

battlefield firms diligently endure these daily risks.

These daily dangers force small conflict zone firms to hire well armed, private security guards, and to incur extraordinary security expenses in order to protect their employees. The violence towards civilian contractors in Iraq and Afghanistan has become so prevalent that the government often requires companies to provide security services, and treats these extraordinary security costs as reimbursable contractor expenses. These security expense reimbursements do not increase or expand small contracting firms' core business capabilities. Instead the money the government pays to small battlefield contractors for security expenses is passed directly through to the security subcontractor providing protection to the small firms' employees.

Unfortunately, the Government's valid reimbursement of conflict-zone security expenses artificially inflates the size of many small battlefield firms causing them to out grow the Small Business Administration's small businesses size standards. It is important to understand that the SBA size standards were established on the basis of normal revenues for small businesses operating in North America. But, currently, these domestic size standards are penalizing our small contractors operating outside the U.S. and in war zones by eliminating their ability to obtain crucial small business contracts and loans once they exceed the domestic standards.

Our most reliable and dependable small battlefield firms, because they operate overseas, are in danger of artificially outgrowing the SBA's domestic size standards. Not only does this artificial growth hurt small business ability to survive, it also harms the U.S. Government's ability to secure contracts for much needed goods and services that are used to support our troops in war zones. This ultimately reduces the Federal Government's access to experienced small contractors and hampers the Government's efforts to comply with the Government's annual statutory small business contracting goals.

My amendment directs the SBA to conduct a study and provide a report to Congress on the fairness of exempting reimbursement for subcontracts for private security services from the size standards caps applicable to small firms that perform contracts and subcontracts on overseas battlefields. I urge my colleagues to support our small battlefield contractors currently in harms' way by retaining this important amendment in the Defense authorization conference report.

SCIENCE, STATE, JUSTICE, AND COMMERCE APPROPRIATIONS

Ms. MIKULSKI. Mr. President, earlier this week the Senate passed the conference report accompanying H.R. 2862, the Science, State, Justice and Commerce Appropriations Act for fiscal year 2006.

As the ranking member on the Appropriations Subcommittee on Commerce, Justice, and Science, I rise today to explain how this legislation is critical to spurring economic innovation in our Nation and how the bill protects communities and saves lives and livelihoods.

I believe this appropriations bill is an important step in making our country more competitive in the global economy. The future of our economic security as well as our national security will depend upon our ability to innovate. This bill is a major Federal investment in innovation through science and technology, and it will help make America stronger by investing in our future.

Innovation begins with basic research. H.R. 2862 funds the National Science Foundation, NSF, at \$5.6 billion, a \$180 million increase over last year.

The key to innovation is investing in basic research in the physical sciences—biology, chemistry, physics and the cutting edge interdisciplinary initiatives in nanotechnology, biotechnology and information technology. The National Academy of Sciences, the Council on Competitiveness, and numerous other organizations have all called for a substantial increase in our investment in basic scientific research. This bill makes a downpayment on that investment.

The technology of tomorrow will create the jobs of tomorrow. But if we don't invest in research, the technology and the jobs will go overseas.

But it is not just about investing in research, we also have to invest in education. This bill preserves funding for graduate student stipends at \$30,000 per year. NSF funds critical programs to improve the teaching of math and science and to improve science and math curriculum in our schools. We must increase the number of math and science teachers as well as the number of math and science students.

In addition, government and the private sector must work together to spur innovation in our economy. That is where the National Institute of Standards and Technology, NIST, comes into play. NIST invests in new technologies that lead to new breakthroughs that create jobs to make our nation more competitive. NIST also sets industry standards so that American business can be competitive abroad. H.R. 2862 funds NIST at \$761 million, a \$62 million increase over last year.

This legislation also funds other important agencies that are on the cutting edge of science and technology that can save lives and communities.

The National Oceanic and Atmospheric Administration, NOAA, is responsible for the National Weather Service as well as critical research into oceans, fisheries and the Earth's atmosphere.

For NOAA, we have provided \$3.9 billion, a \$20 million increase over last year. Whether it is warning us about

severe weather so we can secure our property and get out of harm's way, or helping to restore our fisheries that are so critical to our economy, NOAA saves lives and communities every day.

In space, this appropriations bill fully funds the National Aeronautics and Space Administration, NASA, and the cutting edge scientific and technological research that only NASA can do.

For NASA, we have provided \$16.4 billion, which is a \$260 million increase over last year. This includes \$271 million for the Hubble Space Telescope, \$50 million over the President's budget request to accommodate a servicing mission to Hubble, should the Administrator determine that the space shuttle is safe to use.

The servicing of Hubble will involve replacing batteries, gyroscopes and installing new scientific instruments to make Hubble more powerful than ever. Hubble is the very symbol of innovation and discovery that are hallmarks of America's space program.

We continue our investment in the Mars program and fully fund the next generation of launch vehicles to replace the space shuttle.

All major science programs are funded at the President's request level or higher including the Living With A Star program which is crucial to understanding the Sun's effects on the Earth.

While NSF, NOAA, NIST and NASA are all integral to our nation's ability to innovate, along with our other federal agencies, it is the private sector that is responsible for most of the innovation that drives our economy.

The Patent and Trademark Office, PTO, plays a central role in protecting our nation's valuable intellectual property. The PTO has a backlog of applications waiting to be processed. H.R. 2862 funds the PTO at a record \$1.7 billion, a 30 percent increase over last year.

This record increase will go a long way towards helping the PTO reduce the backlog of patent applications so we can properly protect our intellectual property and maintain our competitiveness.

But as we invest in our future, this legislation also takes care of our day-to-day needs especially when it comes to protecting our neighborhoods and communities.

In making our country safer, the Department of Justice is our front line. This bill provides \$21 billion to the Justice Department, \$800 million more than last year. The Justice Department accounts for almost 50% of the entire bill. This includes funding for the FBI, DEA, ATF, U.S. Marshals, U.S. Attorneys as well as the Federal Prison System.

The Justice Department provides assistance to our state and local law enforcement and help communities fight gang violence. It also protects us from terrorists and protects our neighborhoods and communities. Specifically, the FBI will receive \$5.7 billion in 2006,

a \$500 million increase over last year. Most of this increase has been devoted to counterterrorism.

H.R. 2862 also increases funding to fight sexual predators who prey upon our children. The bill provides \$48 million to continue and expand the Missing and Exploited Children Program. It also funds a Cyber-Tipline, an online resource where people can report leads and tips about child sexual exploitation.

Finally, the bill provides \$2.7 million for the FBI's innocent images program to investigate and capture child pornographers who use the Internet to prey on children.

In addition to sexual predators, gangs are becoming a growing local, regional, and national problem. We have provided increases to the ATF, U.S. Attorneys and the FBI to help fight against gangs in our schools and communities.

Any anti-gang strategy must focus on three principles: prevention, intervention and suppression. In my own State of Maryland, in Montgomery and Prince George's Counties, and around the State, gangs are a growing problem.

This bill provides \$2 million for Montgomery and Prince George's Counties to deal with gang violence and fund prevention programs. It also provides another \$2 million to combat gang violence and gang prevention programs around the State of Maryland. The purpose of this funding is to bring federal resources to the local level to help stop and prevent further gang violence from afflicting our neighborhoods and communities.

Mr. President, the President's budget cut state and local law enforcement by \$1.4 billion. We were able to restore \$1.1 billion of that cut in this bill.

I know how important our local police are to fighting crime and gangs. Our local police are the first responders. If we were not subjected to strict limits on spending that were imposed on us by the Budget Resolution, we would have provided additional funding for state and local law enforcement.

But with the need to increase funding for counterterrorism and counterintelligence, plus the need to address the growing problems of both methamphetamine abuse and regional and even international gang violence, we had to make difficult choices, under very difficult circumstances.

Mr. President, the Science, State, Justice, and Commerce Appropriations bill is about investing in science and technology to spur innovation in our economy, protecting our Nation, and saving communities, lives, and livelihoods.

Investments in innovation are critical so America will retain its competitiveness as well as its economic and national security. Through the Department of Justice and its major law enforcement bureaus, we are increasing our commitment to protecting children from sexual predators and making our

neighborhoods and communities safer from gang violence and street crime.

I look forward to working with my colleagues next year to continue the progress we have made and increase our commitment to innovation, science and technology.

LIHEAP

Mr. KENNEDY. Mr. President, winter is coming, and it could easily become a perfect storm of high energy prices, bitter cold, and too little heat for those in need.

Households heating primarily with natural gas will pay an average of \$306 more this winter for heat, an increase of an incredible 41 percent over last year. Those relying primarily on oil for heat will pay \$325 more, an increase of 27 percent.

The poor, the elderly, and the disabled need our help and they need it now.

Wilhelmina Mathis is one example of what is happening to the most vulnerable in our society. Wilhelmina is 71 years old and lives alone. All last winter she kept her thermostat set at 60 degrees to save money. She hopes the Federal Government will come through with more LIHEAP money. She says: "I turn down the thermostat as low as I can and sometimes I turn it off and put on extra sweaters. I don't know how much longer I can keep doing this."

We have tried four times this year to increase funds for LIHEAP, and all four times we were defeated by the overwhelming Republican majority who voted in lock-step to reject it.

The failure of the Republican Congress to increase LIHEAP funds continues to put millions of our fellow citizens at risk. But the Bush administration and the Republican Congress are telling the elderly, the disabled, and children across America that it doesn't matter if they have no heat this winter—they aren't a priority.

In fact, the Republican leadership is forcing us to make impossible choices. Look at the Labor-HHS bill. The Republican leadership is telling us that if we fund LIHEAP, we must cut health care for seniors, cut education for our children, cut essential job training funds for people trying desperately to enter the workforce and attain a level of self-sufficiency.

It is unconscionable. Why are we being forced to help one family at the expense of another? We must increase LIHEAP funds and fight against cuts to other essential health, education, and labor programs. It is time for Congress to stand up for the American people. We tell them we hear them and understand their struggle, now it is time to put our money where our mouth is. We need to stop the rhetoric and take action. The American people deserve nothing less.

Mr. KOHL. Mr. President, I rise as a cosponsor of the amendment offered yesterday by the Senator from Rhode

Island to the tax reconciliation bill. This amendment addresses a concern that is on the mind of many Wisconsinites as winter quickly approaches—the increased cost of home heating.

The timing of this amendment could not be more relevant. Last week, executives from several major oil companies attempted to defend their record-breaking profits over the last quarter, in a hearing before the Senate Commerce and Energy Committees. Despite their efforts, they were unable to provide adequate answers. More importantly, they were unable, or unwilling, to provide solutions that would ease the burden on American consumers.

I would like to remind my colleagues that while prices at the pump have declined slightly, we are not yet in the clear. Winter is just around the corner, and with colder temperatures comes higher heating bills. I know my constituents in Wisconsin are worried not only about the costs of filling their cars, but also the costs of heating their homes. As the profits of these oil companies continue, what answers can I provide to these constituents, these hard-working Americans, about how they will pay their heating bills?

I believe the amendment of the Senator from Rhode Island was a first step towards offering my constituents some piece of mind when it comes to heating their homes. This amendment would have created a temporary, 1-year levy on the excess profits of U.S. oil companies to provide \$2.92 billion for the Low-Income Home Energy Assistance Program. Because this would only be in place for 1 year, and only effect profits made in 2005, this amendment would have no effect on gas prices or do anything to increase dependence on foreign oil. The amendment offered a simple, short-term solution that would provide real help to those who will need it most, when the temperature starts to drop.

The Energy Information Administration has forecasted significantly increased home heating costs this winter. For those using home heating oil, the average increase in price will be \$325 over last year. While that might not be much to the oil executives, I can assure you that it could mean going without heat for some families in Wisconsin. I believe it is the responsibility of the Federal Government to protect consumers when the market fails to do so.

I am deeply disappointed that the amendment failed in last night's vote. I assure my constituents that I will continue to work towards a comprehensive solution to high heating costs.

Mr. CARPER. Mr. President, I am pleased to voice my support for the Low-Income Home Energy Assistance Program and for the Reed amendment that I cosponsored to S.2020, the tax reconciliation bill. The Reed amendment would have fully funded LIHEAP in fiscal year 2006 and would have paid for the increased funding with a temporary tax on the windfall profits of major oil companies.