

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

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

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

The bill (S. 1764) was read the third time and passed, as follows:

S. 1764

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEFINITION OF STUDENT AFFECTED BY HURRICANE KATRINA.

In this Act, the term "student affected by Hurricane Katrina" means a student who resides or resided on August 22, 2005 in an area, or is enrolled or was enrolled on August 22, 2005 in a school located in an area, for which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) as a result of Hurricane Katrina.

SEC. 2. EDUCATION EXPENSES.

(a) IN GENERAL.—Upon the request of the Secretary of Education, the Secretary of Homeland Security may transfer any funds made available to the Federal Emergency Management Agency "Disaster Relief Fund" for Hurricane Katrina to the Department of Education for the education of students affected by Hurricane Katrina. Such funds shall only be used for expenditures for activities of educational agencies authorized under Federal law within the jurisdiction of the Department of Education, and for the following activities in support of students affected by Hurricane Katrina:

(1) Paying the compensation of personnel, including teacher aides, to provide instructional services.

(2) Paying the operational costs incurred by educational agencies as a result of educating such students.

(3) Purchasing instructional materials and equipment, including textbooks, used to educate such students.

(b) SPECIAL RULE.—Notwithstanding any other provision of this section, funds may be used for expenditures described in subsection (a) only if—

(1) the Secretary of Education makes a determination that such expenditures constitute an immediate need for the relief of students affected by Hurricane Katrina; and

(2) funds are not made available for such activities from other Federal sources.

SEC. 3. AVAILABILITY OF FUNDS.

(a) IN GENERAL.—Notwithstanding any other provision of law, any funds available to the Secretary of Education, the authority for which would be cancelled or otherwise expire on September 30, 2005, shall be available for obligation by the Secretary until September 30, 2006, but only to meet educational needs of students affected by Hurricane Katrina.

(b) EMERGENCY DESIGNATION.—Any funds available for obligation pursuant to subsection (a) are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

SEC. 4. ADVANCED NOTIFICATION OF CONGRESS.

(a) DEPARTMENT OF EDUCATION APPROPRIATIONS ACT, 2005.—Section 304 of the Department of Education Appropriations Act, 2005 (Public Law 108-447) is amended by striking "15 days" and inserting "3 days".

(b) CONSOLIDATED APPROPRIATIONS ACT, 2005.—Section 517 of the Departments of

Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2005 (Public Law 108-447) is amended—

(1) in subsection (a), by striking "15 days" and inserting "3 days"; and

(2) in subsection (b), by striking "15 days" and inserting "3 days".

SEC. 5. SUNSET.

This Act shall be effective for the period beginning on the date of enactment of this Act and ending on September 30, 2006.

Mr. FRIST. Mr. President, this bill we just passed provides for the continued education of students who have been so severely affected by Hurricane Katrina.

I thank my colleague, the Senator from Texas, Mrs. HUTCHISON, for her tremendous leadership on this bill. It is a very important bill and a bill that has been a long time coming. We—especially she and her cosponsors—have aggressively worked in this regard to pass this bill. I am happy to yield to her at this time.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank the distinguished majority leader for helping us clear this legislation. This is a bill cosponsored by Senator LANDRIEU and Senator CORNYN. Twenty-eight States have taken students, who are victims of Hurricane Katrina, into their hearts, into their arms, into their shelters, and into their educational systems.

We have been passing legislation that would cut red tape and pay for certain items that are not covered by the law. One of the major areas for which we have not had a precedent is schoolchildren in great numbers going into public schools as a result of having to evacuate from an emergency disaster, such as Hurricane Katrina. That has been the case.

We have more than 45,000 evacuee students now in our Texas public schools. As everyone knows, there is no school district that can afford to absorb that number of students without help. The bill we have just passed will allow the money that has already been appropriated to be available for the Department of Education to pay for the extra teachers who are being hired. It is limited to children who are victims of Hurricane Katrina, and it also has a sunset. It is just for this school year. So this is not a new law that is going to put the Federal Government into public education throughout our country. But it is going to offset the costs of hiring teachers and buying school supplies for those students who have come to our State and 27 other States with nothing.

Today I am very proud of the Senate for passing this legislation to give these 28 States the help they need. The money will flow through the Department of Education. The Secretary of Education will have the authority to take some of the money that has already been appropriated by Congress for this purpose.

I applaud the Senate for passing this bill, and I look forward to it going

through the House and being signed by the President.

I thank Senator FRIST so much for the help he has given in allowing the Senate to act quickly on this legislation.

I yield the floor.

NOMINATION OF ROBERT B. HOLLAND

Mr. FRIST. Mr. President, as in executive session, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of Robert Holland, PN447, that the Senate proceed to its consideration, that the nomination be confirmed, that the motion to reconsider be laid upon the table, and that the President be immediately notified of the Senate's action.

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

The nomination considered and confirmed is as follows:

Robert B. Holland III, of Texas, to be United States Executive Director of the International Bank for Reconstruction and Development for a term of two years.

AMENDING THE INDIAN FINANCING ACT

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of S. 1758, introduced earlier today.

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

The legislative clerk read as follows:

A bill (S. 1758) to amend the Indian Financing Act of 1974 to provide for sale and assignment of loans and other security and for other purposes.

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

Mr. MCCAIN. Mr. President, today I rise in support of the Indian Financing Act Amendments of 2005, originally introduced as a component of the Native American Omnibus Act of 2005. I'm pleased to be joined by the vice chairman of the Senate Indian Affairs Committee, BYRON DORGAN, on this bill.

The Indian financing act amendments, amends the Indian finance act of 1974 to clarify that non-profit tribal entities are eligible for the BIA Loan Guaranty program. The amendments also raises the limit on the amount of loans to \$1.5 billion from \$500 million.

I look forward to working with my respective colleagues on both sides of the aisle to enact this legislation.

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

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

The bill (S. 1758) was read the third time and passed, as follows:

S. 1758

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LOAN GUARANTY AND INSURANCE.

(a) IN GENERAL.—Section 201 of the Indian Financing Act of 1974 (25 U.S.C. 1481) is amended

(1) by striking “SEC. 201. In order” and inserting the following:

“SEC. 201. LOAN GUARANTIES AND INSURANCE.

“(a) IN GENERAL.—In order”;

(2) by striking “the Secretary is authorized (a) to guarantee” and inserting “the Secretary may—

“(1) guarantee”;

(3) by striking “members; and (b) in lieu of such guaranty, to insure” and inserting “members; or

“(2) insure”;

(4) by adding at the end the following:

“(b) ELIGIBLE BORROWERS.—The Secretary may guarantee or insure loans under subsection (a) to both for-profit and nonprofit borrowers.”.

(b) SALE OR ASSIGNMENT OF LOANS AND UNDERLYING SECURITY.—Section 205 of the Indian Financing Act of 1974 (25 U.S.C. 1485) is amended—

(1) by striking “SEC. 205.” and all that follows through subsection (b) and inserting the following:

“SEC. 205. SALE OR ASSIGNMENT OF LOANS AND UNDERLYING SECURITY.

“(a) IN GENERAL.—All or any portion of a loan guaranteed or insured under this title, including the security given for the loan—

“(1) may be transferred by the lender by sale or assignment to any person; and

“(2) may be retransferred by the transferee.

“(b) TRANSFERS OF LOANS.—With respect to a transfer described in subsection (a)—

“(1) the transfer shall be consistent with such regulations as the Secretary shall promulgate under subsection (h); and

“(2) the transferee shall give notice of the transfer to the Secretary.”;

(2) by striking subsection (c);

(3) by redesignating subsections (d), (e), (f), (g), (h), and (i) as subsections (c), (d), (e), (f), (g), and (h), respectively;

(4) in subsection (c) (as redesignated by paragraph (3)), by striking paragraph (2) and inserting the following:

“(2) VALIDITY.—Except as provided in regulations in effect on the date on which a loan is made, the validity of a guarantee or insurance of a loan under this title shall be incontestable.”;

(5) in subsection (e) (as redesignated by paragraph (3))—

(A) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”;

(B) by adding at the end the following:

“(2) COMPENSATION OF FISCAL TRANSFER AGENT.—A fiscal transfer agent designated under subsection (f) may be compensated through any of the fees assessed under this section and any interest earned on any funds or fees collected by the fiscal transfer agent while the funds or fees are in the control of the fiscal transfer agent and before the time at which the fiscal transfer agent is contractually required to transfer such funds to the Secretary or to transferees or other holders.”; and

(6) in subsection (f) (as redesignated by paragraph (3))—

(A) by striking “subsection (i)” and inserting “subsection (h)”;

(B) in paragraph (2)(B), by striking “, and issuance of acknowledgments.”.

(c) LOANS INELIGIBLE FOR GUARANTY OR INSURANCE.—Section 206 of the Indian Financing Act of 1974 (25 U.S.C. 1486) is amended by inserting “(not including an eligible Community Development Finance Institution)” after “Government”.

(d) AGGREGATE LOANS OR SURETY BONDS LIMITATION.—Section 217(b) of the Indian Fi-

ancing Act of 1974 (25 U.S.C. 1497(b)) is amended by striking “\$500,000,000” and inserting “\$1,500,000,000”.

COMMENDING THE JAMES MADISON COUNCIL AND ITS FOUNDING CHAIRMAN, JOHN W. KLUGE

Mr. FRIST. I ask unanimous consent the Senate now proceed to the consideration of S. Res. 247, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 247) commending the Library of Congress's private-sector advisory body, the James Madison Council, and its Founding Chairman, John W. Kluge, on 15 years of exemplary service to Congress and the Nation and looking forward to the Council's continued success in the years ahead.

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

Mr. STEVENS. Mr. President, I rise in support of a Senate resolution which I submitted commending the James Madison Council of the Library of Congress, which is celebrating its 15th year under the continuing strong leadership of its founding chairman, John Kluge.

The James Madison Council is the first private sector advisory body in the history of the Library of Congress. With the approval of the Joint Committee on the Library, which I have chaired and served on for many years, Librarian of Congress Jim Billington established the Council in 1990 as the Library's primary philanthropic body and link to the business community. It consists of public-spirited citizens dedicated to helping the Nation receive the full benefits of the Library of Congress's incomparable educational, scientific, technological, and cultural resources.

In its 15 years of unprecedented private support of the Library, the Madison Council has acquired hundreds of items for the collections that would have otherwise been unattainable through Federal appropriations alone, including the famous Waldseemüller map, the first map to bear the name “America”; the \$45 million dollar campaign to launch the National Digital Library, which provides free internet access to 10 million of the most important materials in the Library's collection; the Library's bicentennial celebration in 2000 which featured the recreation of Thomas Jefferson's library; the establishment of the John Kluge Center, a major scholarly center, and its accompanying Kluge Prize in the humanities; and the National Book Festival, in conjunction with First Lady Laura Bush, promoting literacy and the joys of reading, which is taking place this weekend.

This resolution commends and thanks the James Madison Council, particularly its chairman, John Kluge, one of the most patriotic and generous philanthropists I have known, and looks forward to its continued success

in supporting the world's greatest library in the years ahead.

Mr. FRIST. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid on the table.

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

The resolution (S. Res. 247) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 247

Whereas the James Madison Council, the Library of Congress's first-ever national advisory and support group in the 205-year history of the Library of Congress is celebrating its 15th year under the continuing strong leadership of its Founding Chairman John W. Kluge;

Whereas the James Madison Council remains a loyal group of friends whose vision and generosity have made possible many new initiatives within America's oldest Federal cultural institution;

Whereas John Kluge has energized this group of dedicated and generous individuals from the private-sector to help this unique institution that was created by Congress to make added contributions for the good of the Nation;

Whereas John Kluge's example and leadership has benefitted not only the Library of Congress and Congress, but also scholars, researchers, and lifelong learners everywhere, and has created a new international award at the highest level for lifetime achievement in the study of humanity;

Whereas building on John Kluge's generosity, the James Madison Council has strengthened and enriched the world of scholarship in Washington, District of Columbia, and provided new on-line educational material for the classrooms of the Nation and the world;

Whereas the members of the James Madison Council have added a significant number of rare and historic materials of major importance to the national collection of the Library of Congress, such as the 1507 Waldseemüller map of the world, which was the first map to include America, made possible by members John Hendricks, Marguerite and Gerry Lenfest, and David Koch, the restoration of Thomas Jefferson's original library, which is the cornerstone of the Library's collections, thanks to Jerry Jones, a major private collection from members Jean and Jay I. Kislak, which documents the encounter between European explorers and the indigenous peoples of North America and, thanks to Jon and Lillian Lovelace, the Alan Lomax collection, which is the largest collection of ethnographic material ever assembled by one person; and

Whereas led by John Kluge, the James Madison Council has furthered the programs of the Librarian of Congress, James H. Billington, such as the National Digital Library, which provides free internet access to 10,000,000 of the most historically important and educationally valuable primary materials in the Library's collection, the National Book Festival, which celebrates the joys of reading, and the Library's Bicentennial celebration in the year 2000: Now, therefore, be it

Resolved, That the Senate commends the Library of Congress's private-sector advisory body, the James Madison Council, and its Founding Chairman, John W. Kluge, on 15 years of exemplary service to Congress and the Nation and looks forward to its continued success in the years ahead.