

(1) An estimated 1,500,000 Americans reside in approximately 16,300 nursing facilities nationwide, an estimated 20 to 30 percent of which lack an automatic fire sprinkler system.

(2) In a July 2004 report, the Government Accountability Office found that “the substantial loss of life in [recent nursing home] fires could have been reduced or eliminated by the presence of properly functioning automatic sprinkler systems” and that “Federal oversight of nursing home compliance with fire safety standards is inadequate”.

(3) Many nursing facilities lack the financial capital to install sprinklers on their own and must consider closure as an alternative to taking on large loans or other financing options in order to install sprinklers.

(4) Recognizing that automatic fire sprinkler systems greatly improve the chances of survival for older adults in the event of a fire, the National Fire Protection Association, with the support of the American Health Care Association, the fire safety community, and the nursing facility profession, recently issued the 2006 edition of the Life Safety Code which requires automatic sprinklers in all existing nursing facilities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) within 5 years, every nursing facility in America should be equipped with automatic fire sprinklers in order to ensure patient, resident, and staff safety;

(2) the Centers for Medicare & Medicaid Services (CMS) should quickly adopt the 2006 edition of the Life Safety Code, recently issued by the National Fire Protection Association with the support of the nursing home industry, which includes the requirement that all nursing facilities be fully sprinklered; and

(3) the Centers for Medicare & Medicaid Services, in collaboration with Congress, should take into consideration the costs of retrofitting existing nursing home facilities and commit itself to providing facilities with the critical financial resources necessary to ensure the speedy and full installation of life saving sprinkler systems.

#### SEC. 3. DIRECT LOANS FOR FIRE SPRINKLERS RETROFITS.

(a) AUTHORITY.—Not later than 120 days after the date of enactment of this Act, the Secretary of Health and Human Services shall establish a program of direct loans to existing nursing facilities to finance retrofitting the facilities with an automatic fire sprinkler system. Such loans shall be made under terms and conditions specified by the Secretary.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2007 through 2011.

#### SEC. 4. SPRINKLER RETROFIT ASSISTANCE GRANTS.

(a) AUTHORITY.—Not later than 120 days after the date of enactment of this Act, the Secretary of Health and Human Services shall establish a program to award grants to nursing facilities for the purposes of retrofitting them with an automatic fire sprinkler system. Such grants shall be awarded under terms and conditions specified by the Secretary.

(b) PRIORITY.—In awarding grants under this section, the Secretary shall give a priority to applications that demonstrate a need or hardship. In determining hardship, the Secretary may take into account factors such as the number of residents who are entitled to or enrolled in the medicare program under title 18 of the Social Security Act (42 U.S.C. 1395 et seq.) or receiving assistance under the medicaid program under title 19 of

such Act (42 U.S.C. 1396 et seq.), the age and condition of the facility, and the need for nursing facility beds in the community involved.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2007 through 2011.

#### EXPRESSING CONDOLENCES TO FAMILIES OF VICTIMS OF INDO-NESIAN EARTHQUAKE

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate Foreign Relations Committee be discharged from further consideration of S. Res. 503, and the Senate then proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 503) mourning the loss of life caused by the earthquake that occurred on May 27, 2006, in Indonesia, expressing condolences of the American people to the families of the victims, and urging assistance to those affected.

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

Mr. FRIST. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and any statements relating thereto be printed in the RECORD.

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

The resolution (S. Res. 503) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

#### S. RES. 503

Whereas, on May 27, 2006, a powerful earthquake measuring 6.2 on the Richter scale occurred in Indonesia, centered near the City of Yogyakarta;

Whereas the earthquake and continuing aftershocks have caused more than 5,000 deaths, resulted in serious injuries to additional tens of thousands of people, and left hundreds of thousands of people with damaged or destroyed homes;

Whereas thousands of people in the affected region are living in temporary shelter or lack basic services, such as clean water and sanitation, thereby increasing the risk of additional suffering and death; and

Whereas the United States and donors from at least 20 other countries have, to date, pledged several millions of dollars in emergency and long-term reconstruction assistance, and have begun to deliver humanitarian supplies to survivors of the earthquake: Now, therefore, be it

Resolved, That the Senate—

(1) mourns the tragic loss of life and horrendous suffering caused by the earthquake that occurred on May 27, 2006, in Indonesia;

(2) expresses the deepest condolences of the people of the United States to the families, communities, and government of the thousands of individuals who lost their lives in the earthquake;

(3) expresses sympathy and compassion for the hundreds of thousands of people who have been left with destroyed or damaged homes or have been seriously affected by this earthquake;

(4) welcomes and commends the prompt international humanitarian response to the earthquake by the governments of many countries, the United Nations and other international organizations, and nongovernmental organizations;

(5) expresses gratitude and respect for the courageous and committed work of all individuals providing aid, relief, and assistance, including civilian and military personnel of the United States, who are working to save lives and provide relief in the devastated areas;

(6) urges the President and the Government of the United States to provide all appropriate assistance to the Government of Indonesia and people of the affected region; and

(7) recognizes the lead role of the Government of Indonesia in providing assistance and promoting recovery for the affected population.

#### ORDERS FOR MONDAY, JUNE 12, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 2 p.m. on Monday, June 12; I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period of morning business with Senators permitted to speak for up to 10 minutes each until 3 p.m., when the Senate will proceed to consideration of S. 2766, the Defense authorization bill, as under the previous order.

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

#### PROGRAM

Mr. FRIST. Mr. President, on Monday, the Senate will be considering the Defense authorization bill. Following opening remarks and recognition of Chairman WARNER and Senator LEVIN, amendments may be debated and offered. The first vote of next week will occur on Tuesday morning before the Senate recesses for the weekly policy luncheons. This vote could be on a Defense amendment or a nomination. We will alert Members when that vote is scheduled. The Senate will also have a cloture vote at 3:30 on Tuesday afternoon on the nomination of Richard Stickler to be Assistant Secretary of Labor for Mine Safety and Health. The conference report to the emergency supplemental appropriations bill has been filed, and we expect to vote on that early in the week. Senators are reminded that the official photograph of the 109th Congress will occur at 2:15 on Tuesday. Senators should be seated at their desks no later than 2:15.

#### FAREWELL AND EXPRESSION OF THANKS TO SENATE PAGES

Mr. FRIST. Mr. President, finally, let me say thank you to our spring semester pages. Today is their final day in the Senate. I join all of my colleagues

in praising them for their hard work and effort throughout this year.

I ask unanimous consent that a list of their names be printed in the RECORD.

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

Bradford Black, Deloreon Burton, Jamie Catron, Logan Copley, Joseph Curtsinger, Mark Douglass, Sarah Drake, Megan Faulkner, Bobby Fraser, Amy Furcron, Eric Goldstein, Karen Goodheart, Ben Green, Sarah Graybill, Juliana Ho, Benjamin Hovies, Sara Jarman, Bolton Kirchner, Annie Middleton, Lea Moser, Hayley Panasiuk, Kim Pitney, Michael Schoenleber, Aysia Shumway, Cory Sprunger, Parker von Sternberg, Cheryl Walton, Justin Whaley.

ADJOURNMENT UNTIL MONDAY,  
JUNE 12, 2006, AT 2 P.M.

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 11:42 a.m., adjourned until Monday, June 12, 2006, at 2 p.m.

#### NOMINATIONS

Executive nominations received by the Senate June 9, 2006:

##### DEPARTMENT OF JUSTICE

BRETT L. TOLMAN, OF UTAH, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF UTAH FOR THE TERM

OF FOUR YEARS, VICE PAUL MICHAEL WARNER, RESIGNED.

SHARON LYNN POTTER, OF WEST VIRGINIA, TO BE UNITED STATES ATTORNEY FOR THE NORTHERN DISTRICT OF WEST VIRGINIA FOR THE TERM OF FOUR YEARS, VICE THOMAS E. JOHNSTON, RESIGNED.

GEORGE E.B. HOLDING, OF NORTH CAROLINA, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF NORTH CAROLINA FOR THE TERM OF FOUR YEARS, VICE FRANK DEARMON WHITNEY.

PHILLIP J. GREEN, OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS, VICE RONALD J. TENPAS, RESIGNED.

TROY A. EID, OF COLORADO, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF COLORADO FOR THE TERM OF FOUR YEARS, VICE JOHN W. SUTHERS, RESIGNED.

R. ALEXANDER ACOSTA, OF FLORIDA, TO BE UNITED STATES ATTORNEY FOR THE SOUTHERN DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS, VICE MARCOS D. JIMENEZ, RESIGNED.