The Senate met at 8:15 a.m. and was called to order by the Honorable Jim DeMint, a Senator from the State of South Carolina.

**PRAYER**

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Gracious God, sustainer of our lives, rescue us from the faults to which we are so prone. Keep us from saying one thing and doing another. Save us from criticizing in others what we condone in ourselves. Deliver us from demanding of others standards we make no effort to fulfill. Give us wisdom not to flirt with temptation but to avoid even the near occasion to sin. Protect us from an indecision that can’t say yes or no and from a reluctance to break habits we know are wrong.

Bless our Senators today. Keep them from trying to please both others and You. Save us all from anything which would keep us from loving You with all our heart, soul, mind, and strength.

We pray in Your Holy Name. Amen.

**PLEDGE OF ALLEGIANCE**

The Honorable Jim DeMint led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE**

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. Stevens).

The assistant legislative clerk read the following letter:

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Washington, DC, October 7, 2005.

To the Senate:

Under the provisions of rule 1, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable Jim DeMint, a Senator from South Carolina, to perform the duties of the Chair.

Ted Stevens,
President pro tempore.

Mr. DeMINT thereupon assumed the Chair as Acting President pro tempore.

**RECOGNITION OF THE MAJORITY LEADER**

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

**SCHEDULE**

Mr. Frist. Mr. President, this morning, the Senate will vote on the Defense appropriations bill. That vote will occur at 9:15 this morning. I thank and commend Senator Stevens for his patience and perseverance in getting this bill to the President.

We must complete action on the Homeland Security appropriations conference report before we leave. Senators will be notified if further votes are scheduled.

I yield the floor.

**RESERVATION OF LEADER TIME**

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

**DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006**

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2863, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 2863) making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes.

Pending:

Reed/Hagel amendment No. 149, to transfer certain amounts from the supplemental authorizations of appropriations for Iraq, Afghanistan, and the Global War on Terrorism to amounts for Operation and Maintenance, Army, Operation and Maintenance, Marine Corps, Operation and Maintenance, Defense-wide activities, and Military Personnel in order to provide for increased personnel strengths for the Army and the Marine Corps for fiscal year 2006.

The ACTING PRESIDENT pro tempore. Under the previous order, the Senator from Louisiana, Ms. Landrieu, is recognized until the hour of 9:15.

Ms. Landrieu. Mr. President, as I also thank Senators Stevens and Inouye, who worked here very late last night as we got to the end of the debate on the Defense bill. Of course, under the rules we have established, we could speak on that bill for up to 30 hours. Those 30 hours will be coming to an end at 9:15 under the rules of closure.

Throughout the 30 hours as we debate this important bill which funds our military men and women and continues their operations moving forward and helps to try to find a solution in Iraq and allocates resources to keep our military strong, we also have been talking a great deal about keeping strong right here at home, particularly keeping strong in the areas that need strength and support right now. That area, of course, is the Gulf Coast of our Nation, the great energy coast, the great trade coast, the great commerce coast. There are so many important parts of that coast, but the largest city, of course, in the middle of that coast is New Orleans, my hometown.
We have spent a lot of time this week talking about how we can get the help we have promised to this region, to all the people of this region who have suffered. The poor have been crushed, the middle class are staggering, and even wealthy individuals with sufficient resources and businesses wake up every morning in Louisiana, Mississippi, Texas, and Alabama thinking, How are we going to get through this day to keep our business open, our employees employed, and our communities together? We have served so proudly for so long.

It is very hard to describe the magnitude of the destruction. Nothing anyone has seen on television captures it. I have watched a lot of television—not as much as I would like because we are busy doing other things, but I have seen a lot of what has come over on the television from CNN, from FOX, from MSNBC. I have listened to NPR, and I have tried to listen to the television. I have been there so many times and seen so much that I keep thinking I wish there were some way I could take a bigger camera or make a 4-hour movie to describe to this Nation the depth of the destruction along the gulf coast. Unfortunately, in situations such as this we cannot make a movie. We can show some pictures in National Geographic and give people some idea of what we have seen so much myself, I keep thinking I wish I just found out this morning that I was very fortunate to find the National Geographic special edition National Geographic again and mention some of the water that gave people some idea of what we have of—

It was very fortunate to find this National Geographic special edition to describe our situation as my colleague, Senator VITTER, and I asked for help, more direct help, more immediate help, real help that we need to begin this long, complicated, difficult, and challenging rebuilding effort. I was very fortunate to find this National Geographic issue. We have sent copies to all of our colleagues. I thank the National Geographic again and mention that I just found out this morning that all of the proceeds from the sale of this special edition National Geographic entitled "Katrina, Why It Became A Manmade Disaster, Where It Can Happen Next," all the proceeds are going to the victims of Katrina—and Rita because that storm came after Katrina hit—and will go to help the victims along the gulf coast from Texas, Louisiana, Mississippi, to Alabama. We so appreciate that effort.

In searching for ways I could describe the destruction, there are some pictures in National Geographic that give people some idea of what we are faced with. Again, these pictures cannot quite tell the story. While this looks like blocks and blocks along the gulf coast, this is probably the city of Waveland. It could be parts of Biloxi. It could be parts of Pass Christian. I am not exactly sure where, but it is somewhere along Mississippi. You can tell how pretty their beach is. We have a different kind of coastline in Louisiana.

The reason I have been spending so much time on this Defense bill talking about this issue is this is our war. This is our Baghdad. This is a picture of parts of New Orleans with water as far as the eye can see. There is another picture that shows the city in the background and the depths of flood around it. This picture is a graveyard too—because the National Guard in Louisiana have pulled triple and double duty in Iraq—probably just got back from Iraq. You can see how much they love his grandmother, the way he is looking at her to help her get out of the floodwater.

Looking through the National Geographic magazine, when you see the pictures of destruction, I don't know if the camera can see the depths of the destruction, the industrial canal, the Lower 9th Ward in New Orleans. These pictures could be shown from the western side of our State to the eastern side of our State, to New Orleans, to the gulf coast of Mississippi, into some parts of Alabama, and into some parts of Texas. Two million people have been displaced and are searching for high ground, for stability, for housing, for jobs. From the cities they fled, from communities they fled, in boats a lot like this. They are searching for housing, apartments, jobs, safety. Most important, what they need is help, real help—not promises, not photo-ops, but real, serious help.

Let me show some other pictures of people who need help. This is a gentleman in Lafitte. I would say he needs a little help. He may be interested in people who have offered around here. I don't know at this exact moment what tax breaks might help him, but a fireman would be good or someone who could help drain out some of the water—maybe one of his employees from Lafitte, which does not have a tax base, who is about ready to go out of business, maybe someone who works for the little town of Lafitte that was created by Mayor Tim Kerner's father, the father of Lafitte who helped create this town. I actually know the son. He is looking for help.

This is a woman—I am sorry I don't know her name, but there is a picture and description of her in the magazine. This woman looks pretty self-reliant to me. She obviously looks troubled and anxious. She is doing what she can to carry her two children to safety. People all over the gulf coast did this, basically by themselves, with limited support. A lot has been said about people not helping people, but David Johnson, who was unable to work, is carried by her two children to safety. The authorities say the water is leveling off as Lake Pontchartrain empties in the gulf. We have had people helping each other during this time, being as self-reliant as possible.

Here is another picture. National guardsman Jon Eric Mileteletto comforts his grandmother. This young man is mayor of Lafitte, my father was mayor of Lafitte, my grandfather helped create this town. I actually know the son, who was unable to work, is carried by her two children to safety. She is doing what she can to help her out of the floodwater.

The reason I have been spending so much time on this Defense bill talking about this issue is this is our war.
while we go on vacation again. Just give them 3 months. Lend them some money to keep their lights on, to keep their cities and their communities and the hospitals open until we can figure out a long-range plan.

We have to finance some debt. We may have to close areas down permanently. We hope not, but maybe we will have to. We are going to have to do a lot of things we never thought we would have to—such as build a good levee system. We will have to do that.

So we came to ask for a loan under the program that has been established since 1972.

We have basically been told—even after working through the night, after offering a variety of different compromises—I am sorry, to the Louisiana delegation; I am sorry, to the Mississippi delegation; I am sorry, to the Alabama and Texas delegation, but the only way that we will lend you the money is if you pay it back under different terms than anyone has before and that anyone will be asked to do in the future.

With 45 minutes left in the debate, still the only way that we can get 3 months of operating expenses under a program that already exists, with money that we have already allocated that is sitting in a bank account doing nothing, is to agree to tight-fisted lending policies that have never been applied in America before. According to the draft that I saw last night at 2 o’clock in the morning, will not be applied to anyone in the future.

But for Louisiana, Mississippi, Alabama, and Texas, the Gulf Coast States—and not all of Alabama but just the regions hit by the storm—for those counties, the only way you all on the gulf coast can get the money is under a new, tight-fisted, basically what one could describe as higher interest rate loans because there is no way you will ever pay any circumstance, according to the draft I have seen, no matter how dire your situation, that you could ever be given any reprieve whatsoever to not have to pay the whole thing back.

Some people have classified this latest offer from the Republican leadership as a compromise. A compromise is an effort to do the best you can for people while preserving some important principle. This is no compromise; this is an effort to give the rightwing, people who are holding the power and are not willing to use it on behalf of people who need help. The gulf coast of Louisiana has been hit by the worst hurricane in the history of our country. Then we were hit by a disastrous break in a levee system that was not supported, not built to standard, and not invested in by a nation, and in some measure by our own selves, but in large measure by a nation that refused to recognize the importance of this levee system, not just for the people of Louisiana and the southern part of Mississippi but a levee system to continue to bring trade and commerce and jobs and wealth to a nation that needs and was actually built on the banks of the mighty Mississippi River.

Despite decades of speeches from members of our delegation about the importance of this river, and even agreeing to take some of our own revenues generated off of our coast to invest in hurricane protection and levee protection, we were in large measure left to fund for ourselves in a way that the government contributed money, those moneys kept getting less and less relative to other spending and other priorities in Congress, until we were left with a second-rate levee system. Now we have a major disaster on our hands.

It is extremely important that the people of our country know that there is a way that we can rebuild this region; that there is a way that we can pull together to do it. When we make suggestions as simple as getting $1 billion to go through a loan program that is already established with money that has already been appropriated, that when we are told, that is too much to ask, we can’t do that, we can’t afford to do it because the people of the gulf coast have just had to understand that you have to take this on terms and conditions that no one has been asked to before and no one will be asked to after, is a hard thing for this Senator to accept.

A historian once described New Orleans as an inhabitable city in an impossible location. That pretty much captures where we are today. We are having an inevitable debate that places the people of Louisiana and the gulf coast in an impossible situation. We are asking for a 3-month loan to keep our cities and communities operating, for our sheriffs, for police, for firefighters, for critical city workers, for some of our hospitals that, despite the worst storm in the world, stayed open, kept their lights on, and are sustaining a region of this country that is vital for the future of the Nation. We ask for a loan, and we get nothing but empty promises and tight-fisted lending policies when we need help.

We have been stuck by the worst natural disaster. We now have a third-rate FEMA operating, a second-class levee system, and now, to pour salt on the wound, a tight-fisted lending policy applied specifically to our States.

Senator, take it or leave it. That is a hard question to ask any Senator—take it or leave it. That is why I have taken all of these 30 hours to consider what our options are, to try to bring our case to the American people, to ask the country. Is this fair? I don’t believe it is, but life isn’t fair.

Our job is to try to make it more fair. That is why I am here. I don’t know, I hope that is why everybody else is here. But that is why I am here. I would hope that my colleagues would think, particularly in the Senate, Republicans and Democrats, that that is why we are here.

Talking about Senators, I thank the Senators who worked through the night trying to come up with a real compromise, a compromise with dignity, a compromise with some hope, a compromise that would give our cities some hope.

The junior Senator from Delaware, Mr. Carper, who has no interest in new terms for Louisiana, Mississippi, Alabama, and Texas when you have given these terms before to others?

We know we are asking for the cap to be raised. The cap has been raised before. There is a $5 million loan cap on a program where our cities, not only New Orleans, which is the largest, but the parishes of Jefferson and St. Tammany and St. Bernard and Plaquemian—their monthly operating budget in the city of New Orleans is $20 million. So ask me what borrowing $5 million would help? A week? That is what we would be able to borrow. 1 week?

So we have asked for the loan cap to be raised so the cities can borrow some money, and the parishes and the sheriffs, which are not included specifically in the language that has been offered, they are not specifically included. It has been inferred that our sheriffs are included. But our sheriffs are elected. They are different from the rest of the country. They perform a tremendous service to our State and to our parishes. They were the ones who carried people on their backs to safety. They were the ones who helped keep law and order. They didn’t do everything perfectly, but they did the best they could under a very difficult situation. They were not specifically in the compromise. If we can’t keep law enforcement operating, if we can’t keep our lights on, if we can’t keep some running water in what pipes we have left, if we can’t keep the mayors and the parish councils at work having meetings, turning on city hall, trying to mop out their city halls, could anybody here tell me how we begin to rebuild a region without basic, essential community services? I don’t know.

I know the private sector can do a great deal. But you know what the private sector people coming into my office tell me, whether they are big business or small: Senator, we need lights. We need water. I need water. And, Senator, please tell them to stop sending us bottled water; I need for the water to go on in my business because my employees want to come back to work, but I can’t bring them back to work without water. If we lay off the sewage and the water, and the people who work in Washington is listening. The junior Senator from Delaware, Mr. Carper, who has no immediate interest other than he was a former Governor, a former House Member, spent time on my and Senator Vitter’s behalf on the Floor side trying to talk to the leaders of the Republican Appropriations Committee to say: Why are you asking for new terms for Louisiana, Mississippi, Alabama, and Texas when you have given these terms before to others?

We know we are asking for the cap to be raised. The cap has been raised before. There is a $5 million loan cap on a program where our cities, not only New Orleans, which is the largest, but the parishes of Jefferson and St. Tammany and St. Bernard and Plaquemian—their monthly operating budget in the city of New Orleans is $20 million. So ask me what borrowing $5 million would help? A week? That is what we would be able to borrow. 1 week?
tax credit to a small business or big business, I don’t think it is going to work very well.

The Democratic leader, Senator Reid, worked through the night. The junior Senator from New York, Mrs. Clinton, who has been a great voice for us, although she has not directed the response, has come up here at 1:30 in the morning and asked if there was something he could do. Senator BLANCHE LINCOLN from Arkansas, who has been a great voice for us, although she has not directed the response, has come up here at 1:30 in the morning and asked if there was something he could do.

I am almost certain that in Mississippi—I am not completely certain—that the State could actually borrow money to help this situation. But I do know one thing because I was State treasurer of Louisiana for 8 years: Our State is prohibited from borrowing money at a time when the economy is locked on New Orleans. The local officials help organize meetings, supporting all continue to stay at this desk as often evening here and why I am going to leave it.

The rich. Only for you all in the South poor, for the middle income, and for Mississippi, for Alabama, for the—

But that is basically what we are being asked to do, in the opinion of this Senator VITTER, my colleague from Louisiana, and I have worked together to try to forge the best possible arrangement we could make for the people of our State. Without a bit of self-interest, they have fought for you. They have searched throughout the night for a true compromise.

I am proud to serve with these colleagues of mine because they do not believe the people of Louisiana should have to trade their dignity for cash. But that is why we are being asked to do, in the opinion of this Senator. In other words, Senator, you can have the loan for the people of your State, but you are going to take it under a tightened policy that has never been applied before to anyone and, by the way, according to the script that we are going to give you, it won’t be applied to anyone in the future, but only for you—for Louisiana, for Mississippi, for Alabama, for the poor, the middle, and the rich. Only for you all in the South is this going to be applied. Take it or leave it.

I hope the people of Louisiana, whom I have proudly represented for so long, can understand why I spent the evening here and why I am going to continue to stay at this desk as often as I can in between trips home visiting with local elected leaders trying to help organize meetings, supporting all the business—Democrats and Republicans, Black and White, urban and suburban, rich and poor citizens to try to help us rebuild a State that is not only a State we love, but a region that the country needs, even though the country refuses to understand how valuable they are to them. I think people can understand why the situation is as critical as some of us are trying to show. The devastation is enormous. It is unprecedented. Our options are limited. FEMA is not working. The Red Cross is getting very mixed reviews about the Red Cross. We have 50,000 people in shelters with nowhere to go, no housing available even if you presented vouchers. I am not saying we do not need them, but it is not an option that is working well because our people are people who have left the south of our State to find shelter, to find jobs, to find stability, and to find their families because the old voucher program is not working very well.

We have not had a/ have not had hotels. That causes problems with the business community because when they have conferences or visitors, they cannot get their own executives into the hotels to do business in the city.

I have talked a lot about New Orleans. I have talked a lot about Lafitte, Grand Isle, Blackman, St. Tammany, and Calcasieu, but let me, for a minute, talk about Baton Rouge, our capital city, and Lafayette, the heart of the Cajun culture in our State, and Monroe, the heart of the State to think I am not aware that there will be no forgiveness, higher interest rate is reflected in the fact that there will be no forgiveness, under any terms, whatsoever written into the law.

It is not available to sheriffs, and it is not available to hospitals—not explicitly available to sheriffs, and it is not in the bill.

Some people have said this is a way to give some untried tax credits to big business, I do not know if they are in the draft I have seen. We tried to put them in and that was rejected.

Mr. REID. Will the Senator yield for a question?

Ms. LANDRIEU. Not at this minute, but I will in just a second. I will be happy to yield in a moment.

So we have worked through the night. Mr. President, trying to come up with some available options for the people of Louisiana, Mississippi, Alabama, and Texas as they seek to work through a very complicated and difficult situation to try to pull efforts together to make loans available for 3 months.

I have shown this picture throughout the week. That is why, as I close over here in the next few minutes, I would like to show it again. You can find this picture in the National Geographic, “A World Upside Down.” This is Long Beach, MS, a week after Katrina hit. This is Mrs. Leona Watts. The National Geographic said, “An islandic drama amid the bones of the home where she has lived for 61 years.”

The National Geographic goes on to say:

Many Mississippians felt abandoned in the days after the storm as national attention—and relief efforts—seemed locked on New Orleans.

I have asked throughout the week if the city of Long Beach or the cities in Louisiana can get some infusion of cash to help them go through. I don’t know what kind of tax credits and other possibilities could help here, at least not in the next few weeks or few months. I am confident that targeted strategic tax cuts can help to rebuild this city.

I am almost certain that in Mississippi—I am not completely certain—that the State could actually borrow money to help this situation. But I do know one thing because I was State treasurer of Louisiana for 8 years: Our State is prohibited from borrowing money for operating expenses because our constitution states that it is fiscally irresponsible because, under normal circumstances, it is irresponsible to borrow money for operating expenditures. So if there are States that could borrow money to invest in ports, roads, and infrastructure, not to maintain a lifestyle. Every family knows that. So in Louisiana we have not allowed it for quite some time.

On this, if I have stood on the floor a little longer for some people and temps have gotten a little short, I have to stand here to try to explain that while
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our State might be in a position to borrow money, although they got a report last week that they are $1 billion short in their own revenue, but even if they were not $1 billion short, the Constitution of Louisiana does not allow the State to borrow money.

The State’s largest city is laying off thousands of workers by the day. In the city that we keep saying we are going to stand up for, people are being laid off, the city that people still visit for photos. We are with you, we are not abandoning you, we are there.

My colleague and I come here to ask for $1 billion out of $43 billion to give a loan for 3 months for police, fire, law enforcement, to get the lights on and to get the water through the faucets. And we are told: Sorry, the only way that we will give you that money, the only way we will lend you that money is under new policies designed especially for you that no one in the past and no one in the future has to accept. But you, Louisiana, Mississippi, and Alabama, have to take it or leave it.

So through the night, we offered one compromise after another—a real compromise. Again, the Senator from Michigan is in the Chamber. He helped through the night. Senator REID was particularly supportive, and I have said thank you to Senator ALLEN, who is not now on the floor but will be here. He was quite patient through a difficult night. This is a difficult bill.

We have had to take some time, as we have gotten it at the end of the debate on saving money, to get the lights on and was our only option. We said just lend us the $1 billion under the same old and good and steady and traditional programs. That was not accepted.

We have said if the Senate would come together and act, my colleague and I have made it clear that we want the money to be for sheriffs, for several of our hospitals that are in a desperate situation, to allow the cities and parishes to be, and the people will be, and I have said that I would be willing, or I would be willing, to send two bills over to the House with Senator VITTER and Senator Frist’s name on both of those bills so the Senate could go on record saying we are ready to act. And if the House wants to pass either one of these, they can pass one and send it to the President’s desk and then they can decide whether we should be treated the same or treated differently. And I would live with that. I want it clear, obvious, and I have made myself clear in representing the State. We should be treated the same way. But if the House of Representatives decides that we should be treated a different way, if the President of the United States wants to explain why we should be treated differently, I would be happy to send two bills over and let the House of Representatives, under the control of the Republican leadership, decide what they want to do. But that was not acceptable.

So I have stayed here through the night working on as many suggestions as Republicans and Democrats in the Senate, and my colleagues for whom I have a great deal of respect, suggested, and yet at this hour, a few minutes before the 9:15 vote, the only “compromise” we have is for the people of the gulf coast to take it or leave it. Under different circumstances, I would have been asked by anybody before and will not be asked of anybody in the future.

Last night when I pressed this issue of whether we would be treated the same way, we were told that we could be and would have been asked by anybody before and will not be asked of anybody in the future.

That language has never been in any act, and before anybody tries to say, well, we are lifting the cap, the cap has been lifted before. Loans have been extended. Never has this language been offered to us. This is our public leader’s tight-fisted policy that says “such loans may not be canceled.”

So the people of my State are in a pretty tough situation—and the people of the gulf coast. We have had a category 5 storm breaking of a levy system, everything people have worked for, hoped for, dreamed of—destroyed.

The Federal Government sent us a third-rate FEMA, offered a second-rate levee system, and now a tight-fisted lending policy, and then criticized us for not being more self-reliant. This woman lived in this house for 61 years. The reason I like to keep showing this picture is she looks a lot like my grandma. And because I know, because I know my grandmother was, I am just going to assume that she was a lot like my grandmother, Loretta Landrieu. My grandmother never graduated from eighth grade. She worked her whole life three jobs. She raised 2 boys and 19 grandchildren. She never asked the Government for any money. When she died, she had $19,000 in the bank. She gave each one of her grandchildren $1,000, and she bought us a little camp for $15,000 on Lake Pontchartrain. In 42 years, she got a little more prosperous, we put in air-conditioning and we expanded it. But this is what my grandmother, if she were still alive, this is probably what she would be looking at right now. And I have to listen to people in Washington, the power in Washington, the Republican power from the White House, to this Senate, to the House, to every corner of our country, this area need to be more self-reliant. This woman has lived in this house for 61 years. She has probably paid the mortgage, she has probably raised children, worked in her church, never been late for her taxes, just like my grandmother was—every Sunday morning of her life in church. The Catholic Church that she went to didn’t exist anymore. It was washed away in 6 feet of water that came over Slidell, LA. And I have to listen to the Republican leadership tell me: Just rely on faith-based institutions and private sector involvement.

Our faith-based institutions have done great work. I am so grateful for the many missionaries and churches and synagogues that have come to help. The church in this neighborhood is gone. Maybe another church from Ohio will come down, or Michigan, but this lady’s church is gone. Our churches are gone. Our synagogues are gone. And our businesses that are always there to help, that have been helping, that have been keeping people on their payrolls when they had no money coming in, this is the front door, keeping their employees on the payroll, putting up trailers, putting up tents so their employees could come and sleep in the parking lots so they could work in the offices, we are not self-reliant enough.

So this Senator comes to ask for $1 billion to lend to the communities such as this, and I am told: Sorry, Senator, we can’t loan you the money the way we have lent it to everybody for the last 30 years. And by the way, when we do it again in the future, we are going to lend it to everybody under the old program, but just for you we have a special deal. Just for you all we have a special deal.

Here is another man who needs help, and for him we have a special deal—the Republican leadership. We lent money to everybody in America since 1974 under certain terms, but for you, you get a special deal. For this lady walking out of the Superdome—I think this is the Hyatt in New Orleans; I think there is not one better than the best she can. Obviously, she only has two arms and she has two babies and she is carrying them both—with one blanket, a bottle, and a bottle of water for two babies. No store open, and she comes here to ask for help, and I am told by the Republican leadership in power: Sorry, we are going to lend you the money but under different circumstances.

How much time do I have remaining? My colleague and I come here to ask for help. The PRESIDING OFFICER (Mr. ALLARD). The Senator has 3½ minutes remaining.

Ms. LANDRIEU. I thank the Chair. This is the National Guard, Jon Eric Miletello. He has probably pulled double duty in Iraq because our National Guard has been there, trying to stand up Iraq, standing up water systems in Iraq, putting down sewer systems in Iraq. He comes home and this is what he finds: his grandson in 5 feet of water. And when we come here to ask for a loan for this town to help
them out just for 3 months, we have to get a different deal.

So in the last 3 minutes I am going to ask the Senate, since they said that they would do this, they want to help, to send this over to the House. Let the House take the decision. Let the House leadership make the decision whether they want to lend us the money under the traditional program or give us a special deal for people of the gulf coast.

So I am prepared to ask unanimous consent that the Senate proceed to the immediate consideration of S. 1855, and for that bill to be read and passed. This bill would allow the Stafford Act money to be given under the same terms and conditions as it was to everyone else.

The PRESIDING OFFICER. Is there objection?

Mr. FRIST. Objection.

The PRESIDING OFFICER. Objection is heard.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the Senate would send the bill over to the House to say that such loans may only be canceled with the approval of the Office of Management and Budget, so that this could be canceled but only Management and Budget could make that decision.

The PRESIDING OFFICER. Is there objection?

Mr. FRIST. I object.

The PRESIDING OFFICER. Objection is heard by the Chair.

Ms. LANDRIEU. Mr. President, those are the best ideas we have had. They are obviously not enough. I thank my colleagues for their patience. I understand it has been a difficult time, but this is a difficult situation, and I know that we have held everybody here a day longer than they thought they would be here. We thought we would get out of here about 10 o’clock last night, or 11. I yield the floor.

Mr. FRIST. Before the vote, let me quickly explain the two objections and then I will have a unanimous consent request of my own.

Basically, the language of both of the bills that have been put forward has not been reviewed by anybody except maybe two or three people on the floor of the Senate, and, of course, we do have legislation in the Vitter bill, that has been vetted with the administration. We talked to the Republican leadership in the House. I believe strongly we can pass this bill over the course of the day.

Having said that, I now ask unanimous consent the Senate now proceed to the Vitter bill which has been at the desk since yesterday. For the information on the floor, this is the same language we have cleared and have been working on for the past 48 hours.

I further ask unanimous consent the bill be read a third time and passed and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object.

Mr. FRIST. Regular order, Mr. President.

Mr. LEVIN. Reserving the right to object. May I ask a question?

The PRESIDING OFFICER. The Regular order has been called for. The Senator must——

Mr. LEVIN. I object.

The PRESIDING OFFICER. Objection is heard.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

Mr. STEVENS. Mr. President, in fiscal year 2002, Congress provided $5 million to the Department of Defense Appropriations bill to transport and distribute wheelchairs to the victims of overseas conflicts, landmines, and crippling illnesses if matched by private funds. These funds were allocated among nonprofit organizations, including the Security Cooperation Agency, DSCA. Since that time, the DSCA has worked with a nonprofit organization called the WheelChair Foundation to deliver over 120,000 wheelchairs to nearly 100 countries, including 5,810 to Afghanistan; 2,400 to Iraq; and over 3,900 to Jordan. I believe it is vital that we plan and invest not only to win the wars we fight, but also to win the peace. In that regard, this program has been an unequalled success. The hope and chance for a new life that a wheelchair can provide to someone who could never afford one has value beyond measure. Additionally, this program gives us the opportunity to leverage Federal support with the efforts of the nonprofit sector to accomplish more than we could do alone.

The funding specifically earmarked for this initiative in fiscal year 2002 will likely be exhausted within the year. There are now considering would provide the full amount of the President’s request for Overseas Humanitarian, Disaster, and Civic Aid of $61 million. It is our hope that funding will be available for this activity in the coming fiscal year if appropriate humanitarian needs are identified.

Mr. INOUYE. Mr. President, I appreciate the comments from the chairman, and commend his leadership on this issue. I am familiar with the successes that this program has enjoyed. Providing wheelchairs to the victims of overseas conflicts is an important program, and I encourage our Federal agencies to support this program.

Ms. STABENOW. I would agree with the Senator from Hawaii about the significant efforts made by the committee bill to address the well-being of our soldiers, sailors, airmen and marines. Of particular interest to me are the reviewed medical research that examines Gulf War illnesses and their relationship to chronic multisymptom illnesses. I believe this research could provide valuable insights into diagnosed post-deployment illnesses.

Mr. JOHNSTON. My friend from Iowa is correct. For the past several years, the Center for Chronic Pain and Fatigue Research has conducted research on the internal mechanisms and most effective treatments of Gulf War Illnesses and other undiagnosed post-deployment illnesses. This research has been funded by Congress and overseen by the U.S. Army Medical Research and Materiel Command and its peer-review process. Continued funding for this program will enable the continuation of research into a variety of illnesses reported by personnel returning from the Gulf War.

Mr. STABENOW. I would agree with my friend from South Dakota. The Center for Chronic Pain and Fatigue Research at the University of Michigan is the national leader in the research of chronic multisymptom illnesses. Their recent research has used advanced functional brain imaging technology to demonstrate the similarity in dysfunctional pain processing between a group of veterans suffering from Gulf War Illnesses and a group of civilians diagnosed with fibromyalgia. The center’s work has taken on added importance because of our Nation’s current military deployments and deserves the continued support of Congress and the Department of Defense.

Mr. LEVIN. The Senators from Michigan and South Dakota have noted, many soldiers returned from the Gulf War with a variety of symptoms that have no discernible cause. Although environmental exposure in the Gulf War cannot be ruled out as a cause, many believe that stress is a factor that may have contributed to these illnesses. I hope that efforts will be made...
Mr. STEVENS. I understand the concerns that my colleagues have regarding poorly understood illnesses that have affected military personnel in nearly every conflict since the Civil War, and most recently in Iraq and Afghanistan. As chairman of the Defense Appropriations Subcommittee, I want to lend my support to this important research.

AM2 AND COATINGS REMOVAL TECHNOLOGY

Mr. BURNS. Mr. President, I would like to thank the chairman for his continued efforts to ensure a strong national defense. I am well aware of the tight budget structures the subcommittee faced when marking up the bill. I would like to draw attention to two important programs for future consideration that may have great benefit to our military.

The refurbishment of aircraft fuse-layers, engines, ships, and jet engine turbine blades requires the removal of paint and other coatings, but can be extremely costly if, while removing the coating, the underlying surface is damaged. I am told that laser technology is able to achieve this in real time, when coatings have been removed, thus avoiding damage to the item being serviced. Further, I am told the Air Force Research Laboratory has expressed interest in spectroscopy-based technology as it is in developing robotic systems for coatings removal of large off-aircraft components, as well as developing systems in the future for de-coating large on-aircraft components.

Providing for a lightweight replacement for Air Field Matting, AM2, is one of the Top Ten mission critical technology needs of the Department of Defense. AM2 is an outdated 40-year-old system currently used by the Air Force and Army to establish temporary airport systems in the field. I have learned it may be too heavy to deploy easily and unsuitable for missions where mobility and speed are necessary. Lattice Block Structures may be an option to serve as a stronger, lighter and more portable replacement to the antiquated AM2 matting. Fiscal year 2006 funding for Lattice Block Structures could enable DOD to more rapidly establish temporary airfields in support of critical military missions.

Mr. STEVENS. I say to the distinguished Senator from Montana that I appreciate him bringing these important programs to my attention and to the attention of the Senate. I look forward to working with him on these and other important matters that affect our military and national defense in the days and weeks to come.

Mr. MCCAIN. Mr. President, the pending measure, H.R. 2853, the Defense Appropriations Act for Fiscal Year 2006, will provide our men and women in uniform with the equipment, benefits, and programs they need to carry out their critical missions at home and overseas. Having said that, I must again voice my dismay at the Senate’s inability to authorize these appropriations. Critical programs and benefits have not been authorized. The authorization committees, and the appropriators fund. Unfortunately, this time honored practice is not being upheld.

As I look over the bill, I see that, as reported in my chairman’s $7.5 billion from the administration request, leaving that amount available for non-defense appropriations. I am pleased that the cuts are reductions for programs that were underexecuted in the last fiscal year. Unfortuately and not surprisingly, the bill also includes a large number of unauthorized and unrequested provisions. I hope that the sponsors will carefully reconsider these damaging provisions as the bill works through the Senate and the House.

While I appreciate the hard work and the laudable intentions of the members of the Committee, we must all be alarmed at these appropriations earmarks. They limit the ability of our service members and our taxpayers to spend the resources according to its funding priorities.

I have already spoken at length during debate on this bill, so I will not take up much more of the Senate’s time again. I am pleased that the Senate recognizes the importance of America’s greatest strength, the acknowledgment that we are different and better than our enemies. We are Americans, and we hold ourselves to a standard of treatment of people no matter how evil or terrible they may be. To do otherwise would undermine both our security and our greatness as a Nation. The Senate spoke with a strong voice this week and I urge the conferees to include the detention-related amendment in the conference report that will be sent to the President.

With Americans deployed across the globe fighting terror, deployed at home in recovery of Hurricane Katrina, and with looming budget deficits, the Senate faces some tough choices. We must maintain our fiscal responsibility while providing for our military needs. The cost of the conflicts in Afghanistan and Iraq demand a new fiscal sanity in our appropriations bills. A half-trillion dollar budget deficit means we simply cannot afford business as usual. We simply cannot continue the binge of pork barrel spending that constitutes our ever-increasing proportion of our federal budget. While the cost of an individual project may get lost in the fine print of lengthy bills, together, they all do real damage. Collectively, these earmarks represent a significant burden to Americans.

Some of the more egregious examples of earmarks, either in the bill or in the accompanying report, include:

- The bill includes language to provide $10 million for the Joint Interagency Training Center-East and the affiliated Center for National Response at the Memorial Tunnel in West Virginia.

The bill includes language to provide $3.5 million above the President’s budget request to procure aircraft and aviation equipment for the Civil Air Patrol.

The bill includes language to provide $19,000 above the President’s budget request to procure vehicles for the Civil Air Patrol.

The bill includes language to provide $3 million to support the National Museum of the United States Army at Fort Belvoir, VA.

The bill includes language to provide $2 million for the installation, repair, and maintenance of an on-base and adjacent off-base wastewater/treatment facility at Naval Computer Telecommunications Area Master Station, NCTAMS, in Hawaii.

The bill includes language to prohibit the procurement of foreign ball and roller bearings. This “Buy America” restriction with regard to the procurement of ball and roller bearings may cost the taxpayers more than purchasing ball and roller bearings from a foreign source.

The bill includes language to direct the Secretary of the Army to fully plan, budget, program, finance and procure the Non-line-of-Sight Future Combat System and re-supply vehicle program, NLOS-C, in order to field this system in fiscal year 2010. Furthermore, the bill language directs that if the plan to field the Future Combat System, FCS, in fiscal year 2010 is delayed then it directs the Secretary of the Army to develop the NLOS-C independent of the broader FCS development timeline to achieve fielding by fiscal year 2010. Moreover, the bill directs the Army to deliver 8 combat operational pre-production NLOS-C systems by the end of calendar year 2008, in addition to those systems necessary for developmental and operational testing. Section 8163 to H.R. 2853 Separating the Non-line-of-sight combat system, NLOS-C, program from the Future Combat System, FCS, will increase costs and program risk because it invalidates one of the key underpinnings of the FCS program which is to have a family of systems based on equipment commonality. The original concept for the development of the manned ground vehicle was to design and produce a common chassis for all manned ground vehicles. Separating NLOS-C from FCS fundamentally changes this principle and further complicates the development of an already complex and yet critical Army weapons system. Furthermore, bisecting FCS will increase development and sustainment costs and negatively impact systems interoperability. The Army and Subcomittee on the Senate Armed Services Committee is the appropriate subcommittee of jurisdiction in this matter. Although we had hearings on FCS in the subcommittee this year, we did not hear expert testimony in support of this specific provision. As such, I intend to introduce legislation to repeal this provision in the Defense Authorization bill at the appropriate time.
The bill includes language that authorizes the Secretary of the Air Force to spend $32 million to make upgrades, repairs, and build additions to buildings and other types of infrastructure associated with military ranges in Alaska.

The bill includes language to provide $129 million in grant money and directs the Secretary of Defense to spend the money for the following: $850,000 to the Fort Des Moines Memorial Park and Research Center; $2 million to the American Civil War Center at Historic Tredgarn; $3 million to the Museum of Flight, American Heroes Collection; $1 million to the National Guard Youth Foundation; $3 million to the United Services Organization; $1 million to the Dwight D. Eisenhower Memorial Commission; and $1 million to the Iraq Cultural Heritage Assistance Project.

Section 8062 of the General Provisions. The text states that, “each contract awarded by the Department of Defense during the current fiscal year for construction or service performed in whole or in part in a State which is not contiguous with another State and has a unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor, shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in such State that is not contiguous with another State, individuals who are residents of such State and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills.”

The $25 million for the Hawaii Federal Health Care Network. I remember only 2 years ago when this particular project was given $23 million dollars. Some things never change.

And $2 million for the brown tree snakes. Once again, the brown tree snake has slithered its way into our defense appropriation bill. This funding does not belong in the Defense Appropriations Act.

There are many earmarks that funnel dollars to worthy medical research programs, such as breast cancer research, but there is no compelling national defense reason for these items to be in this piece of legislation. This type of critical work is funded through the Labor/HHS Appropriations bill. Our soldiers and sailors need to be provided with the best equipment, housing, and support possible. Scarc defense dollars should be used for these defense purposes.

I could go on and on—and on and on and on—listing all of the examples of pork in this legislation. We simply need to reassess our priorities.

This year’s bill also includes a number of “Buy America” provisions. For example, it prevents the foreign purchase of welded shipboard anchor and mooring chain four inches in diameter and under. Another provision ensures that all carbon, alloy or steel plates are produced in the United States.

Whew. I know we’ll sleep better at night knowing that all of our carbon plates are manufactured in the U.S. Yet another section prohibits the Department of Defense from purchasing supercomputers from a foreign source.

I continue to be very concerned about the potential impact on readiness of our restrictive trade policies with our allies. Every year, Buy America restrictions cost the Department of Defense and American taxpayers $5.5 billion. From a philosophical point of view, I oppose these types of protectionist policies, and from an economic point of view they are ludicrous. Free trade is both an important element in improving relations among nations and essential to economic growth. From a practical standpoint, “Buy America” restrictions could seriously impair our ability to compete freely in international markets and also could result in the loss of existing business from long-standing trade partners.

Some legislative enactments over the past several years have had the effect of establishing a monopoly for a domestic supplier in certain product lines. This not only adds to the pressure for our allies to “Buy European” but it also raises the costs of procurement for DOD, and cuts off access to potential state-of-the-art technologies.

In order to maintain our troop strength and force structure, DOD must be able to be equipped with the best technologies available, regardless of country of origin. This would ensure both price and product competition.

Defense exports improve interoperability with friends increasingly necessary as we operate in coalition warfare and peacekeeping missions. Exports lower the unit costs of systems to the U.S. military, and provide the same economic benefits to the U.S. as all other exports—well paying jobs, improved balance of trade, and increased tax revenue. These are really issues of acquisition policy, not appropriations matters. There is no justification for including these provisions in the Appropriations Act.

This bill spends money on Lewis and Clark and funnels cash into military museums. It protects the mooring chain industry and ensures that we only buy American ball bearings. There is enough money in this bill to feed an army—if only that we used our defense appropriations to do that. I suppose it is more important to appease local constituencies and special interests.

I wish it were not necessary for me to continue to the Senate with every appropriation bill to criticize the amount of unrequested spending in the legislation. I do so because I believe it is critical for American taxpayers to understand where the money in their pockets is really going. I urge my colleagues to stop “porking up” our appropriations bills. In a time of huge spending deficits and scarce dollars, it is long past time to stop feeding at the trough.

Mrs. FEINSTEIN. Mr. President, I was pleased to join with the distinguished Chairman of the Defense Appropriations Subcommittee, Senator STEVENS, in offering an amendment that has been accepted as part of the managers’ package in the Fiscal Year 2007 Defense appropriations bill.

Specifically, this amendment would require the Office of Management and Budget, along with the Department of Defense and Department of Homeland Security, to conduct a study on “improving the response of the Federal Government to disasters.”

I believe this study is essential as it is clear to me that there were breakdowns at every level in our response to Hurricane Katrina.

Moreover, it is critical that the Federal Government improve its response to future disasters.

The study required by this amendment would: review the Federal Government’s ability to coordinate and execute a response to a major disaster; examine the role of our military in responding to disasters; consider establishing criteria for “automatically triggering” the
military's participation in emergency response efforts; and look at increasing the role of the U.S. Geological Survey in preparing and responding to future disasters.

In addition, the amendment requires that the Budget and the Office of Management and Budget prepare a report based on the study that includes: recommendations for improving the Federal Government's response in future disasters with a focus on the military; and proposals for legislation or regulations to implement these recommendations.

Lastly, I would like to express my disappointment that the amendment does not direct the study to analyze the role of the National Guard in responding to disasters.

While I wholeheartedly join those colleagues of mine who have commended the untiring and dedicated work of the National Guard in responding to recent hurricanes, I believe that including an assessment of the National Guard in this study is critical to understanding the broader implications of our government's emergency response mechanisms.

As the principal resource available to States to assist in disaster response efforts, it would seem vital to consider the Guard's capabilities under both State and Federal control, and the mechanisms currently established for mobilizing out-of-State Guard units to assist in any response.

Part of such a study would certainly have included a proper evaluation of whether the National Guard currently has the necessary resources and equipment to respond adequately to disasters.

The study required by this amendment is not about placing blame or pointing fingers; there is plenty of fault to go around. Rather, it is about assessing our capabilities to respond to future disasters, and addressing our weaknesses.

As I have said in the past, we need to ensure that we have a system in place that allows the Federal Government to come in immediately with the full force of its resources and assume primary responsibility for response and relief.

Now is the time to prepare for future disasters. The study and report required by this amendment will provide us a roadmap for necessary reforms within our Government to make sure we never again have to observe the failures like we experienced during Hurricane Katrina.

Mr. FEINGOLD. Mr. President, although I support passage of this year's Department of Defense appropriations bill, I am deeply disappointed that the Senate has not been allowed a full debate on the Defense authorization bill. It is unconscionable that the Defense authorization bill that is so critical to our military families, such as pay and benefits, has been allowed to languish for over 5 months. The appropriations bill includes funds for many important items. I strongly support, including vital equipment for those in uniform facing daily dangers in Iraq and Afghanistan. However, vital defense policies are contained in the authorization bill, including policies with a direct impact on our military families, such as pay and benefits. The Senate's strong bipartisan efforts to make TRICARE available for the Guard Reserve are also a part of the Defense authorization bill. I therefore urge the majority leader to bring the Defense Authorization bill back to the floor so that the Senate can fulfill its obligation to our troops and to the American people.

I am also frustrated that the administration continues to rely on emergency supplemental funding for ongoing operations in Iraq and Afghanistan and continues to delay even those funding requests. The administration did not even request the $50 billion "bridge fund" included in this bill by the Appropriations Committee even though the Pentagon will soon run out of money for the war effort. This week, Senator BYRD eloquently explained, once again, why the administration should include the costs of the wars in Iraq and Afghanistan in the regular budget. Congress cannot budget responsibly or perform its oversight duties adequately if we continue to rely on supplemental spending bills which essentially put the costs of war on our national tab. The Senate has insisted on three separate occasions that the administration include war costs in its budget submissions and the administration continues to oppose these stand alone supplemental bills three times. I was proud to cosponsor Senator BYRD's amendment demanding accountability for the fourth time and was gratified that the Senate adopted it.

I am proud that the Senate sent such a strong message to the administration about the treatment of detainees. The lack of a clear policy regarding the treatment of detainees has been confusing and demoralizing. It has left our men and women in uniform in the lurch with no clear direction about what is and is not permissible. This failure on the part of the administration has sullied our reputation as a nation, and hurt our efforts to promote democracy and human rights in the Arab and Muslim world. I was proud to vote for Senator MCCAIN's amendment on interrogation policy because it should help to bring back some accountability and restore our great Nation's reputation as the world's leading advocate for human rights.

I am also pleased that the bill coins a modified version of Senator GRAHAM's amendment that the administration report to Congress about the procedures used by the tribunals at Guantanamo Bay to determine whether individuals held there are enemy combatants. The modified amendment also makes a very important clarification, ensuring that the tribunals may not consider statements obtained with undue coercion.

This bill also contains a provision I authored establishing the Civilian Linguist Reserve Corps, CLRC, pilot project. It became abundantly clear after the attacks of September 11, 2001, that the U.S. Government had a dearth of critical language skills. The 911 Commission report documented the disastrous consequences of this deficiency that, unfortunately, we still have not made enough progress in addressing, four years after the 9/11 tragedy. CLRC is designed to fill the Government's critical language shortfall by creating a pool of people with advanced language skills that the Federal Government could call on to assist when needed. The National Security Education Program completed a feasibility study of CLRC and concluded that the concept was sound and "an important step in addressing both short- and long-term shortfalls related to language proficiency of the national security community." It also recommended that a 3-year pilot project be conducted to work out any potential problems. My amendment establishes this pilot project and extends the sunset provision of the bill for working with me to include this important measure and thank Senator COLEMAN for cosponsoring my amendment.

I also want to thank the chairman of the Appropriations Subcommittees for continuing to work with me in assisting the families of injured service members. I was pleased that Congress included my amendment on travel benefits for the family of injured service members in the Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief of 2005, P.L. 109–13. My amendment corrected a flaw in the law that unintentionally restricted the travel benefits of families of injured service members that qualify for travel assistance. Too many families were being denied help in visiting their injured loved ones because the Army had not officially listed them as "seriously injured," even when their men and women have been evacuated out of the combat zone to the United States for treatment. The change in the law now ensures that families of injured service members evacuated to a U.S. hospital get at least one trip paid for so the families can quickly reunite and begin recovering from the trauma they have experienced.

The family travel provision in P.L. 109–13 was sunset at the end of the 2005 fiscal year, H.J. Res. 68 continues to make this travel provision available until November 18 of this year. I was concerned that Congress may not pass the necessary legislation to make this travel benefit permanent before November 18. However, the distinguished Chairman assured me that he would continue working to extend this benefit in fiscal year 2006 until it becomes permanent through the Defense authorization process.

There are provisions in this bill with which I disagree, and the Senate rejected a number of amendments that
Resolved, That the bill from the House of Representatives (H.R. 2863) entitled "An Act making appropriations for the Department of Defense for the fiscal year ending September 30, 2006; and for other purposes," do pass with the following amendment:

Strike out all after the enacting clause and insert:

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006; and for other purposes, namely:

TITLE I—MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officer's Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $22,671,875,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve Officer's Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $8,894,384,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of the Reserve Officer's Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, $22,908,714,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under section 10211, 10022, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12301(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $4,555,794,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211, 10032, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12301(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $2,636,046,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12301(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $2,796,100,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard on active duty under section 10211, 10305, or section 12301(d) of title 10, United States Code, or while serving on active duty under section 10211, 10305, or section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12301(a) of title 10, United States Code, or while undergoing active duty under section 10211, 10305, or section 12301(d) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $4,555,794,000.

NATIONAL GUARD PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy National Guard on active duty under section 10211, 10032, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12301(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $2,636,046,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force National Guard on active duty under section 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12301(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code, and for payments to the Department of Defense Military Retirement Fund, $2,796,100,000.

TITLE II—OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the military forces of the United States.
Army, as authorized by law; and not to exceed $11,479,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, when specifically authorized by the Chief, National Guard Bureau, including training, organization, and administration of the Army National Guard, including costs for travel and transportation of things, hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,856,482,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Army Reserve; repair of facilities and equipment; transportation, care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,239,295,000.

For the Department of the Navy, $407,865,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Marine Corps Reserve; repair of facilities and equipment; transportation, care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,757,926,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Air National Guard, including travel expenses (other than mileage), as authorized by law; Armed Forces on active duty; for Air National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Air National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment, including costs for travel and transportation of things, hire of passenger vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,474,286,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,856,482,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,239,295,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,757,926,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,239,295,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,757,926,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Air National Guard, including travel expenses (other than mileage), as authorized by law; Armed Forces on active duty; for Air National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Air National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment, including costs for travel and transportation of things, hire of passenger vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $2,474,286,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Army Reserve; repair of facilities and equipment; transportation, care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,856,482,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Air Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,239,295,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,757,926,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Air Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,239,295,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,757,926,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,239,295,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,757,926,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Air Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,239,295,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,757,926,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Air Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,239,295,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,757,926,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Air Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,239,295,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,757,926,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Air Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,239,295,000.

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, $1,757,926,000.
provided herein, such amounts may be transferred back to this appropriation. ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES (INCLUDING TRANSFER OF FUNDS) For construction, procurement, production, modification, and modernization of equipment, including ordnance, ground handling equipment, spare parts, and accessories thereto; special equipment and training devices; expansion of public and private plants, including the land necessary therefor, and other expenses necessary for the foregoing purposes, $4,426,531,000, to remain available for obligation until September 30, 2008.

PROCUREMENT OF WEAPONS AND TRACED EQUIPMENT For construction, procurement, production, and modification of weapon systems and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories thereto; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,359,465,000, to remain available for obligation until September 30, 2008.

PROCUREMENT OF AMMUNITION, ARMY For construction, procurement, production, and modification of ammunition, and accessories therefor, $852,791,000, to remain available for obligation until September 30, 2008.

PROCUREMENT OF AMMUNITION, NAVY For construction, procurement, production, and modification of ammunition, and accessories therefor, $122,685,000, to remain available for obligation until September 30, 2008.

PROCUREMENT OF DEFENSE SITES For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories thereto; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, and other expenses necessary for the foregoing purposes and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,214,919,000, to remain available for obligation until September 30, 2008.

PROCUREMENT OF WEAPONS, OTHER PROCUREMENT, ARMY For construction, procurement, production, and modification of weapons, and vehicles, and equipment, including ordnance, ground handling equipment, spare parts, and accessories thereto; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $1,359,465,000, to remain available for obligation until September 30, 2008.

PROCUREMENT OF WEAPONS, OTHER PROCUREMENT, NAVY For construction, procurement, production, and modification of weapons, and vehicles, and equipment, including ordnance, ground handling equipment, spare parts, and accessories thereto; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, and other expenses necessary for the foregoing purposes and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $366,077,000, to remain available for obligation until September 30, 2008.

CARRIER REPLACEMENT PROGRAM (AP) For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories thereto; specialized equipment and training devices; expansion of public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, $2,593,341,000, to remain available for obligation until September 30, 2008.
For expenses necessary for the procurement, manufacture, and modification of missiles, ammunition, industrial, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machinery and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement of fuel for public passenger motor vehicles for replacement only; and the purchase of 2 vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $255,000 per vehicle; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; re- serve plant and Government and contractor-owned equipment layaway, $14,048,439,000, to remain available for obligation until September 30, 2008.

PROCUREMENT, DEFENSE-WIDE
For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, and services; necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; re- serve plant and Government and contractor-owned equipment layaway, $16,458,000, to remain available for obligation until September 30, 2007.

NATIONAL GUARD AND RESERVE EQUIPMENT
For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces, to be used for the national security and for the necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; re- serve plant and Government and contractor-owned equipment layaway, $2,572,250,000, to re- main available for obligation until September 30, 2008.

DEFENSE PRODUCTION ACT PURCHASES
For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), $68,573,000, to remain available until expended.

TITLE IV—RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY
For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $15,520,592,000, to remain available for obligation until September 30, 2007.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY
For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, $18,557,904,000, to remain available for obligation until September 30, 2007.
$20,237,962,000, of which $19,345,087,000 shall be for Operation and maintenance, of which not to exceed 2 percent shall remain available until September 30, 2007, and of which up to $10,157,427,000 may be available for contracts entered into under the TRICARE program; of which $377,319,000, to remain available for obligation until September 30, 2008; $72,686,000 shall be for Research, development, test and evaluation, which $1,241,514,000 shall be for Operation and maintenance; $116,527,000 shall be for Procurement to remain available until September 30, 2008; and $209,687,000, of which $208,687,000 shall be available in the Defense Working Capital Fund, to be merged with and to be available for the same purposes, and for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purpose for which appropriated herein, such funds may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $299,687,000, of which $208,687,000 shall be for Operation and maintenance, of which not to exceed $700,000 is available for emergencies and extraordinary expenses to be expended on the approval of the Inspector General and not included in the Inspector General’s certificate of necessity for confidential military purposes; and of which $1,000,000, to remain available until September 30, 2008, shall be for Procurement.

TITLe VII—RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing obligations under the Central Intelligence Agency Retirement and Disability System, $244,600,000.
Funds appropriated in title III of this Act may be used for a multipurpose procurement contract as follows:

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of any performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount equal to or greater than 5 percent of the cost of performance of that activity or function by Federal employees;

(3) the contractor does not receive an advantage for the solicitation of offers for performance of that activity or function under this section or subsection (a) of this section or subsection (b) of this section by a provider of health care services to Federal employees;

(4) the conversion is based on cost savings realized to the Department of Defense as a result of the conversion;

(5) the Department of Defense has determined that, over all performance periods stated in any contract for performance of any commercial or industrial type function under this section or subsection (a) of this section or subsection (b) of this section, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount equal to or greater than 5 percent of the cost of performance of that activity or function by Federal employees;

(6) a contractor is not a Federal employee; and

(7) the Department of Defense has determined that the use of conversion funds would be less costly to the Department of Defense than the performance of the activity or function by Federal employees.

SEC. 8017. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) or TRICARE shall be available for the reimbursement of any health care provider for an inpatient mental health service for care rendered to a patient by a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility which the patient attends, unless the patient receiving such care is a military or veteran patient that is certified by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8018. Of the funds appropriated or otherwise made available in this Act, a reduction of $391,100,000 is hereby taken from title III, Programs under the authority of, and in compliance with, the program for the "Army" account: Provided, That within 30 days of enactment of this Act, the Secretary of the Army shall provide a report to the House Committee on Appropriations and Senate Committee on Appropriations which describes the application of these reductions to programs, projects or activities within this account.

SEC. 8019. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-4 Carbines, M-14 Garand rifles, M-14 rifles,.22 caliber rifles, .30 caliber rifles, or M-1911 pistols.
under section 4219(9) of title 25, United States Code shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1978, whenever the value of the contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense for a fiscal year: Provided further, That notwithstanding section 430 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by a contractor or subcontractor defined in section 1544 of title 25, United States Code or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code: Provided further, That, during the current fiscal year and hereafter, businesses certified as 8(a) by the Small Business Administration pursuant to section 8(a) of Public Law 100–586, 102 Stat. 582 (Business Opportunity Readjustment of Federal Act of 1983) for the purposes of contracting with agencies of the Department of Defense.

SEC. 8025. The funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A–76 if the study being performed exceeds a period of one year for an initial study with such study with respect to a single function activity or 30 months after initiation of such study for a multi-function activity.

SEC. 8026. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8027. None of the funds appropriated by this Act may be used for the construction, or the payment of the cost of construction, of any building or facility for the operation of a Department of Defense funded research and development center (FFRDC), either as a new entity, or as a separate unit of an organization, managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit entities.

SEC. 8028. None of the funds appropriated by this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate unit of an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other non-profit entities.

SEC. 8029. None of the funds appropriated by this Act are available for the construction, or the payment of the cost of construction, of any building or facility for the construction of, or the payment of the cost of construction of, any defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for being a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

SEC. 8030. For the purposes of this Act, the term ‘Buy American’ means the Buy American Act as the same is defined in section 2865 of title 10, United States Code, for the purpose of being allowed additional compensation under section 504 of the Indian Financing Act of 1978, whenever the value of the contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense for a fiscal year: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8031. The term ‘congressional defense committees’ means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatatives.

SEC. 8032. During the current fiscal year, the Department of Defense may adjust wage rates for civilian employees, as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code. The President shall include with his report accompanying this Act, a certification that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That this Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

SEC. 8033. None of the funds appropriated by this Act shall be available for any national or international political or psychological activities.

SEC. 8034. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

SEC. 8035. Appropriations contained in this Act that remain available at the end of the current fiscal year, and hereafter, are subject to rescission at any time by the President, after consultation with the Congress, to the extent, and for the purposes, provided for in section 502 of title 31, United States Code, for the purpose of being allowed additional compensation under section 504 of the Indian Financing Act of 1978, whenever the value of the contract or subcontract amount is over $500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense for a fiscal year: Provided further, That these restrictions shall not apply to competitions which are in being as of the date of the enactment of this Act.

SEC. 8036. The President shall include with the budget for a fiscal year submitted to the Congress under section 1105 of title 31, and hereafter, a section entitled ‘An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes’ approved March 3, 1933 (41 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.
SEC. 8037. Notwithstanding any other provision of law, funds available during the current fiscal year and hereafter for “Drug Interdiction and Counter-Drug Activities, Defense” may be obligated for programs of the Central Intelligence Agency, the Defense Intelligence Agency, the Central Intelligence Agency Counterdrug Program, and the National Drug Control Policy, and for related expenses, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate, in accordance with section 2921(c)(2) of the Act, that such funds are necessary for the prevention and suppression of international drug trafficking and for related expenses, including research, development, test and evaluation, procurement, construction, and operation of facilities, that cannot be accomplished with funds available for obligation during the current fiscal year under any other provision of law.

SEC. 8038. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Faculty Investment Recovery Act of 2005 under section 104 of the Federally Recognized Indian Tribe Housing Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the purposes specified by section 2921(c)(2) of that Act.

SEC. 8039. (a) In General.—Notwithstanding any other provision of law, the Secretary of the Air Force may convey, at no cost to the Air Force, military housing units located in the States of North Dakota, South Dakota, Montana, and Minnesota relocatable military housing units located at Grand Forks Air Force Base and Minot Air Force Base that are excess to the needs of the Air Force.

(b) Processing of Requests.—The Secretary of the Air Force shall convey the cost of the military housing units described in subsection (a) to the extent that the Secretary determines that the conveyance of such military housing units to Indian tribes is consistent with the Secretary’s responsibilities under section 104 of the Federally Recognized Indian Tribe Housing Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note). Notwithstanding any other provision of law, the Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units located in the States of North Dakota, South Dakota, Montana, and Minnesota relocatable military housing units located at Grand Forks Air Force Base and Minot Air Force Base that are excess to the needs of the Air Force.

(c) Resolution of Housing Unit Conflicts.—The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) in accordance with the request for housing units made by the Secretary by the Operation Walking Shield Program on behalf of an Indian tribe located in the States of North Dakota, South Dakota, Montana, and Minnesota.

(d) Indian Tribe Defined.—In this section, the term “Indian tribe” means any recognized Indian tribe, the current council of which, established by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 408 note).

SEC. 8040. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $250,000.

SEC. 8041. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for operation and maintenance.

(b) The fiscal year 2007 budget request for the Department of Defense as well as all justification material and other documentation supporting the Department of Defense Working Capital Funds shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in a Department of Defense Appropriations Act for fiscal year 2007 is chargeable to the Department of Defense Working Capital Funds.

SEC. 8042. None of the funds appropriated by this Act for programs of the Central Intelligence Agency, the Defense Intelligence Agency, or the National Geospatial-Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: Provided, That any funds appropriated or transferred to the National Geospatial-Intelligence Agency for research and development, acquisition, for agent operations, and for covert action programs authorized by the President under section 301 of the National Security Act of 1947, as amended, shall remain available until September 30, 2007.

SEC. 8043. Notwithstanding any other provision of law, funds made available in this Act for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the National Intelligence Program, the National Geospatial-Intelligence Agency, and the National Geospatial-Intelligence Agency and the Department of State, shall be subject to the same conditions as applicable to other procurement funds available to the National Geospatial-Intelligence Agency.

SEC. 8044. Of the funds appropriated to the Department of Defense under the heading “Operation and Maintenance, Defense-Wide”, not less than $10,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization and to conduct complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8045. (a) None of the funds appropriated in this Act for the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term “Buy American Act” means title III of the Act entitled “An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes” approved March 2, 1933 (41 U.S.C. 10a et seq.).

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a Made in America inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 3210(f)(11) of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products procured by an unit under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment or products, as determined by the Secretary, and shall be made available for the same purposes and for the same time period as that appropriation account.

SEC. 8046. None of the funds appropriated in the Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

“Other Procurement, Army, 2005/2007”, $65,000,000;
“Shipbuilding and Conversion, Navy, 2005/2007”, $104,800,000;
“Other Procurement, Navy, 2005/2007”, $43,000,000;
“Air Force Procurement, Air Force, 2004/2006”, $4,000,000;
“Air Force Procurement, Air Force, 2005/2007”, $20,000,000;
“Air Force Procurement, Air Force, 2006/2008”, $29,000,000;
“Research, Development, Test and Evaluation, Navy, 2005/2007”, $70,900,000; and

SEC. 8047. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, the Army Reserve, and the Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8048. None of the funds appropriated in this Act may be used to establish a field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats.

SEC. 8049. Of the funds appropriated in Title II of this Act under the heading, “Operation and Maintenance, Army”, may be made available to contract with the Army Historical Foundation, a non profit organization, for the purpose of providing funds for donations to support construction and operation of the National Museum of the United States Army at Fort Belvoir, Virginia: Provided, That notwithstanding any other provision of law, the Army is authorized to receive future payments in this or the subsequent fiscal year from any non-profit organization chartered to support the National Museum of the United States Army to reimburse amounts expended by the Army pursuant to this section: Provided further, That any reimbursements received pursuant to this section shall be merged and charged to the “Operation and Maintenance, Army” and shall be made available for the same purposes and for the same time period as that appropriation account.

SEC. 8050. None of the funds available in the Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

“Aircraft Procurement, Navy, 2005/2007”, $43,000,000;
“Air Force Procurement, Air Force, 2004/2006”, $4,000,000;
“Air Force Procurement, Air Force, 2005/2007”, $20,000,000;
“Air Force Procurement, Air Force, 2006/2008”, $29,000,000;
“Research, Development, Test and Evaluation, Navy, 2005/2007”, $70,900,000; and

SEC. 8051. None of the funds appropriated in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, the Army Reserve, and the Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.
SEC. 8052. During the current fiscal year and hereafter, funds appropriated in this Act are available to compensate members of the National Guard for duty performed pursuant to a plan submitted to the Secretary of Defense and approved by the Secretary of Defense under section 112 of title 32, United States Code: Provided, That the Secretary of the military department responsible for such procurement may require, as a condition of approval, that the contractor certify in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to the Department of Defense and that the funds required by the contractor for the purchase of foreign made items, or of foreign made items which are not available to the Department of Defense, are used to acquire national defense articles and services of comparable source and quality.

SEC. 8053. Funds appropriated in this Act for operation and maintenance of the Military Departments, Joint Chiefs of Staff, the National Security Council, and the National Intelligence Centers, and the military working capital accounts of the agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program (NIP), the Joint Military Intelligence Program (JMP), and the Tactical Intelligence, Reconnaissance, and Related Activities (TIARA) aggregate: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training requirements.

SEC. 8054. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003 level: Provided, That the Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and continuing mission requirements.

SEC. 8055. Up to $2,000,000 of the funds appropriated under the heading, “Operation and Maintenance, Navy” may be made available to contract for the installation, repair, and maintenance of an on-base and adjacent off-base wastewater treatment facility and infrastructure critical to base operations and the public health and safety of the community residents in the vicinity of the NCTAMS.

SEC. 8056. Notwithstanding any other provision of law, more than 35 percent of funds provided in this Act for environmental remediation may be obligated under indefinite delivery/definite quantity contracts with a total contract ceiling of $130,000,000 or higher.

SEC. 8057. (a) None of the funds made available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(TRANSFER OF FUNDS)

SEC. 8058. Appropriations available under the heading “Operation and Maintenance, Defense-Wide” for the current fiscal year and hereafter for international organization, non-lethal operations, public security, and security cooperation, and Federal buildings may, during their period of availability, be transferred to other appropriations or funds of the Department of Defense for projects related to improving energy and water efficiency, to be merged with and to be available for the same general purposes, and for the same time period, as the appropriation or fund to which they are added.

SEC. 8059. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may require, as a condition of approval, that the contractor certify in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to the Department of Defense and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That funds appropriated under the heading “Military Health Service” shall apply to the purchase of “commercial items”, as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall not apply to ball or roller bearings purchased as end items.

SEC. 8060. Notwithstanding any other provision of law, funds available to the Department of Defense shall be available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to American Samoa, and funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to the Indian Health Service when it is in conjunction with a civil-military project.

SEC. 8061. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8062. Notwithstanding any other provision of law, each contract awarded by the Department of Defense during the current fiscal year or any future fiscal year for construction of facilities in whole or in part in a State (as defined in section 381(d) of title 10, United States Code) which is not contiguous with another State and has an unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor, shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in such State that is not contiguous with another State, individuals who are residents of such State and who, in the case of any contract or sub-contract, are employed or acquired promptly the necessary skills: Provided, That the Secretary of Defense may waive the requirements of this section, on a case-by-case basis, in the interest of national security.

SEC. 8063. None of the funds made available in this Act for any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or activities outside the Department of Defense pursuant to section 112 of title 32, United States Code: Provided, That such duty shall be treated as full-time Government service for purposes of Acts providing supplemental appropriations for the Department of Defense, but shall not be under State command and control: Provided further, That such duty shall be treated as full-time National Guard duty for purposes of sections 316(a)(2) and (b)(2) of title 10, United States Code.

SEC. 8064. During the current fiscal year, none of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States for national security purposes that is not contiguous with another State and has an unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor, except as to amount chargeable to the expired closed account if available for the same time period as the appropriation or fund to which they are transferred.

(TRANSFER OF FUNDS)

SEC. 8065. During the current fiscal year, no more than $92,000,000 of funds made available in this Act under the heading “Operation and Maintenance, Defense-Wide” may be transferred to other appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriated account to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 12 of title 10, United States Code.

SEC. 8066. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability of obligation has expired or which has closed under the provisions of section 1522 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, such obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if such obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account, and if such obligation is properly chargeable to any current appropriation account of the Department of Defense; and (1) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; 

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

SEC. 8067. (a) The total amount appropriated or otherwise made available in title II of this Act is hereby reduced by $92,000,000 to limit excess growth in the travel and transportation of persons.

(b) The Secretary of Defense shall allocate this reduction proportionately to each budget activity, activity group, subactivity group, and each program, project, and activity within each applicable appropriation.

SEC. 8068. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

SEC. 8069. None of the funds provided in this Act may be obligated to realign or relocate forces or operational assets from bases to be converted to enclave status until the Secretary of Defense certifies that he has sought new missions for these bases as mandated by the 2005 Defense Base Closure and Realignment Commission, and the Secretary of Defense shall report his findings to the congressional defense committees not later than October 1, 2006. (INCLUDING TRANSFER OF FUNDS)
(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1465(b)(8) of the National Defense Authorization Act for Fiscal Year 2005, Public Law 108-151 (note): Provided, That in the case of an expired account, if subsequent review or investigation disclosed no unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and credited against the expired account: Provided further, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total cost of that account.

SEC. 8070. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on active duty in the National Guard under section 502(f) of Title 32 may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8071. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard or the Army National Guard serving on active duty with a Reserve component to support any person or entity on a space-available, reimbursable basis, the Chief of the National Guard Bureau shall establish the amount of reimbursement per authorized use and specific terms associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8072. (a) Notwithstanding any other provision of law, the Secretary of Defense (Comptroller) may enter into cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: Provided, That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: Provided further, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services if included in the budget for the consideration of United States coal as an energy source.

SEC. 8073. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply with respect to equipment included within the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Senate and the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8074. None of the funds made available in this Act may be used to approve or license the sale of the F-22 advanced tactical fighter to any foreign government.

SEC. 8075. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurements of Articles for Special Operations Forces (as defined in section 2531 of title 10, United States Code) provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into with the Department of State or the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—
(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and
(2) options for the procurement of items that are exercised after such date under contracts that are entered into on or after such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapter 90) of the Harmonized Tariff Schedule of the United States and products classified under headings 4010, 4020, 4031, 6401 through 6409, 6410, 6419, 6710, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7309 through 7302, 8021, 8022, 8023, 8031, 8901, and 9004.

SEC. 8076. (a) PROHIBITION.—None of the funds made available by this Act may be used to procure a weapon system that supports a unit of the security forces of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) M ONITORING.—The Secretary of Defense, after consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

SEC. 8077. (a) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(b) REPORT.—Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the exchange of information relating to human rights violations that necessitates the waiver.

SEC. 8078. None of the funds appropriated or made available in this Act to the Department of Defense, to Indian Health Service facilities and to federally-qualified health centers (within the meaning of section 1905(i)(2)(B) of the Social Security Act (42 U.S.C. 1396d(i)(2)(B)) may be obligated 30 days after a demonstration project may only be obligated 30 days after a report, including a description of the acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees.

SEC. 8079. None of the funds appropriated or made available in this Act to the Department of Defense until the Under Secretary of Defense (Comptroller) certifies, with the Chief Information Officer of the Department of Defense, that the Department has taken the necessary corrective steps to bring the Information Technology System Modernization Plan into alignment with the Clinger-Cohen Act.

SEC. 8080. Notwithstanding any other provision of law, funds appropriated in this Act shall not be obligated or expended for the purpose of providing repairs or maintenance to military housing units of the Department of Defense, including units in the National Guard, for the purpose of funding projects specifically designed to address the needs of military personnel and their families.

SEC. 8081. The Secretary of Defense shall provide a classified quarterly report, beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Sub-committees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8082. During the current fiscal year, refunds attributable to the use of the Government travel card, refunds attributable to the use of the Government Purchase Card and refunds attributable to official Government travel arranged by Government Contracted Travel Management Centers may be credited to operations and maintenance, development, test and evaluation accounts of the Department of Defense which are current when the refunds are received.

SEC. 8083. (a) REGISTERING FINANCIAL MANAGEMENT INFORMATION TECHNOLOGY SYSTEMS WITH DOD CHIEF INFORMATION OFFICER.—None of the funds made available in this Act may be used to register a financial management information technology system as defined by the Under Secretary of Defense (Comptroller) that is not registered with the Chief Information Officer of the Department of Defense.

(b) CERTIFICATIONS AS TO COMPLIANCE WITH FINANCIAL MANAGEMENT MODERNIZATION PLAN.—(1) During the current fiscal year, a financial management automated information system, a mixed information system supporting financial and non-financial systems, or a system improves or replaces an information system in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8084. None of the funds appropriated or made available in this Act to the Department of Defense Appropriations Acts may be obligated or expended for the purpose of providing repairs or maintenance to military housing units of the Department of Defense, including units in the National Guard, for the purpose of funding projects specifically designed to address the needs of military personnel and their families.

SEC. 8085. Notwithstanding any other provision of law, funds appropriated in this Act shall not be obligated or expended for the purpose of providing repairs or maintenance to military housing units of the Department of Defense, including units in the National Guard, for the purpose of funding projects specifically designed to address the needs of military personnel and their families.

SEC. 8086. The Secretary of Defense shall provide a classified quarterly report, beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Sub-committees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8087. None of the funds appropriated or made available in this Act to the Department of Defense until the Under Secretary of Defense (Comptroller) certifies, with the Chief Information Officer of the Department of Defense, that the Department has taken the necessary corrective steps to bring the Information Technology System Modernization Plan into alignment with the Clinger-Cohen Act.
SEC. 8087. None of the funds appropriated by this Act under the heading "Operation and Maintenance, Navy" in the Department of Defense Appropriations Act, 1997 (titles I–IV) shall be available to purchase, lease, or acquire any computer, automated information system, or any component of such computer or system if such procurement is in addition to any other transfer authority contained in this Act.


SEC. 8093. The total amount appropriated or otherwise made available in this Act is hereby reduced by $100,000,000 to limit excessive growth in the procurement of advisory and assistance services which are distributed as follows: $70,000,000; $30,000,000; $7,000,000; $6,000,000; $6,000,000; $5,000,000; $5,000,000; $3,000,000; $3,000,000; $3,000,000; and $2,000,000.

SEC. 8094. Of the amounts appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide": $63,500,000 shall be made available for the Arrow missile defense program: Provided, That of this amount, $70,000,000 shall be available for the purpose of furthering Arrow missile components in the United States and Arrow missile components and missiles in Israel to meet Israel's defense requirements, consistent with existing laws and regulations; $5,000,000 shall be available for the purpose of furthering Arrow missile components in the United States and Arrow missile components and missiles in Israel to meet Israel's defense requirements, consistent with existing laws and regulations; and $10,000,000 shall be available for the purpose of the initiation of a joint feasibility study and risk reduction activities designated the Short Range Ballistic Missile Defense (SRBMD) Initiative: Provided further, That funds made available under this provision for production of missiles and missile components may be transferred to other programs to procure additional missiles and missile components; Provided further, That funds made available under this provision for procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as this appropriation, may be transferred to other programs.

SEC. 8095. None of the funds provided in this Act may be transferred to any nongovernmental organization held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (API)", or "armor piercing incendiary (API-I)" or "armor-piercing incendiary-tracer (API-T)", except to an entity performing demilitarization services for the Department of Defense under a contract to the extent that such contract pertains to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a license for Permanence Export of Unclassified Military Articles issued by the Department of State.

SEC. 8096. Notwithstanding any other provision of law, the Chief of the National Guard Bureau may waive payment in full of all or part of the consideration that otherwise would be required under section 2607 of title 10, United States Code, in the case of a lease of personal property not in the personal use of a member of the National Guard of any organization specified in 32 U.S.C. 508(d), or any other youth, social, or fraternal non-profit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8097. None of the funds appropriated by this Act shall be available for the purpose of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of a State installation located within the District of Columbia, in the military installation located: Provided, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8098. Up to $2,500,000 of the funds appropriated under the heading "Operation and Maintenance, Army" in this Act for the Pacific Missile Range Facility may be made available to contract for the repair, maintenance, and operation of adjacent off-base water, drainage, and flood control systems, electrical upgrade to support additional space to base operations, and support for a range footprint expansion to further guard against encroachment.

SEC. 8099. Funds available to the Department of Defense for Development of Global Information Grid System during the current fiscal year may be used to fund civil requirements associated with the satellite and ground control segments of such system's modernization.

SEC. 8090. Of the amounts appropriated in this Act under the heading, "Operation and Maintenance, Army", $147,900,000 shall remain available until expended: Provided, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects described in further detail in the Classified Annex accompanying the Department of Defense Appropriations Act, 2006, contracts and conditions set forth therein: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.
and control relationships which existed on Octo-
ber 1, 2004, shall remain in force unless changes
are specifically authorized in a subsequent Act.
SEC. 8098. Notwithstanding any other provi-
sion of law—(A) the Secretary of Defense may
exercise the provisions of section 7403(g) of title
38, United States Code for occupa-
tions listed in section 7403(a)(2) of title 38,
United States Code, as if such attendant
Pharmacists, Audiologists, and Dental Hy-
gienists. (A) The requirements of section 7403(g)(1)(A) of
title 38, United States Code shall apply. (B) The limitations of section
7403(g)(1)(B) of title 38, United States Code shall not apply.
SEC. 8099. Funds appropriated by this Act, or
made available by transfer of funds in this Act, for
activities described in section 504 of the National Security
Act of 1947 (50 U.S.C. 414) during fiscal year 2006 until
the enactment of the Intelligence Authorization
Act for fiscal year 2006. SEC. 8100. In addition to funds made available
elsewhere in this Act, $5,500,000 is hereby appro-
priated and shall remain available until ex-
pired to provide assistance, by grant or other-
wise (such as, but not limited to, the provisions of funds for repairs, maintenance, construction,
and/or for the purchase of information tech-
nology, text books, teaching resources), to public schools of a high concentration of special needs military depend-
ets managed by the Air Force in Alaska:
(1) $1,400,000 to the Anchorage School District;
(2) $1,100,000 to the Barrow School District;
(3) $1,000,000 to the Kusilvak School District;
(4) $1,000,000 to the Lake George School District;
(5) $1,000,000 to the North Slope School District;
(6) $1,000,000 to the Nome School District;
(7) $1,000,000 to the Utqiaġvik (Barrow) School District;
(8) $1,000,000 to the Yukon School District.
SEC. 8101. None of the funds provided in this Act shall be used to
reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air
Force Reserve, if such action would reduce the number of foreign students, or in any other manner 
reduce or disestablish the operation of the 53rd
Weather Reconnaissance Squadron.
SEC. 8102. The budget of the President for fis-
cal year 2008 provided in the President’s budget sup-
ports the following contingency operations for each
contingency: Provided further, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of De-
fense Financial Management Regulation) for all
contingency operations for the budget year and the
two preceding fiscal years.
SEC. 8103. (A) Of the amounts provided in title II of
this Act for transfers under the heading
“Operation and Maintenance, Defense-Wide”:
$20,000,000 is available for the Regional Defense Counter-terror-
ism Fellowship Program, to fund the edu-
cation and training of foreign military officers, 
ministry of defense civilians, and other foreign
security officials, to include United States mili-
tary officers and civilian officials whose partici-
pation directly contributes to the education and
training of these foreign students.
SEC. 8104. Of the funds made available in this Act, not
less than $76,100,000 shall be available to
maintain an attrition reserve force of 18 B–52 aircraft, of
which $3,900,000 shall be available for
“Military Personnel Airforce”. $44,300,000 shall be available from “Operation and
Maintenance, Airforce”, and $27,900,000 shall be available from “Aircraft Procurement, Air Force”. The Secretary of the Air
Force shall maintain a total force of 94 B–52 aircraft, including 18 attrition reserve
aircraft, during fiscal year 2006: Provided further, That the Secretary of Defense shall include in the Air Force budget request
for fiscal year 2007 amounts sufficient to maintain a B–52 force tao-
iling 94 aircraft.
SEC. 8105. The Secretary of the Air Force is
authorized, using funds available under the
heading “Operation and Maintenance, Air Force”, to complete a phased repair project,
which includes upgrades and addi-
tions, to the infrastructure of the operational
ranges managed by the Air Force in Alaska:
(1) $7,300,000 to the Fairbanks Air Force Range;
(2) $12,850,000 is hereby appropriated to
(NLOS-C) system (as defined in the Department of Defense Financial Management
Regulation) for all contingency operations for the budget year and the
two preceding fiscal years.
SEC. 8106. The Secretary of Defense shall enable the Air Force to
use remaining funds, as authorized, for the
Caesar, during fiscal year 2006: Provided further, That the Secretary of Defense shall
keep the B–52 force at a level that will ensure the
readiness required for the aircrew.
SEC. 8107. The Secretary of Defense may transfer funds from any currently available
De-
partment of Defense Appropriation to any
available Navy shipbuilding and conversion ap-
propriation for the purpose of funding ship-
building cost increases for any ship construction
project transferred between appropriation ac-
counts for the same purposes and for the same
period as the appropriation to which transferred:
(1) $2,000,000 to the National Guard:
(2) $3,000,000 to the National Security
Authority: $2,000,000 to the Dwight D. Eisenhower
Memorial Committee; $3,000,000 to the National Guard, Sail,
devolver for on-site training of teachers, staff, or Joint
Venture Education Forum (JVEF) Committee
members; Provided further, That up to
2 percent of the total appropriated funds under this section shall be available to support
the administration and execution of the funds or pro-
gram and/or events that promote the pur-
purpose of the appropriation, a program, or a tran-
section. The Secretary of Defense shall directly
provide assistance, by grant or other-
whenever such assistance, and the non-Federal funds are provided on a reim-
bursement basis.
(1) None of the funds provided in this Act may be
(a) spent for personal, living, or special
allowances or for current expenses of a
military officer, or
(b) used for construction of buildings;
(c) used for the purchase of
mental equipment or property;
(d) used for studies and surveys;
(e) applicable only to contingency opera-
tions.
(2) Notwithstanding any other provi-
sion of law, none of the funds provided in
this Act shall be used for the construction of any new Federal facilities.
(1) None of the funds provided in this Act may be
(a) spent for personal, living, or special
allowances or for current expenses of a
military officer, or
(b) used for construction of buildings;
(c) used for the purchase of
mental equipment or property;
(d) used for studies and surveys;
(e) applicable only to contingency opera-
tions.
SEC. 8118. Notwithstanding Section 101 of H.J. Res. 68, the Community Services Block Grant program shall be funded at the same rate of operation as in Division B of Public Law 108–447, through December 31, 2005.

SEC. 8119. APPLICATIONS FOR IMPACT AID PAYMENT.—Notwithstanding paragraphs (2) and (3) of section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)(2) and (3)), the Secretary of Education shall treat as timely filed, and shall process, any application under section 8002 or section 8003 of such Act (20 U.S.C. 7702, 7703) for fiscal year 2005 from a local educational agency:

(1) that, for each of the fiscal years 2000 through 2004, submitted an application by the date specified by the Secretary of Education under section 8005(c) of such Act for fiscal year 2005; and

(2) that submitted an application for fiscal year 2005 during the period beginning on February 2, 2004, and ending on the date of enactment of this Act.
SEC. 8123. Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMED FORCES,” up to $1,000,000 may be made available for Chemical Biological Defense Material Test and Evaluation Initiative.

SEC. 8124. Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMED FORCES,” up to $2,000,000 may be made available for an environmental management and compliance information system.

SEC. 8125. Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMED FORCES,” up to $2,000,000 may be made available for medical advanced technology for applied emergency hypothermia for advanced combat casualty life support.

SEC. 8126. (a) FINDINGS.—The Senate makes the following findings:

(1) The Department of Defense Appropriations Act, 2004, (Public Law 108–87), the Department of Defense Appropriations Act, 2005 (Public Law 108–287), and the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Public Law 109–132) authorize the President to provide for the conduct of the cost of ongoing military operations in Iraq and Afghanistan in such fiscal year.

(2) The budget for fiscal year 2006 submitted to Congress by the President on February 7, 2005, requests a budget of $50,000,000,000 for ongoing military operations in Iraq or Afghanistan.

(3) According to the Congressional Research Service, there exists historical precedent for including the cost of ongoing military operations in the annual budget requests of the President following the fiscal year for such operations, emergency or supplemental appropriations Acts, including—

(A) funds for Operation Noble Eagle, beginning in the budget request of President George W. Bush for fiscal year 2005;

(B) funds for operations in Kosovo, beginning in the budget request of President George W. Bush for fiscal year 2001;

(C) funds for operations in Bosnia, beginning in the budget request of President Clinton for fiscal year 1997;

(D) funds for operations in South West Asia, beginning in the budget request of President Clinton for fiscal year 1997;

(E) funds for operations in Vietnam, beginning in the budget request of President Johnson for fiscal year 1966; and

(F) funds for World War II, beginning in the budget request of President Roosevelt for fiscal year 1943.

(4) In section 124(b) of Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (119 Stat. 252), the Senate requested that the President submit to Congress, not later than September 1, 2005, an amendment to the budget for the President for fiscal year 2006 setting forth detailed cost estimates for ongoing military operations overseas during such fiscal year.

(5) The President has yet to submit an amendment.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) any request for funds for a fiscal year after fiscal year 2006 for an ongoing military operation in Afghanistan, and Iraq, should be included in the annual budget of the President for such fiscal year as submitted to Congress under section 1105(a) of title 31, United States Code.

(2) the amendment to the budget of the President for fiscal year 2006, requested by the Senate to be submitted to Congress not later than September 1, 2005, by section 124(b) of Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005, is necessary to describe the anticipated future use of the $50,000,000,000 bridge fund appropriated in this Act and set forth all additional appropriations that will be required for the fiscal year; and

(3) any funds provided for a fiscal year for ongoing military operations overseas should be provided in appropriations Acts for such fiscal year through appropriations to specific accounts set forth in such appropriations Acts.

SEC. 8127. (a) REIMBURSEMENT FOR CERTAIN PROTECTIVE, SAFETY, OR HEALTH EQUIPMENT PURCHASED BY OR FOR MEMBERS OF THE ARMED FORCES FOR DEPLOYMENT IN OPERATIONS IN IRAQ AND CENTRAL ASIA.

(1) IN GENERAL.—Subject to subsections (d) and (e), the Secretary of Defense may reimburse a member of the Armed Forces, or a person or entity referred to in paragraph (2), for the cost of reimbursement of (including shipping costs of) any protective, safety, or health equipment purchased by such member, or such person or entity on behalf of such member, before or during the deployment of such member in Operation Noble Eagle, Operation Enduring Freedom, or Operation Iraqi Freedom for the use of such member in connection with such operation if the unit commander of such member certifies that such equipment is necessary for such member’s protection, safety, or health of such member.

(2) COVERED PERSONS AND ENTITIES.—A person or entity referred to in this paragraph is a family member or relative of a member of the Armed Forces, a non-profit organization, or a community group.

(3) REGULATIONS NOT REQUIRED FOR REIMBURSEMENT.—Reimbursements may be made under this subsection in advance of the promulgation by the Secretary of Defense of regulations, if any, relating to the administration of this section.

(b) PROTECTIVE EQUIPMENT REIMBURSEMENT FUND.

(1) ESTABLISHMENT.—There is hereby established an account to be known as the ‘‘Protective Equipment Reimbursement Fund’’ (in this subsection referred to as the ‘‘Fund’’).

(2) ELEMENTS.—The Fund shall consist of amounts deposited in the Fund from amounts available for the Fund under subsection (f).

(3) AVAILABILITY.—Amounts in the Fund shall be available directly to the unit commanders of members of the Armed Forces for the making of reimbursements for protective, safety, and health equipment under subsection (a).

(4) DOCUMENTATION.—Any request for reimbursement under subsection (a) for protective, safety, or health equipment purchased by or on behalf of a member of the Armed Forces shall conform to the documentation required by the Secretary of Defense.

(5) MAINTENANCE.—The Secretary of Defense shall maintain a publicly-available website that provides information on instances of improper conduct by contractors entering into or carrying out Federal contracts, including instances in which contractors have been fined, paid penalties or restitution, settled, pleaded guilty to, or had judgments entered against them in connection with allegations of improper conduct.

(b) REPORTS ON FEDERAL NO-BID CONTRACTS RELATED TO IRAQ RECONSTRUCTION.

(b) REPORTS REQUIRED.—Not later than 7 days after entering into a no-bid contract to procure property or services in connection with Iraq reconstruction, the head of an executive agency shall transmit to the Secretary of Defense a report on the contract.

(2) CONTENT.—Each report submitted under paragraph (1) shall include the following information:

(A) The date the contract was awarded.

(B) The contract number.

(C) The name of the contractor.

(D) The amounts awarded and obligated under the contract.

(E) The scope of work under the contract.

(F) PUBLICATION.—The report shall be published in the Federal Register.

SEC. 8128. TRANSPARENCY IN FEDERAL CONTRACTING.

(a) INFORMATION ON FEDERAL CONTRACTOR MISCONDUCT.

(1) REQUIREMENT.—The Secretary of Defense shall maintain a publicly-available website that provides information on instances of improper conduct by contractors entering into or carrying out Federal contracts, including instances in which contractors have been fined, paid penalties or restitution, settled, pleaded guilty to, or had judgments entered against them in connection with allegations of improper conduct.

(b) REPORTS ON FEDERAL NO-BID CONTRACTS RELATED TO IRAQ RECONSTRUCTION.

(b) REPORTS REQUIRED.—Not later than 7 days after entering into a no-bid contract to procure property or services in connection with Iraq reconstruction, the head of an executive agency shall transmit to the Secretary of Defense a report on the contract.

(2) CONTENT.—Each report submitted under paragraph (1) shall include the following information:

(A) The date the contract was awarded.

(B) The contract number.

(C) The name of the contractor.

(D) The amounts awarded and obligated under the contract.

(E) The scope of work under the contract.

(F) PUBLICATION.—The report shall be published in the Federal Register.

SEC. 8129. PROHIBITION ON TRANSFER OF AUTHORITY ON TACTICAL UNMANNED AERIAL VEHICLES.

(a) NO TRANSFER ALLOWED.—None of the funds appropriated by this Act and available to the Secretary of Defense for the purchase of any unmanned aerial vehicle (UAV) since before October 1, 2005, may be used to fund development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army or the Marine Corps.

(b) PROMOTION OF DUAL-USE MULTI-PURPOSE UNMANNED AERIAL VEHICLES.—The Army shall retain responsibility for and operational control of
the Extended Range Multi-Purpose (ERM) Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8131. Of the amount appropriated by title III under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY”, up to $2,000,000 may be made available for the home window linguist reserve corps, including practices concerning—

(a) Contract Authority.—In establishing the civilian linguist reserve corps, the Secretary may enter into contracts with appropriate agencies or entities.

(b) Feasibility Study.—During the course of the pilot program established under this section, the Secretary shall conduct a study of the best practices to be utilized in establishing the civilian linguist reserve corps, including practices regarding—

(1) administrative structure;

(2) languages that will be available;

(3) the number of language specialists needed for each language;

(4) the Federal agencies that may need language services;

(5) compensation and other operating costs;

(6) certification standards and procedures;

(7) security clearances;

(8) skill maintenance and training; and

(9) the use of private contractors to supply language specialists.

(c) Reports—

(1) Evaluation Reports.—(A) In General.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for the next 2 years, the Secretary shall submit to Congress an evaluation report on the pilot project conducted under this section.

(B) Contents.—Each report under subparagraph (A) shall summarize on the (i) operation of the pilot project, the success of the pilot project in carrying out the objectives of the establishment of a civilian linguist reserve corps, and recommendations for the continuation or expansion of the pilot project.

(2) Final Report.—Not later than 6 months after the completion of the pilot project, the Secretary shall submit to Congress a final report summarizing the lessons learned, best practices, and recommendations for full implementation of a civilian linguist reserve corps.

(d) Funding.—Of the amount appropriated under the heading “Operation and Maintenance, Defense-Wide” in title II, up to $5,000,000 may be available to carry out the pilot program under this section.

SEC. 8140. (a) Funding for Participation of Vet Centers in Transition Assistance Programs.—Of the amounts appropriated or otherwise made available by this Act, up to $2,000,000 may be used for the participation of Vet Centers in the transition assistance programs of the Department of Defense for members of the Armed Forces.

(b) Vet Centers Defined.—In this section, the term “Vet centers” means centers for the provision of readjustment counseling and related mental health services described in section 171A of title 38, United States Code.

SEC. 8141. Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY”, up to $3,500,000 may be available for advanced technology for IRCM component improvement.

SEC. 8142. Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE”, up to $2,500,000 may be available for advanced technology for HRCM component improvement.

SEC. 8143. Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY”, up to $5,000,000 may be available for the rapid mobilization of the New England Manufacturing Site, and the rapid mobilization of the New England Manufacturing Site. In this section, the term “New England Manufacturing Site” means the Department of Defense Supply Center, New England. In this section, the “New England Manufacturing Site” includes any Federal facility or entity authorized by law to provide defense supply to the New England Manufacturing Site.

SEC. 8144. Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY”, up to $2,000,000 may be used for Program Element 630604A for far-forward use of recombinant activated factor VII.

SEC. 8145. Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, NAVY”, up to $2,000,000 may be made available for Program Element 630604A for far-forward use of recombinant activated factor VII.

SEC. 8146. Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY”, up to $1,000,000 may be available for Program Element 630604A for far-forward use of recombinant activated factor VII.

SEC. 8147. Beginning with the fiscal year 2006 program year, the Secretary of the Army is encouraged to enter into a multiyear procurement contract for C-17 aircraft in order to enter into a multiyear procurement contract for the procurement of 42 additional C-17s.

SEC. 8148. DEPARTMENT OF DEFENSE TASK FORCE ON MENTAL HEALTH.—(a) REQUIREMENT TO ESTABLISH.—The Secretary of Defense shall establish within the Department of Defense a task force to examine matters relating to mental health and the Armed Forces.

(b) Composition.—(1) Members.—The task force shall consist of not more than 14 members appointed by the Secretary of Defense from among individuals described in paragraph (2) who have demonstrated expertise in the area of mental health.

(2) Range of Members.—The individuals appointed to the task force shall include—

(A) at least one member from each of the Army, Navy, Air Force, and Marine Corps; and

(B) a number of persons from outside the Department of Defense equal to the total number of personnel from within the Department of Defense (whether members of the Armed Forces or civilian personnel) who are appointed to the task force.

(c) Individuals Appointed Within Department of Defense.—At least one of the individuals appointed to the task force from within the Department of Defense shall be the Surgeon General of an Armed Force or a designee of such surgeon general.

(d) Individuals Appointed Outside Department of Defense.—(1) Individuals appointed to the task force from outside the Department of Defense may include officers or employees of other departments or agencies of the Federal Government, officers or employees of State and local governments, or individuals from the private sector.

(2) The individuals appointed to the task force from outside the Department of Defense shall include—

(A) an officer or employee of the Department of Veterans Affairs appointed by the Secretary of Defense in consultation with the Secretary of Veterans Affairs;

(B) an officer or employee of the Substance Abuse and Mental Health Services Administration of the Department of Health and Human Services appointed by the Secretary of Defense in consultation with the Secretary of Health and Human Services; and

(C) at least two individuals who are representatives—

(i) of a mental health policy and advocacy organization; and

(ii) of a national veterans service organization.

(e) Deadlines for Appointment.—All appointments of individuals to the task force shall be made not later than 120 days after the date of the enactment of this Act.

(f) Co-Chairs of Task Force.—There shall be two co-chairs of the task force. One of the co-chairs shall be designated by the Secretary of the Department of Defense at the time of appointment from among the Department of Defense personnel appointed to the task force. The other co-chair shall be selected from among the members appointed from outside the Department of Defense by members so appointed.
shall, in coordination with the Secretaries of the military departments, ensure appropriate access by the task force to military installations and facilities for purposes of the discharge of the duties of the task force.

(e) REPORT.—

(1) IN GENERAL.—The task force shall submit to the Secretary a report on its activities under this section. The report shall include:

(A) a description of the activities of the task force;

(B) the plan required by subsection (c); and

(C) such other matters relating to the activities of the task force that the task force considers appropriate.

(2) TRANSMITTAL TO CONGRESS.—Not later than 90 days after receipt of the report under paragraph (1), the Secretary shall transmit the report to the Committees on Armed Services and Veterans’ Affairs of the Senate and the House of Representatives. The Secretary may include in the transmittal such comments on the report as the Secretary considers appropriate.

(f) TERMINATION.—The task force shall terminate 90 days after the date on which the report required under subsection (e)(2) is submitted to Congress.

(g) USE OF FUNDS.—Nothing in this section shall be construed to affect the rights under the United States Constitution of any person in the custody or under the physical jurisdiction of the United States.
compensating the Government of Uzbekistan for services rendered to the United States at Karshi-Khanabad airbase in Uzbekistan.

SEC. 8157. SENSE OF THE SENATE REGARDING DEPOT MAINTENANCE.—(a) FINDINGS.—The Senate finds that—

(1) the Depot Maintenance Strategy and Master Plan of the Air Force reflects the essential requirements for Force readiness and a modern, ready and controlled source of organic technical competence, thereby ensuring an effective and timely response to national defense contingencies and homeland security requirements;

(2) since the publication of the Depot Maintenance Strategy and Master Plan of the Air Force in 2001, the Air Force has made significant progress toward modernizing all 3 of its Depots, in order to maintain their status as “world class” maintenance repair and overhaul operations;

(3) 1 of the indispensable components of the Depot Maintenance Strategy and Master Plan of the Air Force is the commitment of the Air Force to allocate $150,000,000 a year over 6 years, beginning in fiscal year 2004, for recapitalization and investment, including the procurement of technologically advanced facilities and equipment, of our Nation’s 3 Air Force depots; and

(4) the funds expended to date have ensured that transformation projects, such as the initial implementation of Lean and Six Sigma production techniques, have achieved great success in dramatically reducing the time necessary to perform depot maintenance on aircraft.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Air Force should be commended for the implementation of its Depot Maintenance Strategy and Master Plan and, in particular, meeting its commitment to invest $150,000,000 a year over 6 years, since fiscal year 2004, in the Nation’s 3 Air Force depots; and

(2) the Air Force should continue to fully fund its commitment of $150,000,000 a year through fiscal year 2009 in investments and recapitalization projects pursuant to the Depot Maintenance Strategy and Master Plan.

SEC. 8158. Of the amount appropriated by title III under the heading “PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY”, up to $5,000,000 may be used for the Arsenal Support Program Initiative for Watervliet Arsenal, New York.

SEC. 8159. Of the amount appropriated by title IV under the heading “RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, DEFENSE-WIDE”, up to $4,000,000 may be used for Oral Anthrax/Plague Development.

SEC. 8160. (a) The Secretary of the Navy may, subject to the terms and conditions of the Secretary, donate the World War II-era marine railway located at the United States Naval Academy, Annapolis, Maryland, to the Richardson Maritime Heritage Center, Cambridge, Maryland.

(b) The marine railway donated under subsection (a) may not be used for commercial purposes.

SEC. 8161. The Secretary of Defense may present promotional materials, including a United States flag, to any member of an Active or Reserve component under the Secretary’s jurisdiction who, as determined by the Secretary, participates in Operation Enduring Freedom or Operation Iraqi Freedom, along with other recognition items in conjunction with any weeklong national observance and day of national celebration, if established by Presidential proclamation, for any such members returning from such operations.

SEC. 8162. (a) IMPLEMENTATION OF LONG-RANGE WIRELESS CAPABILITIES.—Of the amount appropriated by title II under the heading “OPERATION AND MAINTENANCE, AIR FORCE”, up to $10,000,000 may be made available under paragraph (1) of section 1021 of title 10, United States Code, to the United States Northern Command for the purposes of implementing Long-Range Wireless telecommunication capabilities for the Gulf States and key entities within the Northern Command Area of Responsibility (AOR).

(b) IMPLEMENTATION OF LONG-RANGE WIRELESS CAPABILITIES.—Of the amount appropriated or otherwise made available by title III under the heading “OTHER PROCUREMENT, AIR FORCE”, up to $10,000,000 may be made available by the United States Northern Command for the purposes of implementing IMT-2000 3G Standards Based Communications Information Extension capabilities for the States and key entities within the Northern Command Area of Responsibility (AOR).

SEC. 8163. (a) SUBMISSION OF PROCEDURES FOR COMBATANT STATUS REVIEW COURTS AND ADMINISTRATIVE REVIEW BOARDS TO DETERMINE STATUS OF DETAINEES AT GUANTANAMO BAY, CUBA.—Not later than 180 days after the date of enactment of this Act the President shall submit to the Congressional Defense Committees and committees on Judiciary in the House and Senate the procedures for the Combatant Status Review Tribunal and annual review boards in operation at Guantanamo Bay, Cuba, for determining the status of the detainees held at Guantanamo Bay, including whether any such detainees are lawful enemy combatant or an unlawful enemy combatant.

(b) PROCEDURES.—The procedures submitted to Congress pursuant to subsection (a) shall ensure that—

(A) In making a determination of status under such procedures, the Combatant Status Review Tribunal and annual review boards may not consider statements derived from persons that, as determined by the Tribunals or boards, by the preponderance of the evidence, were obtained with unlawful coercion.

(B) The Designated Civilian Official shall be an officer of the United States Government whose appointment to office was made by the President, with the advice and consent of the Senate.

(C) MODIFICATION OF PROCEDURES.—The President shall notify any modification of any modification to the procedures submitted under subsection (a) no less than 30 days before the date on which such modifications go into effect.

SEC. 8164. (a) ADDITIONAL AMOUNT FOR AIRCRAFT PROCUREMENT, AIR FORCE.—The amount appropriated under the heading “AIRCRAFT PROCUREMENT, AIR FORCE” is hereby increased by $130,000,000.

(b) AVAILABILITY OF AMOUNT.—Of the amount appropriated by title II under the heading “OPERATION AND MAINTENANCE, DEFENSE-WIDE”, up to $60,000,000 may be made available as follows:

(1) Procurement of Predator air vehicles, initial spares, and intelligence packages.

(2) Procurement of Containerized Dual Control Station Launch and Recovery Elements.

(3) Procurement of a Fixed Ground Control Station.

(4) Procurement of other upgrades to Predator Ground Control Stations, spares, and signals intelligence packages.

(c) OFFSET.—(1) The amount appropriated by title II for Operation and Maintenance, Air Force is hereby reduced by $130,000,000.

(2) The amount made available under paragraph (1) shall be available under paragraph (2) for the purpose of National Guard counterdrug support activities.

(3) SUPPLEMENT NOT SUPPLANT.—The amount made available under paragraph (2) is in addition to any other amounts available under title VI for that purpose.

SEC. 8171. Of the amount appropriated by title II under the heading “INCREASE IN RATE OF BASIC PAY OF ENLISTED MEMBERS” up to $40,000,000 may be made available for the purposes of the Secretary of Defense for an increase in basic pay as provided in title 3, United States Code, or as provided in any law enacted after the date of enactment of this Act.

SEC. 8172. INCREASE IN RATE OF BASIC PAY OF THE ENLISTED MEMBER SERVING AS THE SENIOR ENLISTED ADVISOR FOR THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.—(a) INCREASE.—Footnote 2 to the table to the Enlisted Members in section 601 of the National Defense Authorization Act for Fiscal Year 2008 (Pub. L. No. 110–188; 122 Stat. 2091; 10 U.S.C. 1550 note) is amended by striking “or Master Chief Petty Officer of the Coast” and inserting “or Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff.”

(b) EFFECTIVE DATE.—The increase in the rate of basic pay provided by this section shall be effective for the rate of basic pay that begins on the first day of the second month following the date of enactment of this Act.
Guard” and inserting “Master Chief Petty Officer of the Coast Guard, or Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff”.

(b) PERSONAL MONEY ALLOWANCE.—(1) ENTITLEMENT.—Section 414(c) of title 37, United States Code, is amended by striking “or the Master Chief Petty Officer of the Coast Guard” and inserting “the Master Chief Petty Officer of the Coast Guard, or the Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on April 1, 2005.

SEC. 8173. SUPPORT FOR YOUTH ORGANIZATIONS.—(a) SHORT TITLE.—This Act may be cited as the “Support Our Scouts Act of 2005”.

(b) SUPPORT FOR YOUTH ORGANIZATIONS.—(1) DEFINITIONS.—In this subsection—

(A) the term “Federal agency” means each department, agency, instrumentality, or other entity of the United States Government; and

(B) the term “youth organization”—

(i) means any organization that is designated by the President as an organization that is primarily intended to—

(I) serve individuals under the age of 21 years;

(II) provide training in citizenship, leadership, physical fitness, service to community, and teamwork; and

(III) promote the development of character and ethical and moral values; and

(ii) shall include—

(I) the Boy Scouts of America;

(II) the Girl Scouts of the United States of America;

(III) the Boys Clubs of America;

(IV) the Girls Clubs of America;

(V) the Young Men’s Christian Association;

(VI) the Young Women’s Christian Association;

(VII) the Civil Air Patrol;

(VIII) the United States Olympic Committee;

(IX) the Special Olympics;

(X) the National Sheriffs’ Association; and

(XI) the National Police Association;

(XII) the Naval Sea Cadets Corps;

(XIII) 4-H Clubs;

(XIV) the Police Athletic League;

(XV) Big Brothers—Big Sisters of America; and

(XVI) National Youth Council.

(2) SUPPORT.—(A) SUPPORT FOR YOUTH ORGANIZATIONS.—(i) SUPPORT.—No Federal law (including any rule, regulation, directive, instruction, or order) shall prohibit any Federal agency from providing any form of support for a youth organization (including the Boy Scouts of America or any group officially affiliated with the Boy Scouts of America) that would result in that Federal agency providing less support to a youth organization (or any similar organization chartered under the chapter of title 36, United States Code, relating to that youth organization) than was provided during the preceding fiscal year. This clause shall be subject to the availability of appropriations.

(ii) YOUTH ORGANIZATIONS THAT CEASE TO EXIST.—Clause (i) shall not apply to any youth organization that ceases to exist.

(iii) WAIVERS.—The head of a Federal agency may waive the application of clause (i) to any youth organization with respect to each conviction or investigation described under subclause (I) or (II) for a period of not more than 2 fiscal years after the conviction or investigation described under subclause (I) or (II).

(I) any senior officer (including any member of the board of directors) of the youth organization is convicted of a criminal offense relating to the operation of the Federal criminal offense or the youth organization is convicted of a criminal offense; or

(II) the youth organization is the subject of a criminal investigation relating to fraudulent use or waste of Federal funds.

(b) From the money in the Treasury not otherwise obligated or appropriated, there are appropriated to the Office of the Inspector General of the Department of Health and Human Services $5,000,000 for oversight activities related to Hurricane Katrina.

(c) The amounts appropriated under subsection (a) and (b) shall be designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress); and

(2) shall remain available until expended.

TITLE IX—ADDITIONAL WAR-RELATED APPROPRIATIONS

DEPARTMENT OF DEFENSE—MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for “Military Personnel, Army”, $5,009,420,000.

MILITARY PERSONNEL, NAVY

For an additional amount for “Military Personnel, Navy”, $180,000,000.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for “Military Personnel, Marine Corps”, $455,420,000.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for “Military Personnel, Air Force”, $392,075,000.

RESERVE PERSONNEL, ARMY

For an additional amount for “Reserve Personnel, Army”, $121,500,000.

RESERVE PERSONNEL, NAVY

For an additional amount for “Reserve Personnel, Navy”, $10,000,000.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for “National Guard Personnel, Army”, $232,300,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for “National Guard Personnel, Air Force”, $5,000,000.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for “Operation and Maintenance, Army”, $21,915,547,000.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for “Operation and Maintenance, Navy”, $1,806,400,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for “Operation and Maintenance, Marine Corps”, $1,275,800,000.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for “Operation and Maintenance, Air Force”, $2,014,900,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for “Operation and Maintenance, Defense-Wide”, $980,000,000, of which up to $195,000,000, to remain available until expended, may be used for payments to re-establish Pakistan, Jordan, and other key co-operating nations, for logistical, military, and other support provided, or to be provided, to United States military operations, notwithstanding any other provision of law: Provided, That such payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Chief of Staff, and in consultation with the Director, Office of Management and Budget, may determine, in his discretion, on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for “Operation and Maintenance, Army Reserve”, $53,700,000.
OPERATION AND MAINTENANCE, NAVY Reserve
For an additional amount for “Operation and Maintenance, Navy Reserve”, $4,900,000.

OPERATION AND MAINTENANCE, MARINE CORPS Reserve
For an additional amount for “Operation and Maintenance, Marine Corps Reserve”, $27,900,000.

OPERATION AND MAINTENANCE, AIR FORCE Reserve
For an additional amount for “Operation and Maintenance, Air Force Reserve”, $7,000,000.

OPERATION AND MAINTENANCE, ARMY National Guard
For an additional amount for “Operation and Maintenance, Army National Guard”, $201,300,000.

OPERATION AND MAINTENANCE, AIR NATIONAL Guard
For an additional amount for “Operation and Maintenance, Air National Guard”, $13,400,000.

IRAQ FREEDOM Fund (INCLUDING TRANSFER OF FUNDS)
For an additional amount for “Iraq Freedom Fund”, $1,100,000,000, to remain available for transfer until September 30, 2006, only to support operations in Iraq, Afghanistan and other areas in which United States Armed Forces are conducting military operations: Provided, That the Secretary of Defense may transfer the funds provided herein to appropriations for military personnel; operation and maintenance; Overseas Contingency Operations; Disaster Relief; military construction; emergency and other activities under this Act: Provided further, That the amounts provided under this heading, $2,850,000,000 shall only be for classified programs, described in further detail in the classified annex accompanying this Act: Provided further, That $750,000,000 shall be available for the Joint IED Defeat Task Force: Provided further, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation or fund to which transferred: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the Secretary of Defense shall, not earlier than 5 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: Provided further, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY
For an additional amount for “Aircraft Procurement, Army”, $234,190,000, to remain available until September 30, 2008.

MISSILE PROCUREMENT, ARMY
For an additional amount for “Missile Procurement, Army”, $80,000,000, to remain available until September 30, 2008.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY
For an additional amount for “Procurement of Weapons and Tracked Combat Vehicles, Army”, $107,700,000, to remain available until September 30, 2008.

PROCUREMENT OF AMMUNITION, ARMY
For an additional amount for “Procurement of Ammunition, Army”, $335,780,000, to remain available until September 30, 2008.
made available pursuant to the authority provided in this section or under any other provision of law for the purposes of the programs under subsection (a).

SEC. 9008. Amounts provided in this title for operations in Iraq and Afghanistan may be used by the Department of Defense for the purchase of heavy and light armored vehicles for force protection purposes, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan:

Provided, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided pursuant to this section.

SEC. 9009. During the current fiscal year, funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan:

Provided, That the Secretary of Defense shall submit a report in writing no later than 30 days after the end of each fiscal quarter notifying the congressional defense committees of any purchase described in this section, including the cost, purposes, and quantities purchased.

SEC. 9010. (a) Not later than 60 days after the date of the enactment of this Act and every 90 days thereafter through the end of fiscal year 2006, the Secretary of Defense shall set forth in a report to Congress a comprehensive set of performance indicators and measures for progress toward the political and security objectives in Iraq, including:

(C) The operational readiness status of the Iraqi military and other Ministry of Defense forces, goals for achieving certain capability and readiness levels (as well as for recruiting, training, and equipping), and the milestones and notional timetable for achieving these goals, including:

(i) the number of police recruits that have received classroom training and the duration of such instruction;

(ii) the number of veteran police officers who have received classroom instruction and the duration of such instruction;

(iii) the number of police candidates screened by the Iraqi Police Screening Service, the number of candidates derived from other entry procedures, and the success rates of those groups of candidates;

(iv) the number of Iraqi police forces who have received field training by international police trainers and the duration of such instruction; and

(v) attrition rates and measures of absenteeism and infiltration by insurgents.

(b) The report shall include performance standards and goals for security, economic, and security force training objectives in Iraq together with a notional timetable for achieving these goals.

(iii) unemployment levels;

(ii) electricity, water, and oil production rates; and

(iii) hunger and poverty levels.

(G) The estimated total number of Iraqi battalions needed for the Iraqi security forces to perform duties now being undertaken by coalition forces, including defending the borders of Iraq and providing adequate levels of law and order throughout Iraq;

(H) The effectiveness of the Iraqi military and police officer cadres and the chain of command.

(i) The number of United States and coalition advisors needed to support the Iraqi security forces and associated ministries.

Let me recognize a very dedicated, wonderful staff person of our subcommittee, Mazie Mattson, who is now going to retire after 25 years of working for Congress. This is Mazie's final Defense bill. We are extremely grateful to her for her sincere loyalty and tireless efforts and very gracious support she provided to each and every one of us on both sides of the aisle on our subcommittee. She will be greatly missed. We wish her family and her husband, Bill, all the best. We thank you very much, Mazie. Thank you very much.

The PRESIDING OFFICER. Without objection it is so ordered.

The PRESIDING OFFICER appointed Mr. STEVENS, Mr. COCHRAN, Mr. SPEICHER, Mr. DOMENICI, Mr. BOND, Mr. MCCONNELL, Mr. ISAKSON, Mrs. HUTCHISON, Mr. BURNS, Mr. INOUYE, Mr. BYRD, Mr. LEAHY, Mr. HARKIN, Mr. DORGAN, Mr. DURBIN, Mr. REID, Mrs. FEINSTEIN, and Ms. MIKULSKI conferees on the part of the Senate.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2006, CONFERENCE REPORT

Mr. FRIST. Mr. President, I ask unanimous consent the Senate insist on its amendment, request a conference with the House, and the Chair be authorized to appoint conferees.

The PRESIDING OFFICER. Without objection it is so ordered.

The PRESIDING OFFICER appointed Mr. STEVENS, Mr. COCHRAN, Mr. SPEICHER, Mr. DOMENICI, Mr. BOND, Mr. MCCONNELL, Mr. ISAKSON, Mrs. HUTCHISON, Mr. BURNS, Mr. INOUYE, Mr. BYRD, Mr. LEAHY, Mr. HARKIN, Mr. DORGAN, Mr. DURBIN, Mr. REID, Mrs. FEINSTEIN, and Ms. MIKULSKI conferees on the part of the Senate.