louisiana does hereby memorialize the United States Congress take such actions as are necessary to enjoin the Federal Emergency Management Agency from mandating through administrative law, rule or other fashion that structures rebuilt in the New Orleans area be constructed in an elevated manner and to assure that residents and homeowners be allowed to retain flood insurance coverage at pre-Hurricane Katrina rates; and be it further

Resolved, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-245. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as necessary to develop and provide innovative solutions for financing housing in parishes in Louisiana devastated by Hurricanes Katrina and Rita; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 42

Whereas, Hurricanes Katrina and Rita displaced an unprecedented number of people and caused physical and economic devastation of such a magnitude that it will take many months and in some cases years before the affected region can be rebuilt and many of those displaced can return home; and

Whereas, following Hurricanes Katrina and Rita, many property owners in Louisiana face uncertainty about whether they can or should rebuild their homes; and

Whereas, many residents have lost jobs as a direct result of the storms, and a large percentage of them have little or no income and few assets on which they can rely to pay for housing over the coming months; and

Whereas, it is becoming increasingly clear that housing initiatives of the Federal Emer-

gency Management Agency (FEMA) and the United States Department of Housing and Urban Development (HUD) are falling short in providing for lowest income households to afford safe and decent housing; and

Whereas, the primary mission of any redevelopment plan must be the economic stabilization and redevelopment of areas within Louisiana that were devastated or significantly distressed by the storms; and

Whereas, any comprehensive redevelopment plan must provide innovative solutions to financing homes for low-income families that are located in close proximity to viable transportation systems that provide easy access to jobs, schools, and other services; and

Whereas, any comprehensive redevelopment plan must clearly indicate that no powers of eminent domain shall be granted; and

Whereas, an effective redevelopment plan must assure that all efforts will be made in consultation with state and local officials in order to provide for the protection and preservation of historical and other sites of cultural significance in such a manner that promotes local heritage and interest; and

Whereas, investment in intelligent, thoughtful, and inclusive planning will pay off in permanent communities of high quality and economic sustainability: therefore, be it

Resolved, that the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to develop and provide innovative solutions for financing housing in parishes in Louisiana devastated by Hurricanes Katrina and Rita; and be it further

Resolved, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-246. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to enacting comprehensive natural disaster insurance legislation affecting financial capacity that will address, encourage, and support insurance company reserving for future catastrophes by making such reserves deductible for federal income tax purposes; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 43

Whereas, the loss of life and property from severe natural disasters, as evidenced by recent Hurricanes Katrina, Rita, and Wilma, represents a major national problem; and

Whereas, severe natural disasters, including but not limited to damages caused by windstorm and earthquake, can strike any state or several states at any time, with the potential of threatening large segments of the population of the United States; and

Whereas, severe natural disasters can cause losses in the tens of billions of dollars or more, threatening the solvency of insurers and the viability of insurance markets on a local, regional, and national level; and

Whereas, individual state responses are appropriate but limited in protecting against disasters, as state and private insurers lack the resources to cover catastrophic disasters; and

Whereas, the existing federal disaster programs rely a great degree on the congressional appropriation of disaster relief dollars on an ad hoc basis and at great and unnecessary cost to taxpayers; and

Whereas, states have documented that problems in the current insurance market are rooted in and exacerbated by federal tax policy which discourages reserving for future catastrophes; and

Whereas, federal tax laws and accounting principles do not permit deduction of reserves for future natural disaster losses and discourages insurers from accumulating assets to pay for future catastrophic losses; and

Whereas, some non-United States insurers are able to deduct reserves for future catastrophe losses free of tax, giving those insurers a competitive advantage over United States insurers by enabling them to attract insurance and reinsurance business that would otherwise be written by United States insurers; and

Whereas, the 1997 Coopers & Lybrand report entitled Analysis of Pre-Event Tax-Deductible Catastrophe Reserves underscored the following projections if congress were to enact legislation to encourage the use of pre-event tax deductible catastrophe reserves: that the property and casualty industry would build substantial catastrophe reserve funds; that overall industry assets would increase substantially; that the number of insolvencies taking place after a catastrophic disaster would significantly decrease, and that the magnitude of insolvencies taking place after a catastrophic disaster would significantly decrease; and

Whereas, the same Coopers & Lybrand report also underscored the further projections if congress were to enact legislation to encourage the use of pre-event tax deductible catastrophe reserves: that United States reinsurers would become more competitive in the global reinsurance marketplace; that United States insurers would likely cede monies to United States reinsurers rather than to foreign reinsurers; that federal tax receipts could dramatically increase due to increased tax revenue from underwriting profits associated with retained United States premium, investment income earned on that same premium, and profits from additional foreign premiums that would come onshore as United States reinsurers seek to diversify their catastrophic losses; and that the number of policyholders who lose insurance after a major event could decrease; therefore, be it

Resolved, that the Legislature of Louisiana does hereby memorialize the United States Congress to enact comprehensive natural disaster insurance legislation affecting financial capacity that will address, encourage, and support insurance company reserving for future catastrophes by making such reserves deductible for federal income tax purposes; and be it further

Resolved, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-247. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to enacting a health insurance premium reimbursement program and a federal income tax credit for the health insurance premiums for affected victims of Hurricanes Katrina and Rita; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 44

Whereas, the destruction left in the wake of Hurricanes Katrina and Rita poses a growing risk that hundreds of thousands of people in the most severely affected areas will soon lose their privately paid access to health care benefits; and

Whereas, this is particularly true for those individuals who work for small businesses facing financial difficulties and for those who have lost or are about to lose their jobs; and

Whereas, the Gulf Coast's health care system as a whole is already under considerable stress with few health care facilities in operation and thousands of medical professionals currently displaced; and

Whereas, if returning residents are not able to pay for required medical services after the current grace period instituted by the commissioner of insurance for payment of health insurance premiums in Louisiana which ends on November 30, 2005, the system could deteriorate further in the most severely affected areas; and

Whereas, a two-component program to provide interim support to those who are most at risk of losing their private health benefits coverage is needed; and

Whereas, the program would apply only to certain parishes within the Federal Emergency Management Agency (FEMA) orange zone in Louisiana for both Hurricane Katrina, specifically Orleans, St. Bernard, Plaquemines, Jefferson, St. Tammany, and Washington, and for Hurricane Rita, specifically Cameron, Vermilion, and Calcasieu; and

Whereas, the first component could be a federal premium reimbursement program to pay the premiums of individuals with personal policies and of small employers, those with fifty or fewer employees, with group policies by paying to insurers the premium amount fixed for August 2005 for the months of September, October, and November 2005; and

Whereas, the program could cover both paid and unpaid premiums to provide the same benefits to all defined individuals and small businesses, such that if a reimbursement payment duplicates a premium actually paid, that amount could be applied to future premiums or refunded to the insured upon request; and

Whereas, definitions of eligible individuals and small employers, along with administrative provisions, could be the same or similar to those in S. 1769; and

Whereas, the second component could be a federal income tax credit for eligible individuals who are unemployed due to Hurricane Katrina or Rita; and

Whereas, the tax credit could be sixty-five percent of premiums actually paid by eligible unemployed individuals to health insurers for the twelve months from December 2005 through November 2006; and

Whereas, the tax credit could be eighty percent for individuals who are at or below three hundred percent of the federal poverty level; and

Whereas, an eligible individual could be defined as a person who worked in one of the affected parishes at the time of the hurricane, was covered by health insurance at the time of the hurricane, and is determined to be unemployed during a premium period as a result of the hurricane; and

Whereas, former employees of companies of all sizes could be eligible, not just small businesses and individuals purchasing their own insurance; and

Whereas, the credit mechanism could be structured like the trade adjustment credit in Internal Revenue Code Section 35, which is applied to make federal payments directly to the health insurance company for individuals eligible for the credit; Therefore, be it

Resolved, that the Legislature of Louisiana does hereby memorialize the United States Congress to enact a health insurance premium reimbursement program and a federal income tax credit for the health insurance premiums for affected victims of Hurricanes Katrina and Rita; and be it further

Resolved, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America

and to each member of the Louisiana congressional delegation.

POM-248. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as are necessary to forgive the debt of Louisiana's local governments resulting from seven hundred fifty million dollars in loans made available to them as disaster relief; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 50

Whereas, the United States Congress has enacted legislation that allows seven hundred fifty million dollars to be transferred from the Federal Emergency Management Agency (FEMA) Disaster Relief Fund to the Community Disaster Loan Program to assist parish governments in Louisiana that have suffered the effects of Hurricane Katrina and Hurricane Rita; and

Whereas, the parishes most severely affected by the hurricanes were left with little, if any, local tax revenue for the foreseeable future, and such revenue is normally used to pay the salaries of parish employees, such as law enforcement officers, firefighters, and other essential employees; and

Whereas, Community Disaster Loans apply to localities suffering decreased tax revenue as the result of a disaster, and FEMA is authorized to reallocate seven hundred fifty million dollars to this program to keep local governments operating and to help them avoid layoffs; and

Whereas, it is unfair to put the burden of a seven hundred fifty million dollar debt on local Louisiana governments that are struggling to recover economically while meeting the enormous costs of replacing infrastructure and such debt will not serve the purpose of achieving recovery, and thus it is only fitting that the seven hundred fifty million dollars be allocated as a grant program rather than a loan program and that measures be taken to forgive these loans; and

Whereas, local governments in other states who have received similar loans following disasters have done so with the option that such loans might be forgiven, and it is only appropriate that the local governments of Louisiana be given the same option; therefore, be it

Resolved, that the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to forgive the debt resulting from the seven hundred fifty million dollars in loans made available to Louisiana's local governments as disaster relief; and be it further

Resolved, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-249. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as are necessary to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or suspend provisions thereof, with respect to the requirement that the state of Louisiana reimburse the Federal Emergency Management Agency for a portion of the other assistance payments made to citizens of Louisiana due to Hurricanes Katrina and Rita; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 53

Whereas, the state of Louisiana has experienced in Hurricanes Katrina and Rita natural disaster of unprecedented proportions in American history; and

Whereas, the citizens and communities of Louisiana have suffered tremendous personal and economic loss, as reflected in an economic downturn which has affected the state fisc such that the state is experiencing nearly a one billion dollar operating deficit; and

Whereas, the Federal Emergency Management Agency expects to provide in excess of forty billion dollars of disaster relief payments for citizens of Louisiana; and

Whereas, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act the state of Louisiana would owe the federal government approximately three billion seven hundred million dollars as its portion of responsibility for the disaster relief assistance provided by the Federal Emergency Management Agency; and

Whereas, the largest portion of federal assistance for which the state is being held responsible for reimbursing the Federal Emergency Management Agency is that for other assistance payments, over which the state has no control whatsoever in the granting or amount of payments; and

Whereas, the citizens of Louisiana certainly should enjoy the benefit of assistance from the federal government during a crisis such as Hurricane Katrina or Rita, and such benefit should be provided by the federal government without a requirement that the state provide reimbursement for provision of such federal benefits; therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act, or suspend provisions thereof, with respect to the requirement that the state of Louisiana reimburse the Federal Emergency Management Agency for a portion of the other assistance payments made to citizens of Louisiana due to Hurricanes Katrina and Rita; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-250. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to taking such actions as are necessary to provide federal financial assistance to aid in rebuilding the investor-owned utility systems that are indispensable to the recovery efforts of the state of Louisiana and the city of New Orleans, including but not limited to providing funding through the United States Department of Housing and Urban Development in the form of Community Development Block Grants to investor-owned utilities for the restoration of electric and gas service damaged by Hurricanes Katrina and Rita; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 69

Whereas, on August 29, 2005, Hurricane Katrina, a category four storm with sustained winds of one hundred forty miles per hour, came ashore in Plaquemines Parish, Louisiana, near the city of Buras, causing unprecedented flooding and devastation in southeastern Louisiana, including breaches of the levee system and flood walls of the city of New Orleans, the death of more than one thousand state residents, the displacement and evacuation of hundreds of thousands more, and the widespread loss and destruction of businesses and property; and

Whereas, on September 24, 2005, Hurricane Rita, a category four storm with sustained winds of one hundred twenty-five miles per hour, came ashore near the Louisiana/Texas

border, causing unprecedented flooding and devastation in southwestern Louisiana and southeastern Texas, the widespread loss and destruction of property, and total disruption of the lives of thousands, many of whom have no homes to which they may return; and

Whereas, Entergy Corporation (Entergy), through its subsidiaries, Entergy Louisiana (ELL), Entergy Gulf States (EGS), and Entergy New Orleans (ENO), is Louisiana's largest electric and gas utility, and the resulting wind and flooding of Hurricane Katrina significantly damaged major portions of Entergy's utility infrastructure; and

Whereas, in the aftermath of the disaster, Entergy and others worked rapidly to provide emergency and temporary services, and Entergy is currently working to restore permanent service to all customers in its service territory; and

Whereas, Entergy estimates that the total restoration costs for the repair or replacement of Entergy's electric and gas facilities damaged by Hurricanes Katrina and Rita and business continuity costs are in the range of 1.1 to 1.4 billion dollars and that the costs to Entergy New Orleans alone to repair its utility infrastructure exceed four hundred million dollars, not including potential incremental losses; and

Whereas, safe and reliable electric and gas utility service is vital to the state's post-hurricane recovery efforts, and the state of Louisiana deems it essential to keep Entergy and its subsidiaries as productive and financially viable companies that provide safe and reliable electric and gas utility service to the residents and businesses of Louisiana; and

Whereas, the legislature is committed to the protection of Entergy's residential and business customers from the tremendous costs associated with the necessary rebuilding efforts and in assisting Entergy and its subsidiaries, particularly Entergy New Orleans, in regaining their financial strength and stability so that they will be able to continue providing safe and reliable service to their customers; and

Whereas, the legislature notes that following the terrorist attacks of September 11, 2001, which caused catastrophic destruction of life and property, the loss of an untold number of jobs, and the displacement of many individuals and businesses, billions of dollars in funds and other forms of essential assistance were provided to the state of New York and New York City by the federal government; and

Whereas, the legislature notes that congress, in Public Law 107-206, passed on August 2, 2002, authorized the United States Department of Housing and Urban Development to provide seven hundred eighty-three million dollars in disaster assistance for damaged properties and businesses, including the restoration of utility infrastructure, and for economic revitalization directly related to the September 11, 2001, attacks; and

Whereas, the state of Louisiana has suffered similar if not greater human and economic losses as a result of Hurricanes Katrina and Rita, resulting in devastating loss of life, damage to businesses and property, and destruction of much of Entergy's utility infrastructure in Louisiana: Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States of America to take all measures necessary to provide federal financial assistance to aid in rebuilding the investor-owned utility systems that are indispensable to the recovery efforts of the state of Louisiana and the city of New Orleans, including but not limited to providing funding through the United States Department of Housing and

Urban Development in the form of Community Development Block Grants to investor-owned utilities for the restoration of electric and gas service damaged by Hurricanes Katrina and Rita; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-251. A concurrent resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to tasking the Government Accountability Office with a complete audit of expenditures by the Federal Emergency Management Agency on Katrina and Rita recovery efforts in Louisiana; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 72

Whereas, Louisiana is struggling to recover from the worst natural disaster ever to be endured by citizens of the United States, a disaster that left no aspect of life unscathed and shredded large swaths of the social fabric of the society of our state; and

Whereas, the challenges we face are so numerous and complex because the destruction was so complete and the diaspora of citizens so extensive; and

Whereas, the depth of the economic crisis alone is unimaginable, not only because of the need to pay for the extraordinary expenses associated with the storm, but also due to the decline of revenue from the economic center of the state, the New Orleans metropolitan area; and

Whereas, beyond our own economic crisis, the Federal Emergency Management Agency (FEMA) has submitted a request for the state to reimburse the agency for a significant portion of its Katrina and Rita recovery expenditures; and

Whereas, FEMA's initial estimates were that it would spend over \$41 billion in Louisiana and that the state was obligated to pay more than \$3.7 billion of that amount; and

Whereas, there is a prevailing perception among Louisiana leaders and citizens that FEMA has not spent money efficiently as there are reports of contract abuse in which contractors subcontracted for work for pennies on the dollar of what the prime contractor was being paid by FEMA, renting expensive cruise ships when other entities offered to loan ships, and more personal assistance checks being sent to a parish than the number of households in the parish; and

Whereas, not long after FEMA submitted its request for payment to the state, it was revealed that there were accounting errors in the agency's calculations resulting in significant overestimation of its expenditures; and

Whereas, in light of apparent inefficiencies and accounting errors, it is appropriate that the expenditures by FEMA on hurricane recovery in Louisiana be closely audited so as to instill confidence that the amounts Louisiana is expected to pay are fair and reasonable and to evaluate whether proper controls were in place regarding FEMA practices and expenditures; and

Whereas, the Government Accountability Office (GAO) is an independent and non-partisan agency of the United States Congress that is responsible for evaluating federal government programs and auditing agency expenditures in order to ensure the efficiency of government operations, and the GAO is the appropriate agency to audit FEMA's hurricane recovery expenditures in Louisiana: Therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the United States

Congress to task the Government Accountability Office with a complete audit of expenditures, and the appropriateness and reasonableness thereof, and by the Federal Emergency Management Agency on Katrina and Rita recovery efforts in Louisiana; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-252. A resolution adopted by the House of Representatives of the Legislature of the State of Louisiana relative to enjoining the United States Army Corps of Engineers from engaging any contractor in the reconstruction of the levees in the New Orleans area if investigations of levee failures during Hurricanes Katrina and Rita indicate that such contractor performed substandard design or construction work on a portion of a levee that failed; to the Committee on Environment and Public Works.

HOUSE RESOLUTION NO. 18

Whereas, the catastrophic flooding of the city of New Orleans and the surrounding area has had a staggering human and economic impact on not only that region, but the entire state of Louisiana; and

Whereas, the areas which flooded were within a system of levees which ostensibly served to protect the citizens and property within them from flooding; and

Whereas, the American Society of Civil Engineers reported to the United States Congress with respect to poor design and construction of the levee systems in the New Orleans area; and

Whereas, the United States Army Corps of Engineers will be entering into many contracts to rebuild substantial portions of the levee system that protect the New Orleans area; and

Whereas, given the noted inadequacies in design and construction of those parts of the levees that failed, caution should be exercised so that those contractors who performed the work to build the deficient portions are not engaged again in the rebuilding efforts: Therefore, be it

Resolved, that the House of Representatives of the Legislature of Louisiana does hereby memorialize the United States Congress to enjoin the United States Army Corps of Engineers from engaging any contractor in the reconstruction of the levees in the New Orleans area if investigations of levee failures during Hurricanes Katrina and Rita indicate that such contractor performed substandard design or construction work on a portion of a levee that failed; and be it further

Resolved, that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM-253. A concurrent resolution adopted by the Senate of the Legislature of the State of Louisiana relative to adopting S520 and HR 1070, the Constitution Restoration Act of 2005, which will limit the jurisdiction of the federal courts and preserve the right to acknowledge God to the states and to the people and resolve the issue of improper judicial intervention in matters relating to the acknowledgment of God; to the Committee on the Judiciary.

SENATE CONCURRENT RESOLUTION NO. 30

Whereas, on Monday, June 27, 2005, the U.S. Supreme Court in two razor thin majorities of 5-4 in *Van Orden v. Perry* (Texas) and *ACLU v. McCreary County* (Kentucky),

concluded that it is consistent with the First Amendment to display the Ten Commandments in an outdoor public square in Texas, but not on the courthouse walls of two counties in Kentucky; and

Whereas, American citizens are concerned that the court has produced two opposite results involving the same Ten Commandments leading to the conclusion that, based on the Kentucky decision, the Ten Commandments may be displayed in a county courthouse provided it is not backed by a belief in God; and

Whereas, Supreme Justice Scalia emphasized the importance of the Ten Commandments when he stated in the Kentucky case "The three most popular religions in the United States, Christianity, Judaism, and Islam which combined account for 97.7% of all believers are monotheistic. All of them, moreover, believe that the Ten Commandments were given by God to Moses, and are divine prescriptions for a virtuous life"; and

Whereas, Chief Justice Rehnquist in the Texas case referred to the duplicity of the United States Supreme Court in telling local governments in America that they may not display the Ten Commandments in public buildings in their communities while at the same time allowing these same Ten Commandments to be presented on these specific places on the building housing the U.S. Supreme Court stating "Since 1935, Moses has stood, holding two tablets that reveal portions of the Ten Commandments written in Hebrew, among other lawgivers in the south frieze. Representations of the Ten Commandments adorn the metal gates lining the north and south sides of the courtroom as well as the doors leading into the courtroom. Moses also sits on the exterior east facade of the building holding the Ten Commandments tablets"; and

Whereas, a recent poll by the First Amendment Center revealed that seventy percent of Americans would have no objection to posting the Ten Commandments in government buildings and eighty-five percent would approve if the Ten Commandments were included as one document among many historical documents when displayed in public buildings; and

Whereas, the First Amendment of the United States Constitution, which provides in part that "Congress shall make no law respecting an establishment of religion" is a specific and unequivocal instruction to only the United States Congress and the United States Constitution makes no restriction on the ability of states to acknowledge God, the Supreme Ruler of the Universe; and

Whereas, the federal judiciary has overstepped its constitutional boundaries and ruled against the acknowledgment of God as the sovereign source of law, liberty, and government by local and state officers and other state institutions, including state schools; and

Whereas, there is concern that recent decisions of the court will be used by litigants in an effort to remove God from the public square in America, including public buildings and public parks; and

Whereas, there is pending before the 1st Session of the 109th Congress the Constitution Restoration Act of 2005, which will limit the jurisdiction of the federal courts and preserve the right to acknowledge God to the states and to the people and resolve the issue of improper judicial intervention in matters relating to the acknowledgment of God: Therefore, be it

Resolved, that the Legislature of Louisiana memorializes the Congress of the United States to adopt S520 and HR 1070, the Constitution Restoration Act of 2005 and in doing so protecting the ability of the people of Louisiana to display the Ten Command-

ments in public places, to express their faith in public, to retain God in the Pledge of Allegiance, to retain "In God We Trust" as our national motto, and to use Article III, Section 2.2 of the United States Constitution to except these areas from the jurisdiction of the United States Supreme Court: Therefore, be it

Resolved, that a copy of this Resolution shall be transmitted to the administrator of the General Services, Washington, D.C., to the secretary of the United States Senate and the clerk of the United States House of Representatives, and each member of the Louisiana delegation to the United States Congress.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 967. A bill to amend the Communications Act of 1934 to ensure that prepackaged news stories contain announcements that inform viewers that the information within was provided by the United States Government, and for other purposes (Rept. No. 109-210).

S. 1063. A bill to promote and enhance public safety and to encourage the rapid deployment of IP-enabled voice services (Rept. No. 109-211).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. COLLINS (for herself, Mr. LIEBERMAN, and Mr. AKAKA):

S. 2146. A bill to extend relocation expenses test programs for Federal employees; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. MURRAY:

S. 2147. A bill to extend the period of time which a veteran's multiple sclerosis is to be considered to have been incurred in, or aggravated by, military service during a period of war; to the Committee on Veterans' Affairs.

By Mr. SESSIONS:

S. 2148. A bill to direct the Secretary of the Interior to study the suitability and feasibility of establishing the Chattahoochee Trace National Heritage Corridor in Alabama and Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. OBAMA (for himself and Ms. MIKULSKI):

S. 2149. A bill to authorize resources to provide students with opportunities for summer learning through summer learning grants; to the Committee on Health, Education, Labor, and Pensions.

By Mr. WYDEN (for himself and Mr. SMITH):

S. 2150. A bill to direct the Secretary of the Interior to convey certain Bureau of Land Management Land to the City of Eugene, Oregon; to the Committee on Energy and Natural Resources.

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

S. 2151. A bill to authorize full funding of payments for eligible federally connected children under title VIII of the Elementary and Secondary Education Act of 1965 by fiscal year 2011, to the Committee on Health, Education, Labor, and Pensions.