

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 that 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 if—

(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 official duties of that officer 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) TYPES OF SUPPORT.—Support described under this paragraph shall include—

(i) holding meetings, camping events, or other activities on Federal property;

(ii) hosting any official event of such organization;

(iii) loaning equipment; and

(iv) providing personnel services and logistical support.

(C) SUPPORT FOR SCOUT JAMBOREES.—

(1) FINDINGS.—Congress makes the following findings:

(A) Section 8 of article I of the Constitution of the United States commits exclusively to Congress the powers to raise and support armies, provide and maintain a Navy, and make rules for the government and regulation of the land and naval forces.

(B) Under those powers conferred by section 8 of article I of the Constitution of the United States to provide, support, and maintain the Armed Forces, it lies within the discretion of Congress to provide opportunities to train the Armed Forces.

(C) The primary purpose of the Armed Forces is to defend our national security and prepare for combat should the need arise.

(D) One of the most critical elements in defending the Nation and preparing for combat is training in conditions that simulate the preparation, logistics, and leadership required for defense and combat.

(E) Support for youth organization events simulates the preparation, logistics, and leadership required for defending our national security and preparing for combat.

(F) For example, Boy Scouts of America's National Scout Jamboree is a unique training event for the Armed Forces, as it requires the construction, maintenance, and disassembly of a "tent city" capable of supporting tens of thousands of people for a week or longer. Camporees at the United States Military Academy for Girl Scouts and Boy Scouts provide similar training opportunities on a smaller scale.

(2) SUPPORT.—Section 2554 of title 10, United States Code, is amended by adding at the end the following:

"(i)(1) The Secretary of Defense shall provide at least the same level of support under this section for a national or world Boy Scout Jamboree as was provided under this section for the preceding national or world Boy Scout Jamboree.

"(2) The Secretary of Defense may waive paragraph (1), if the Secretary—

"(A) determines that providing the support subject to paragraph (1) would be detri-

mental to the national security of the United States; and

"(B) reports such a determination to the Congress in a timely manner, and before such support is not provided."

(d) EQUAL ACCESS FOR YOUTH ORGANIZATIONS.—Section 109 of the Housing and Community Development Act of 1974 (42 U.S.C. 5309) is amended—

(1) in the first sentence of subsection (b) by inserting "or (e)" after "subsection (a)"; and

(2) by adding at the end the following:

"(e) EQUAL ACCESS.—

"(1) DEFINITION.—In this subsection, the term 'youth organization' means any organization described under part B of subtitle II of title 36, United States Code, that is intended to serve individuals under the age of 21 years.

"(2) IN GENERAL.—No State or unit of general local government that has a designated open forum, limited public forum, or nonpublic forum and that is a recipient of assistance under this chapter shall deny equal access or a fair opportunity to meet to, or discriminate against, any youth organization, including the Boy Scouts of America or any group officially affiliated with the Boy Scouts of America, that wishes to conduct a meeting or otherwise participate in that designated open forum, limited public forum, or nonpublic forum."

**SA 2055. MR. STEVENS** (for Mr. BYRD) proposed an amendment to the bill H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

#### TITLE \_\_\_\_

SEC. 101. (a) There are appropriated out of the Employment Security Administration Account of the Unemployment Trust Fund, \$14,000,000 for authorized administrative expenses.

(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)—

(1) are designated as emergency requirements pursuant to section 402 of H. Con. Res. 95 (109th Congress); and

(2) shall remain available until expended.

#### NOTICES OF HEARINGS/MEETINGS

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

**Mr. DOMENICI.** Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, October 25, 2005 at 10 a.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 1829, to repeal certain sections of the Act of May 26, 1936, pertaining to the Virgin Islands; S. 1830, to amend the Compact of Free Association Amendments Act of 2003, and for other purposes; and S. 1831, to convey certain submerged land to the Commonwealth of the Northern Mariana Islands, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Josh Johnson (202) 224-5861 or Steve Waskiewicz at (202) 228-6195.

##### SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

**Mr. CRAIG.** Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources.

The hearing will be held on Wednesday, October 26, 2005, at 2 p.m. in Room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the implementation of the Federal Lands Recreation Enhancement Act, P.L. 108-447 by the Forest Service and the Department of the Interior.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150.

For further information, please contact Frank Gladics at 202-224-2878 or Kristina Rolph at 202-224-8276.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

**Mr. STEVENS.** Mr. President, I ask Unanimous consent that the Committee on Agriculture, Nutrition and Forestry be authorized to conduct a business meeting during the session of the Senate on Thursday, October 6, 2005 at 9:30 a.m. in SR-328A, Russell Senate Office Building. The purpose of this meeting will be to review spending levels to meet reconciliation expenditures as imposed by H. Con. Res. 95, establishing the Congressional Budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and to agree on recommendations with it will make to the Committee on the Budget thereon.

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

##### COMMITTEE ON ARMED SERVICES

**Mr. STEVENS.** Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on October 6, 2005, at 9:30 a.m. in open session to receive testimony on

United States Military Strategy and Operations in Iraq.

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

COMMITTEE ON ARMED SERVICES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on October 6, 2005, at 10 a.m. in open session to consider the following nominations: Honorable Michael W. Wynne, to be Secretary of the Air Force and Dr. Donald C. Winter, to be Secretary of the Navy.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 6, 2005, at 10 a.m. to conduct a hearing on "A Review of the CFIUS Process for Implementing the Exon-Florio Amendment."

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, October 6 at 3 p.m. The purpose of this hearing is to receive testimony on S. 1025, to amend the act entitled "An Act to Provide for the Construction of the Cheney Division, Wichita Federal Reclamation Project, KS, and for Other Purposes" to authorize the EQUUS Beds Division of the Wichita Project; S. 1498, to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District; S. 1529, to provide for the conveyance of certain Federal land in the City of Yuma, AZ; S. 1578, to preauthorize the Upper Colorado and San Juan River Basin Endangered Fish Recovery Implementation Programs; and S. 1760, to authorize early repayment of obligations to the Bureau of Reclamation within the Rogue River Valley Irrigation District or within the Medford Irrigation District, and for other purposes.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, October 6 at 10 a.m.

The purpose of this hearing is to receive an update on Hurricanes Katrina and Rita's effects on energy infrastructure and the status of recovery efforts in the gulf coast region.

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

COMMITTEE ON ENVIRONMENTAL PUBLIC WORKS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on October 6th, 2005 at 9:30 a.m. for a business meeting to consider the following nominations: Santanu K. Baruah, of Oregon, to be Assistant Secretary of Commerce for Economic Development; George M. Gray, of Massachusetts, to be an Assistant Administrator of the Environmental Protection Agency; Lyons Gray, of North Carolina, to be Chief Financial Officer, Environmental Protection Agency; H. Dale Hall, of New Mexico, to be Director of the United States Fish and Wildlife Service; and Edward McGaffigan, Jr., of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2010.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on October 6, 2005 at 9:35 a.m. to conduct a hearing to receive testimony on the actions of EPA, the Army Corps of Engineers and the Federal Highway Administration as they relate to Hurricane Katrina.

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

COMMITTEE ON FINANCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Thursday, October 6, 2005, at 10 a.m., to hear testimony on "The Future of the Gulf Coast: Using Tax Policy to Help Rebuild Businesses and Communities and Support Families After Disasters."

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

COMMITTEE ON FINANCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Thursday, October 6, 2005, at 2:30 p.m., to hear testimony on "U.S.-Bahrain Free Trade Agreement."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, October 6, 2005, at 11 a.m., to hold a hearing on Nominations.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, October 6, 2005, at

2:30 p.m., to hold a hearing on Nominations.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Thursday, October 6, 2005, at 9 a.m., for a hearing titled; "Hurricane Katrina: How Is FEMA Performing Its Mission at This Stage of Recovery?"

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Thursday, October 6, 2005, at 10 a.m., for a hearing titled; "FEMA Status Report on Recovery Efforts in the Gulf States."

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

COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, October 6, 2005, at 9:30 a.m. in Senate Dirksen Office Building Room 226.

Agenda

I. Nominations: Timothy Flanigan to be Deputy Attorney General; and Susan Neilson to be U.S. Circuit Judge for the Sixth Circuit.

II. Bills: S. 1088 Streamlined Procedures Act of 2005. Kyl, Cornyn, Grassley, Hatch; S. 1789 Personal Data Privacy and Security Act of 2005. Specter, Leahy, Feinstein, Feingold; S. 751 Notification of Risk to Personal Data Act. Feinstein, Kyl; S. 1326 Notification of Risk to Personal Data Act. Sessions; S. 1086 A Bill to Improve the National Program to Register and Monitor Individuals Who Commit Crimes Against Children or Sex Offenses. Hatch, Biden, Schumer; S. 956 Jetseta Gage Prevention and Deterrence of Crimes Against Children Act of 2005. Grassley, Kyl, Cornyn; S. 1699 Stop Counterfeiting in Manufactured Goods Act. Specter, Leahy, Hatch, DeWine, Cornyn, Brownback, Feingold; S. 1095 Protecting American Goods and Services Act of 2005. Cornyn, Leahy; H.R. 683 Trademark Dilution Revision Act of 2005. Smith-TX; S. 443 Antitrust Criminal Investigative Improvements Act of 2005. DeWine, Kohl, Leahy; S. 1787 Relief to Victims of Hurricane Katrina and Other Natural Disasters Act of 2005. Vitter, Grassley, Cornyn, DeWine; and S. 1647 Hurricane Katrina Bankruptcy Relief and Community Protection Act of 2005. Feingold, Leahy, Durbin, Kennedy, Feinstein.

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

COMMITTEE ON THE JUDICIARY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet to conduct a hearing on "Executive Nominations" on Thursday, October 6, 2005, at 2:30 p.m., in the Dirksen Senate Office Building Room 226.

#### Witness List

Panel I: Members of Congress.

Panel II: Wan Kim to be an Assistant Attorney General, Civil Rights Division; Steven G. Bradbury to be an Assistant Attorney General for the Office of Legal Counsel; Sue Ellen Wooldridge to be an Assistant Attorney General, Environment and Natural Resources Division; and Thomas O. Barnett to be an Assistant Attorney General, Antitrust Division.

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

#### SELECT COMMITTEE ON INTELLIGENCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on October 6, 2005, at 2:30 p.m., to hold a closed briefing.

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

#### SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, AND INTERNATIONAL SECURITY

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Federal Financial Management, Government Information, and International Security be authorized to meet on Thursday, October 6, 2005, at 2:30 p.m., for a hearing regarding "How Does the Federal Government Lease Needed Space?"

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

#### SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE AND THE DISTRICT OF COLUMBIA

Mr. STEVENS. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia be authorized to meet on Thursday, October 6, at 2:30 p.m., for a hearing entitled, "From Factory to Foxhole: Improving DoD Logistics."

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

#### PRIVILEGE OF THE FLOOR

Mr. SCHUMER. Mr. President, first, I would like to request unanimous consent to grant floor privileges for the remainder of this Congress for Tovah Calderon, a detailee from the Department of Justice, who is currently serving on my Judiciary Committee staff.

Mr. STEVENS. Mr. President, reserving the right to object—for the rest of this Congress? Did the Senator say for the remainder of this Congress?

Mr. SCHUMER. I believe she is going to be here for the next year and a half. I could ask for the next year.

Mr. STEVENS. Mr. President, I am obligated to object, and I suggest the Senator get clearance on that.

Mr. SCHUMER. Let me amend my request, with the permission of my friend

from Alaska, to grant floor privileges for the remainder of this session of Congress for Tovah Calderon, a detailee from the Department of Justice.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. Mr. President, may I again inquire of the Senator? Is this person on your staff?

Mr. SCHUMER. Yes. She is a detailee from the Department of Justice. We have detailees on the Judiciary Committee.

Mr. STEVENS. This is floor privileges. It is not necessarily continuous access. Does she have to go through the normal process of obtaining access the way any other staff would?

Mr. SCHUMER. Yes. She would have to go through the normal process.

Mr. STEVENS. I will not object.

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

#### ORDERS FOR FRIDAY, OCTOBER 7, 2005

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate stand in recess until 8:15 a.m. on Friday, October 7. I further ask consent that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then resume consideration of H.R. 2863, the Defense appropriations bill. I further ask consent that following the leader's remarks, Senator LANDRIEU be recognized to speak until 9:15. I further ask consent that immediately following her remarks, and with no intervening action or debate, all time under cloture then be considered expired, the bill be read a third time, and the Senate proceed to a vote on passage of the bill, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. Before we recess, I will yield to the Senator from Louisiana for 5 minutes before we close.

Ms. LANDRIEU. I thank the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I thank the Chair.

#### DISASTER ASSISTANCE

Ms. LANDRIEU. Mr. President, it has been a very long day. I am hoping, as this day continues into the evening hours, as we continue to work on the underlying bill, which is the Defense appropriations bill, to have an amendment dealing with Hurricane Katrina in a way this Congress might respond to this urgent need. I thank the Senator from Alaska for his patience through this day because the issue that is before us really is not an amendment on the Defense bill. It is a separate issue but needs to be handled before we leave, in my opinion.

That is why I have stayed here throughout the day and have been

here, of course, throughout the week, in many meetings and phone calls, and now in time on the floor throughout the day, to try to find a way to get some immediate help to our cities and parishes and counties along the gulf coast. It looks like there is a possibility that still might be the case.

But because of the lateness of the hour, really for the staff that has been here so long, I am going to agree to continue to work through the night, allow the staff to take a recess, and spend some time on this, as I have throughout the last few hours, working with my colleagues, particularly Senator LEVIN from Michigan, who has put in a tremendous amount of time, other Senators, Senator CARPER from Delaware, Senator CLINTON, Senator DURBIN, Senator REID. And Senator FRIST has been here for a while. Of course, Senator VITTER was here earlier trying to get through this process, with the specific focus of mine being to try to get our State in the same situation that other States have been put in when they needed help.

We are not quite there yet, but we may yet get there by the time we close the debate in just a few hours. But, really, the staff has done more than they should be asked, to stay this late.

We have tried four or five different compromises in the last 8 hours, and we are not quite there yet. But we may be there in the morning when the Senate comes out of recess.

I am going to continue to work through the evening to see if we can find some sort of solution so that our four States—Louisiana, Mississippi, Alabama, and Texas—can be treated in the same way with the same respect as other States have in disasters in the past.

I thank the Senator for his patience throughout the evening.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thank the Senator from Louisiana.

#### PROGRAM

Mr. STEVENS. Mr. President, we will reconvene at 8:15 tomorrow morning. Following additional remarks by Senator LANDRIEU in the morning, we will vote on passage of the Defense appropriations bill. That vote will occur concerning at 9:15. Following that vote, we will proceed to the Homeland Security appropriations conference report. It is my understanding that we will be able to consider that conference report under a 30-minute time agreement and that a vote would not be necessary. We have not locked in that agreement. We will turn to that conference report in the morning after voting on the DOD appropriations bill.

#### RECESS UNTIL 8:15 A.M.

Mr. STEVENS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess in accordance with the previous order.