

SA 1051. Mr. KYL (for Mr. INHOFE) proposed an amendment to the bill H.R. 2361, *supra*.

SA 1052. Mr. BYRD (for Mrs. MURRAY (for herself, Mr. BYRD, Mrs. FEINSTEIN, and Mr. AKAKA)) proposed an amendment to the bill H.R. 2361, *supra*.

SA 1053. Mr. BYRD (for himself and Mr. COCHRAN) proposed an amendment to the bill H.R. 2361, *supra*.

SA 1054. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, *supra*.

SA 1055. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, *supra*.

SA 1056. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, *supra*.

SA 1057. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, *supra*.

SA 1058. Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, *supra*.

SA 1059. Mr. DORGAN proposed an amendment to the bill H.R. 2361, *supra*.

SA 1060. Mr. DORGAN (for Ms. LANDRIEU) proposed an amendment to the bill H.R. 2361, *supra*.

SA 1061. Mr. DORGAN (for Mr. OBAMA) proposed an amendment to the bill H.R. 2361, *supra*.

SA 1062. Mr. DORGAN (for Mr. OBAMA) proposed an amendment to the bill H.R. 2361, *supra*.

SA 1063. Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 2361, *supra*; which was ordered to lie on the table.

SA 1064. Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2361, *supra*; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 1020.** Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

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

(1) The on-budget deficit for fiscal year 2005 is estimated to be \$541 billion according to the Congressional Budget Office.

(2) Total publicly-held federal debt on which the American taxpayer pays interest is expected to reach \$6 trillion by 2011 according to the Congressional Budget Office.

(3) The United States and its allies are currently engaged in a global war on terrorism.

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

(1) The servicemen and women of the United States Armed Forces deserve the full support of the Senate as they seek to preserve the safety and security of the American people.

(2) Activities relating to the defense of the United States and the global war on terror should be fully funded.

(3) Activities relating to the defense of the United States and the global war on terror should not be underfunded in order to support increased federal spending on non-defense discretionary activities.

(4) Any additional emergency supplemental appropriations should be offset with reductions in discretionary spending.

**SA 1021.** Mr. INHOFE submitted an amendment intended to be proposed by

him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 200, after line 2, add the following:

SEC. . None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to award assistance agreements to national organizations that represent the interests of State, tribal, and local governments unless the award is subject to open competition.

**SA 1022.** Mr. BURNS (for Mr. FRIST (for himself and Mr. REID)) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title IV, insert the following:

SEC. \_\_\_. CONGRESSIONAL SECURITY RELATING TO CERTAIN REAL PROPERTY.

(a) IN GENERAL.—Except as provided under subsection (b)—

(1) the District of Columbia Board of Zoning Adjustments and the District of Columbia Zoning Commission may not take any action to grant any variance relating to the property located at 51 Louisiana Avenue NW, Square 631, Lot 17 in the District of Columbia; and

(2) if any variance described under paragraph (1) is granted before the effective date of this section, such variance shall be set aside and shall have no force or effect.

(b) CONDITIONS FOR VARIANCE.—A variance described under subsection (a) may be granted or shall be given force or effect if—

(1) the Capitol Police Board makes a determination that any such variance shall not—

(A) negatively impact congressional security; and

(B) increase Federal expenditures relating to congressional security;

(2) the Majority and Minority Leaders of the Senate and the Speaker and Minority Leader of the House of Representatives approve such determination; and

(3) the Capitol Police Board certifies the determination in writing to the District of Columbia Board of Zoning Adjustments and the District of Columbia Zoning Commission.

(c) EFFECTIVE DATE.—This section shall take effect on the date of enactment of this Act and apply to the remaining portion of the fiscal year in which enacted and each fiscal year thereafter.

**SA 1023.** Mr. DORGAN (for Mrs. BOXER (for herself, Mr. NELSON of Florida, Mrs. CLINTON, Mr. SCHUMER, Mr. OBAMA, Mr. JEFFORDS, and Mr. KERRY)) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, add the following:

SEC. . None of the funds made available in this Act may be used by the Administrator of the Environmental Protection Agency—

(1) to accept, consider, or rely on third-party intentional dosing human studies for pesticides; or

(2) to conduct intentional dosing human studies for pesticides.

**SA 1024.** Mr. DORGAN (for Mrs. FEINSTEIN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4 \_\_\_. Section 114 of the Department of the Interior and Related Agencies Appropriations Act, 2003 (16 U.S.C. 460bb-3; Public Law 108-7), is amended—

(1) in the second sentence, by inserting “, including utility expenses of the National Park Service or lessees of the National Park Service” after “Fort Baker properties”; and

(2) by inserting between the first and second sentences the following: “In furtherance of a lease entered into under the first sentence, the Secretary of the Interior or a lessor may impose fees on overnight lodgers at Fort Baker properties.”

**SA 1025.** Mr. DORGAN (for himself, and Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of title IV, add the following:

SEC. 429. (a) IN GENERAL.—Section 7 of the Federal Reserve Act (12 U.S.C. 789 et seq.) is amended by adding at the end the following:

“(d) ADDITIONAL TRANSFERS FOR FISCAL YEAR 2006.—

“(1) IN GENERAL.—The Federal reserve banks shall transfer from the surplus funds of such banks to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury, a total amount of \$1,000,000,000 in fiscal year 2006.

“(2) ALLOCATION BY FED.—Of the total amount required to be paid by the Federal reserve banks under paragraph (1) for fiscal year 2006, the Board of Governors of the Federal Reserve System shall determine the amount that each such bank shall pay in such fiscal year.

“(3) REPLENISHMENT OF SURPLUS FUND PROHIBITED.—No Federal reserve bank may replenish the surplus fund of such bank by the amount of any transfer by such bank under paragraph (1) during fiscal year 2006.”

(b) USE OF SURPLUS.—Of amounts transferred to the general fund of the Treasury under section 7(d) of the Federal Reserve Act, as added by this section—

(1) \$140,000,000 shall be made available to the Secretary of the Interior for use by the Bureau of Indian Affairs; and

(2) \$860,000,000 shall be made available to the Secretary of Health and Human Services for use by the Director of the Indian Health Service in providing Indian health care services and facilities.

**SA 1026.** Mr. SUNUNU (for himself, Mr. BINGAMAN, Mr. McCAIN, and Mr. FEINGOLD) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4 \_\_\_. None of the funds made available by this Act may be used to plan, design,

study, or construct new forest development roads in the Tongass National Forest for the purpose of harvesting timber by private entities or individuals.

**SA 1027.** Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 254, after line 25, add the following:

SEC. 4. None of the funds made available by this Act may be used to carry out any study relating to bear DNA, including a bear DNA sampling study.

**SA 1028.** Mr. FRIST (for himself and Mr. ALEXANDER) submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4. (a) Section 813(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812(a)) is amended by striking “and (i)” and inserting “and (i) (except for paragraph (1)(C))”.

(b) Section 4(i)(1)(C)(i) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4607-6a(i)(1)(C)(i)) is amended—

(1) by striking “Notwithstanding subparagraph (A)” and all that follows through “or section 107” and inserting “Notwithstanding section 107”; and

(2) by striking “account under subparagraph (A)” and inserting “account under section 807(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6806(a))”.

(c) Except as provided in this section, section 4(i)(1)(C) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4607-6a(i)(1)(C)) shall be applied and administered as if section 813(a) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6812(a)) (and the amendments made by that section) had not been enacted.

(d) This section and the amendments made by this section take effect on December 8, 2004.

**SA 1029.** Mr. DORGAN (for Mr. KERRY) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 429. (a) From any money in the Treasury not otherwise obligated or appropriated, there are appropriated \$600,000,000 for the fiscal year ending September 30, 2005, for the Veterans Health Administration.

(b) The amount appropriated under subsection (a) is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

**SA 1030.** Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 182, strike lines 20 through 25 and insert the following:

SEC. 110.(a)(1) For fiscal year 2006 and each succeeding fiscal year, any funds made available by this Act for the Southwest Indian Polytechnic Institute and Haskell Indian Nations University for postsecondary programs of the Bureau of Indian Affairs in excess of the amount made available for those postsecondary programs for fiscal year 2005 shall be allocated in direct proportion to the need of the schools, as determined in accordance with the postsecondary funding formula adopted by the Office of Indian Education Programs.

(2) For fiscal year 2007 and each succeeding fiscal year, the Bureau of Indian Affairs shall use the postsecondary funding formula adopted by the Office of Indian Education Programs based on the needs of the Southwest Indian Polytechnic Institute and Haskell Indian Nations University to justify the amounts submitted as part of the budget request of the Department of the Interior.

(b) Notwithstanding any other provision of law, \$178,730 is authorized to be appropriated for the Southwest Indian Polytechnic Institute.

**SA 1031.** Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 130, line 2, strike “\$1,000,000” and insert “\$1,250,000”.

On page 138, line 7, strike “\$2,000,000” and insert “\$2,500,000”.

On page 146, line 19, strike “\$1,937,000” and insert “\$2,500,000”.

On page 211, line 25, strike “\$2,000,000” and insert “\$2,500,000”.

**SA 1032.** Mr. DORGAN (for Mr. DURBIN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4. None of the funds made available by this Act may be used in contravention of, or to delay the implementation of, Executive Order No. 12898 of February 11, 1994 (59 Fed. Reg. 7629; relating to Federal actions to address environmental justice in minority populations and low-income populations).

**SA 1033.** Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4. None of the funds made available to the Forest Service under this Act shall be expended or obligated for the demolition of buildings at the Zephyr Shoals property, Lake Tahoe, Nevada.

**SA 1034.** Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies

agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 263, after line 25, add the following:

## TITLE VI—ARABIA MOUNTAIN NATIONAL HERITAGE AREA

### SEC. 601. SHORT TITLE.

This title may be cited as the “Arabia Mountain National Heritage Area Act”.

### SEC. 602. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The Arabia Mountain area contains a variety of natural, cultural, historical, scenic, and recreational resources that together represent distinctive aspects of the heritage of the United States that are worthy of recognition, conservation, interpretation, and continuing use.

(2) The best methods for managing the resources of the Arabia Mountain area would be through partnerships between public and private entities that combine diverse resources and active communities.

(3) Davidson-Arabia Mountain Nature Preserve, a 535-acre park in DeKalb County, Georgia—

(A) protects granite outcrop ecosystems, wetland, and pine and oak forests; and

(B) includes federally-protected plant species.

(4) Panola Mountain, a national natural landmark, located in the 860-acre Panola Mountain State Conservation Park, is a rare example of a pristine granite outcrop.

(5) The archaeological site at Miners Creek Preserve along the South River contains documented evidence of early human activity.

(6) The city of Lithonia, Georgia, and related sites of Arabia Mountain and Stone Mountain possess sites that display the history of granite mining as an industry and culture in Georgia, and the impact of that industry on the United States.

(7) The community of Klondike is eligible for designation as a National Historic District.

(8) The city of Lithonia has 2 structures listed on the National Register of Historic Places.

(b) PURPOSES.—The purposes of this title are as follows:

(1) To recognize, preserve, promote, interpret, and make available for the benefit of the public the natural, cultural, historical, scenic, and recreational resources in the area that includes Arabia Mountain, Panola Mountain, Miners Creek, and other significant sites and communities.

(2) To assist the State of Georgia and the counties of DeKalb, Rockdale, and Henry in the State in developing and implementing an integrated cultural, historical, and land resource management program to protect, enhance, and interpret the significant resources within the heritage area.

### SEC. 603. DEFINITIONS.

For the purposes of this title, the following definitions apply:

(1) HERITAGE AREA.—The term “heritage area” means the Arabia Mountain National Heritage Area established by section 604.

(2) MANAGEMENT ENTITY.—The term “management entity” means the Arabia Mountain Heritage Area Alliance or a successor of the Arabia Mountain Heritage Area Alliance.

(3) MANAGEMENT PLAN.—The term “management plan” means the management plan for the heritage area developed under section 606.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(5) STATE.—The term “State” means the State of Georgia.

**SEC. 604. ARABIA MOUNTAIN NATIONAL HERITAGE AREA.**

(a) ESTABLISHMENT.—There is established the Arabia Mountain National Heritage Area in the State.

(b) BOUNDARIES.—The heritage area shall consist of certain parcels of land in the counties of DeKalb, Rockdale, and Henry in the State, as generally depicted on the map entitled “Arabia Mountain National Heritage Area”, numbered AMNHA-80,000, and dated October 2003.

(c) AVAILABILITY OF MAP.—The map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(d) MANAGEMENT ENTITY.—The Arabia Mountain Heritage Area Alliance shall be the management entity for the heritage area.

**SEC. 605. AUTHORITIES AND DUTIES OF THE MANAGEMENT ENTITY.**

(a) AUTHORITIES.—For purposes of developing and implementing the management plan, the management entity may—

(1) make grants to, and enter into cooperative agreements with, the State, political subdivisions of the State, and private organizations;

(2) hire and compensate staff; and

(3) enter into contracts for goods and services.

**(b) DUTIES.—****(1) MANAGEMENT PLAN.—**

(A) IN GENERAL.—The management entity shall develop and submit to the Secretary the management plan.

(B) CONSIDERATIONS.—In developing and implementing the management plan, the management entity shall consider the interests of diverse governmental, business, and nonprofit groups within the heritage area.

(2) PRIORITIES.—The management entity shall give priority to implementing actions described in the management plan, including the following:

(A) Assisting units of government and nonprofit organizations in preserving resources within the heritage area.

(B) Encouraging local governments to adopt land use policies consistent with the management of the heritage area and the goals of the management plan.

(3) PUBLIC MEETINGS.—The management entity shall conduct public meetings at least quarterly on the implementation of the management plan.

(4) ANNUAL REPORT.—For any year in which Federal funds have been made available under this title, the management entity shall submit to the Secretary an annual report that describes the following:

(A) The accomplishments of the management entity.

(B) The expenses and income of the management entity.

**(5) AUDIT.—**The management entity shall—

(A) make available to the Secretary for audit all records relating to the expenditure of Federal funds and any matching funds; and

(B) require, with respect to all agreements authorizing expenditure of Federal funds by other organizations, that the receiving organizations make available to the Secretary for audit all records concerning the expenditure of those funds.

**(c) USE OF FEDERAL FUNDS.—**

(1) IN GENERAL.—The management entity shall not use Federal funds made available under this title to acquire real property or an interest in real property.

(2) OTHER SOURCES.—Nothing in this title precludes the management entity from using Federal funds made available under other Federal laws for any purpose for which the funds are authorized to be used.

**SEC. 606. MANAGEMENT PLAN.**

(a) IN GENERAL.—The management entity shall develop a management plan for the heritage area that incorporates an integrated and cooperative approach to protect, interpret, and enhance the natural, cultural, historical, scenic, and recreational resources of the heritage area.

(b) BASIS.—The management plan shall be based on the preferred concept in the document entitled “Arabia Mountain National Heritage Area Feasibility Study”, dated February 28, 2001.

**(c) CONSIDERATION OF OTHER PLANS AND ACTIONS.—**The management plan shall—

(1) take into consideration State and local plans; and

(2) involve residents, public agencies, and private organizations in the heritage area.

(d) REQUIREMENTS.—The management plan shall include the following:

(1) An inventory of the resources in the heritage area, including—

(A) a list of property in the heritage area that—

(i) relates to the purposes of the heritage area; and

(ii) should be preserved, restored, managed, or maintained because of the significance of the property; and

(B) an assessment of cultural landscapes within the heritage area.

(2) Provisions for the protection, interpretation, and enjoyment of the resources of the heritage area consistent with the purposes of this title.

(3) An interpretation plan for the heritage area.

(4) A program for implementation of the management plan that includes—

(A) actions to be carried out by units of government, private organizations, and public-private partnerships to protect the resources of the heritage area; and

(B) the identification of existing and potential sources of funding for implementing the plan.

(5) A description and evaluation of the management entity, including the membership and organizational structure of the management entity.

**(e) SUBMISSION TO SECRETARY FOR APPROVAL.—**

(1) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the management entity shall submit the management plan to the Secretary for approval.

(2) EFFECT OF FAILURE TO SUBMIT.—If a management plan is not submitted to the Secretary by the date specified in paragraph (1), the Secretary shall not provide any additional funding under this title until such date as a management plan for the heritage area is submitted to the Secretary.

**(f) APPROVAL AND DISAPPROVAL OF MANAGEMENT PLAN.—**

(1) IN GENERAL.—Not later than 90 days after receiving the management plan submitted under subsection (e), the Secretary, in consultation with the State, shall approve or disapprove the management plan.

**(2) ACTION FOLLOWING DISAPPROVAL.—**

(A) REVISION.—If the Secretary disapproves a management plan submitted under paragraph (1), the Secretary shall—

(i) advise the management entity in writing of the reasons for the disapproval;

(ii) make recommendations for revisions to the management plan; and

(iii) allow the management entity to submit to the Secretary revisions to the management plan.

(B) DEADLINE FOR APPROVAL OF REVISION.—Not later than 90 days after the date on which a revision is submitted under subparagraph (A)(iii), the Secretary shall approve or disapprove the revision.

**(g) REVISION OF MANAGEMENT PLAN.—**

(1) IN GENERAL.—After approval by the Secretary of a management plan, the management entity shall periodically—

(A) review the management plan; and

(B) submit to the Secretary, for review and approval by the Secretary, the recommendations of the management entity for any revisions to the management plan that the management entity considers to be appropriate.

(2) EXPENDITURE OF FUNDS.—No funds made available under this title shall be used to implement any revision proposed by the management entity under paragraph (1)(B) until the Secretary approves the revision.

**SEC. 607. TECHNICAL AND FINANCIAL ASSISTANCE.**

(a) IN GENERAL.—At the request of the management entity, the Secretary may provide technical and financial assistance to the heritage area to develop and implement the management plan.

(b) PRIORITY.—In providing assistance under subsection (a), the Secretary shall give priority to actions that facilitate—

(1) the conservation of the significant natural, cultural, historical, scenic, and recreational resources that support the purposes of the heritage area; and

(2) the provision of educational, interpretive, and recreational opportunities that are consistent with the resources and associated values of the heritage area.

**SEC. 608. EFFECT ON CERTAIN AUTHORITY.**

(a) OCCUPATIONAL, SAFETY, CONSERVATION, AND ENVIRONMENTAL REGULATION.—Nothing in this title—

(1) imposes an occupational, safety, conservation, or environmental regulation on the heritage area that is more stringent than the regulations that would be applicable to the land described in section 604(b) but for the establishment of the heritage area by section 604; or

(2) authorizes a Federal agency to promulgate an occupational, safety, conservation, or environmental regulation for the heritage area that is more stringent than the regulations applicable to the land described in section 604(b) as of the date of enactment of this Act, solely as a result of the establishment of the heritage area by section 604.

(b) LAND USE REGULATION.—Nothing in this title—

(1) modifies, enlarges, or diminishes any authority of the Federal Government or a State or local government to regulate any use of land as provided for by law (including regulations) in existence on the date of enactment of this Act; or

(2) grants powers of zoning or land use to the management entity.

**SEC. 609. AUTHORIZATION OF APPROPRIATIONS.**

(a) IN GENERAL.—There is authorized to be appropriated to carry out this title \$10,000,000, to remain available until expended, of which not more than \$1,000,000 may be used in any fiscal year.

(b) FEDERAL SHARE.—The Federal share of the cost of any project or activity carried out using funds made available under this title shall not exceed 50 percent.

**SEC. 610. TERMINATION OF AUTHORITY.**

The authority of the Secretary to make any grant or provide any assistance under this title shall terminate on September 30, 2016.

**SA 1035.** Mr. DORGAN (for Mr. WYDEN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4. Section 323(a) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (16 U.S.C. 1011 note; Public Law 105-277), is amended by striking “fiscal year 1999” and all that follows through “2005” and inserting “for each of fiscal years 2006 through 2015”.

**SA 1036.** Mr. DORGAN (for Mr. REED) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 198, lines 21 and 22, strike “Notwithstanding CERCLA 104(k)(4)(B)(i)(IV), appropriated funds for fiscal year 2006” and insert the following: “Notwithstanding section 104(k)(4)(B)(i)(IV) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(4)(B)(i)(IV)), beginning in fiscal year 2006 and thereafter, appropriated funds”

**SA 1037.** Mr. DORGAN (for Mr. REED) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 200, between lines 2 and 3, insert the following:

Beginning in fiscal year 2006 and thereafter, notwithstanding any other provision of law, recipients of grants provided under section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) may use the grant funds for reasonable administrative expenses, as determined by the Administrator of the Environmental Protection Agency.

**SA 1038.** Mr. SALAZAR proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 171, line 13, strike “\$94,627,000” and insert “\$87,627,000”.

On page 172, line 11, strike “\$235,000,000” and insert “\$242,000,000”.

**SA 1039.** Mr. SALAZAR proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4. (a) Notwithstanding subsection (b)(3) of section 6 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8), any user fees collected under that Act with respect to recreational and related activities in a State shall be paid to the State in which the fees were collected.

(b) Amounts paid to a State under subsection (a) shall be in addition to, and shall not reduce, the apportionment of the collecting State under section 6(b) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-8(b)).

**SA 1040.** Mr. BURNS (for Mr. BOND) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, envi-

ronment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 154, line 12, strike “That” and insert “That from the amount provided for the biological research activity, \$200,000 shall be made available to the University of Missouri-Columbia to establish a wetland ecology center of excellence: *Provided further*, That”.

**SA 1041.** Mr. BURNS (for Mr. CRAIG) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, add the following: “*Provided further*, That, subject to valid existing rights, all land and interests in land acquired in the Thunder Mountain area of the Payette National Forest (including patented claims and land that are encumbered by unpatented claims or previously appropriated funds under this section, or otherwise relinquished by a private party) are withdrawn from mineral entry or appropriation under Federal mining laws, and from leasing claims under Federal mineral and geothermal leasing laws.”

**SA 1042.** Mr. WARNER (for Mr. BURNS) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 149, line 7, after “acquisitions”, insert the following: “of which \$4,285,000 shall be made available for the replacement of the main gate facility at the Filene Center, Wolf Trap National Park for the Performing Arts, Virginia.”

**SA 1043.** Mr. DORGAN (for Mr. FEINGOLD) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 249, line 19, before the period, insert the following: “conducted in accordance with generally accepted full cost accounting principles”.

On page 250, between lines 23 and 24, insert the following:

(e) AUDIT.—(1) In this subsection:

(A) The term “baseline organization” means the organization performing the work to be studied prior to initiation of a competitive sourcing study under this section.

(B) The term “new organization” means the private contractor, or the most efficient public agency, and associated management and oversight functions used at the conclusion of a competitive sourcing study under this section.

(2) Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct an audit of the competitive sourcing program of the Forest Service.

(3) The audit shall include—

(A) an analysis of the costs and benefits of the competitive sourcing initiative conducted by the Forest Service;

(B) an analysis of existing procedures to track (in accordance with full cost accounting principles) all costs required to calculate accurate savings or losses attributable to a competitive sourcing study, and rec-

ommendations on how the existing procedures can be improved, including all costs attributable to developing, implementing, supporting, managing, monitoring, and reporting on competitive sourcing (including personnel, consultant, travel, and training costs associated with program management), including—

(i) costs incurred by the Forest Service before initiation of the competitive sourcing study in performing the work to be studied with the baseline organization;

(ii) costs of performing the competitive sourcing study, including—

(I) travel and per diem costs;

(II) training and communications costs;

(III) contractor costs; and

(IV) the cost to the Federal Government of Federal employees working on any aspect of the study or performing any work necessitated by the study;

(iii) costs of implementing the competitive sourcing study results, including costs described in clause (ii) and costs associated with buyouts, transfers of station, and reductions in force;

(iv) ongoing operational costs of performing the work with the new organization employed as a result of competitive sourcing study, including any modifications to the contract or letter of obligation necessitated by omissions in the statement of work of the solicitation;

(v) costs associated with oversight and maintenance of the contract or letter of obligation;

(vi) savings realized or costs borne by the Forest Service that are not included under clause (iv), including savings or costs due to—

(I) changes in the timeliness or quality of the work provided by the new organization;

(II) changes in procedures of the Forest Service necessitated by the new organization;

(III) the assignment to employees or contractors outside of the new organization of duties previously performed by the baseline organization; and

(IV) changes in the availability of personnel to perform high priority fire suppression or other emergency response work on a collateral basis; and

(vii) costs of maintaining and operating a competitive sourcing infrastructure, including office, salary, contractor, and travel costs associated with the Forest Service Competitive Sourcing Office and the cost to the Federal Government of Federal employees for the time for which the employees are managing the program;

(C) recommendations on what accounting practices should be adopted by the Forest Service to improve accountability;

(D) an evaluation of the comparative efficiencies of the Forest Service competitive sourcing and business process reengineering procedures; and

(E) an analysis of—

(i) the A-76 study that resulted in the information services organization and the continuing Federal Government activity;

(ii) the A-76 study of Region 5 fleet maintenance work that resulted in the transfer of work to Serco; and

(iii) the financial management improvement project, accomplished by means of business process reengineering.

**SA 1044.** Mr. DORGAN (for Mr. BYRD) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 139, line 5, before the period insert the following: “Provided further, That of the total amounts made available under this heading, \$350,000 shall be made available for the mussel program at the White Sulphur Springs National Fish Hatchery”.

**SA 1045.** Mr. DORGAN (for Mr. CONRAD) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 195, line 7, after “costs”, insert the following: “, of which \$200,000 shall be made available for a brownfields assessment of the Fortuna Radar Site”.

**SA 1046.** Mr. DORGAN (for Mr. SARBANES (for himself, Mr. ALLEN, Mr. WARNER, and Ms. MIKULSKI)) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4 \_\_\_\_\_. Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following:

“(43)(A) The Captain John Smith Chesapeake National Historic Watertrail, a series of routes extending approximately 3000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, Pennsylvania, and Delaware and the District of Columbia that traces Captain John Smith’s voyages charting the land and waterways of the Chesapeake Bay and the tributaries of the Chesapeake Bay.

“(B) The study shall be conducted in consultation with Federal, State, regional, and local agencies and representatives of the private sector, including the entities responsible for administering—

“(i) the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; Public Law 105-312); and

“(ii) the Chesapeake Bay Program authorized under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267).”.

**SA 1047.** Ms. COLLINS (for herself and Ms. SNOWE) submitted an amendment intended to be proposed by her to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 200, line 23, after “Fund”, insert the following: “and of which \$32,320,000 shall be made available for the forest stewardship program (of which \$5,000,000 shall be made available for the Downeast Lakes Forestry Partnership, Maine, including for the acquisition of land by the Partnership)”.

**SA 1048.** Mr. SMITH submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Departments of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

**SEC. . BISCUIT FIRE RECOVERY PROJECT, RE-PORT.**

(a) Within 90 days of enactment of this Act, the Secretary of Agriculture shall submit to Congress a report regarding the rehabilitation of the Biscuit Fire area in southern Oregon, including:

(1) the change in reforestation capabilities and costs between the date of the containment of the Biscuit Fire and the completion of the Biscuit Fire Recovery Project, as detailed in the Record of Decision;

(2) the commercial value lost, as well as recovered, of fire-killed timber within the Biscuit Fire area; and

(3) all actions included in the Record of Decision for the Biscuit Fire Recovery Project, but forgone because of delay or funding shortfall.

**SA 1049.** Mr. KYL proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 195, line 9, after the semicolon, insert the following: “\$500,000 shall be for debt retirement for the State Water Pollution Control Revolving Fund for the wastewater treatment plant in Safford, Arizona; \$3,000,000 shall be for the expansion of the wastewater treatment plant in Lake Havasu City, Arizona; \$1,000,000 shall be for the expansion of the wastewater treatment plant in Avondale, Arizona;”.

**SA 1050.** Mr. KYL proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 4 \_\_\_\_\_. Section 604 of the Federal Water Pollution Control Act (33 U.S.C. 1384) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by striking subsection (a) and inserting the following:

“(a) DEFINITIONS.—In this subsection:

“(1) NEEDS SURVEY.—The term ‘needs survey’ means a need survey under section 516(2).

“(2) NEEDS SURVEY PERCENTAGE.—The term ‘needs survey percentage’, with respect to a State, means the percentage applicable to the State under a formula for the allotment of funds made available to carry out this section for a fiscal year to States in amounts determined by the Administrator, based on the ratio that—

“(A) the needs of a State described in categories I through VII of the most recent needs survey; bears to

“(B) the needs of all States described in categories I through VII of the most recent needs survey.

“(3) STATE.—The term ‘State’ means—

“(A) a State;

“(B) the District of Columbia; and

“(C) the Commonwealth of Puerto Rico.

“(b) ALLOCATIONS.—

“(1) IN GENERAL.—Funds made available to carry out this section for a fiscal year shall be allocated by the Administrator in accordance with this subsection.

“(2) INDIAN TRIBES.—Of the total amount of funds available for a fiscal year, the Administrator shall reserve, before making allotments to States under paragraph (4), not less than 1.5 percent of the funds to be allocated

to Indian tribes (within the meaning of section 518(c)).

“(3) CERTAIN TERRITORIES AND FREELY ASSOCIATED STATES.—Of the total amount of funds made available for a fiscal year, 0.25 percent shall be allocated to and among, as determined by the Administrator—

“(A) Guam;

“(B) American Samoa;

“(C) the Commonwealth of the Northern Mariana Islands;

“(D) the Federated States of Micronesia;

“(E) the Republic of the Marshall Islands;

“(F) the Republic of Palau; and

“(G) the United States Virgin Islands.

“(4) STATES.—

“(A) TARGET ALLOCATION.—Each State shall have a target allocation for a fiscal year, which—

“(i) in the case of a State for which the needs survey percentage is less than 1.0 percent, shall be 1.0 percent; and

“(ii) in the case of any other State, shall be the most recent needs survey percentage.

“(B) UNALLOCATED BALANCE.—Any unallocated balance of available funds shall be allocated in equal parts to all States that, in the most recent needs survey, report higher total needs both in absolute dollar terms and as a percentage of total United States needs.”.

**SA 1051.** Mr. KYL (for Mr. INHOFE) proposed an amendment, to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year end September 30, 2006, and for other purposes; as follows:

On page 200, after line 2, the following:

**SEC. .**

None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to award assistance agreements to national organizations that represent the interests of State, tribal, and local governments unless the award is subject to open competition.

**SA 1052.** Mr. BYRD (for Mrs. MURRAY (for herself, Mr. BYRD, Mrs. FEINSTEIN, Mr. KERRY, Mr. AKAKA, and Mr. DURBIN)) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 254, after line 25, add the following:

SEC. 429.(a) From any money in the Treasury not otherwise obligated or appropriated, there are appropriated to the Department of Veterans Affairs \$1,420,000,000 for the fiscal year ending September 30, 2005, for medical services provided by the Veterans Health Administration, of which \$420,000,000 shall be divided evenly between the Veterans Integrated Service Networks.

(b) The amount appropriated under subsection (a)—

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

(2) shall remain available until expended.

(c) This section shall take effect on the date of enactment of this Act.

**SA 1053.** Mr. BYRD (for himself and Mr. COCHRAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 189, after line 20, add the following:

SEC. 128. (a) For necessary expenses for the Memorial to Martin Luther King, Jr., there is hereby made available to the Secretary of the Interior \$10,000,000, to remain available until expended, for activities authorized by section 508 of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 8903 note; Public Law 104-333).

(b) Section 508(c) of the Omnibus Parks and Public Lands Management Act of 1996 (40 U.S.C. 8903 note; Public Law 104-333) is amended by striking the second sentence.

(c) Notwithstanding any other provision of this Act, the amount reduced in Title I in the second proviso under the heading Departmental Management, Salaries and Expenses, is further reduced by \$10,000,000.

**SA 1054.** Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 130, line 2, strike "\$1,000,000" and insert "\$1,250,000".

On page 138, line 7, strike "\$2,000,000" and insert "\$2,500,000".

On page 146, line 19, strike "\$1,937,000" and insert "\$2,500,000".

On page 211, line 25, strike "\$2,000,000" and insert "\$2,500,000".

**SA 1055.** Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 250, between lines 23 and 24, insert the following:

(e) In carrying out any competitive sourcing study involving Forest Service employees, the Secretary of Agriculture shall—

(1) determine whether any of the employees concerned are also qualified to participate in wildland fire management activities; and

(2) take into consideration and document the effect that contracting with a private sector source would have on the ability of the Forest Service to effectively and efficiently fight and manage wildfires.

**SA 1056.** Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

Beginning on page 255, strike line 1 and all that follows through page 263, line 22.

**SA 1057.** Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

Beginning on page 255, strike line 1 and all that follows through page 263, line 22, and insert the following:

SEC. 4. Section 329 of the Department of the Interior and Related Agencies Appropriations Act, 2002 (16 U.S.C. 580d note; Public Law 107-63) is amended—

(1) in subsection (b), by striking "40 sites" and inserting "60 sites";

(2) in subsection (c), by striking "13 sites" and inserting "25 sites"; and

(3) in subsection (d), by striking "2008" and inserting "2009".

**SA 1058.** Mr. DORGAN (for Mr. BINGAMAN) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

Beginning on page 255, strike line 1 and all that follows through page 263, line 25, and insert the following:

## TITLE V—FACILITY REALIGNMENT AND ENHANCEMENT ACT OF 2005

### SEC. 501. SHORT TITLE.

This title may be cited as the "Forest Service Facility Realignment and Enhancement Act of 2005".

### SEC. 502. DEFINITIONS.

In this title:

#### (1) ADMINISTRATIVE SITE.—

(A) IN GENERAL.—The term "administrative site" means—

(i) any facility or improvement, including curtilage that was acquired or is used specifically for purposes of administration of the National Forest System; and

(ii) any associated Federal land necessary to include for efficient administration of the National Forest System that was acquired or is utilized specifically for purposes of administration of Forest Service activities and underlies or abuts an administrative facility, improvement, or curtilage; or

(iii) up to 10 isolated parcels of not more than 80 acres which were acquired for administrative purposes but have not been utilized, such as vacant town lots outside of a National Forest proclaimed boundary.

(B) INCLUSIONS.—The term "administrative site" includes—

(i) a forest headquarters;

(ii) a ranger station;

(iii) a research station or laboratory;

(iv) a dwelling;

(v) a warehouse;

(vi) a scaling station;

(vii) a fire-retardant mixing station;

(viii) a lookout;

(ix) a visitor center;

(x) a guard station;

(xi) a storage facility;

(xii) a telecommunication facility; and

(xiii) other administrative installations for conducting Forest Service activities.

(C) EXCLUSIONS.—Federal land to be conveyed under this Act shall not include—

(i) any area within a unit of the National Forest System specifically designated for resource protection, conservation, or recreational purposes, including land within the National Wilderness Preservation System, the Wild and Scenic River System, and National Monuments; or

(ii) land that is needed for resource management purposes or that would be in the public interest to retain.

(2) ADMINISTRATOR.—The term "Administrator" means the Administrator of the General Services Administration.

(3) MARKET ANALYSIS.—The term "market analysis" means the identification and study of the real estate market for a particular economic good or service.

(4) SECRETARY.—The term "Secretary" means the Secretary of Agriculture.

### SEC. 503. AUTHORIZATION OF CONVEYANCES.

(a) IN GENERAL.—For fiscal years 2006–2009, the Secretary may convey, by sale, lease, exchange, a combination of sales and exchanges, or by other means, any administrative site or interest in an administrative site that is—

(1) except for those administrative sites described in section 502(1)(A)(iii), less than 40 acres for each administrative site or compound of administrative sites; and

(2) under the jurisdiction of the Secretary.

#### (b) LEAD-BASED PAINT AND ASBESTOS ABATEMENT.—

(1) IN GENERAL.—Notwithstanding any other provisions of law, in any conveyance under subsection (a), the Secretary shall not be required to mitigate or abate lead-based paint or asbestos-containing building materials with respect to the administrative site conveyed.

(2) NOTICE.—Notwithstanding paragraph (1), if the administrative site being conveyed has lead-based paint or asbestos-containing building materials, the Secretary shall—

(A) provide to the person acquiring the administrative site notice of the presence of lead-based paint or asbestos-containing material; and

(B) obtain from the person acquiring the administrative site a written assurance that the person will comply with applicable Federal, State, and local laws relating to the management of the lead-based paint or asbestos-containing materials.

(c) FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES.—A conveyance under this section shall not be subject to subchapter I of chapter 5, title 40, United States Code.

(d) NOTICE TO CONGRESS.—At least once a year, the Secretary shall submit to the Committee on Appropriations and the Committee on Resources of the House of Representatives and the Committee on Appropriations and the Committee on Energy and Natural Resources of the Senate notice of any conveyances under this section.

(e) ENVIRONMENTAL REVIEW.—In any environmental review or analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for the disposal of an administrative site under this section, the Secretary shall only consider or analyze the most reasonably foreseeable use of the administrative site as determined through a market analysis and whether to reserve any right, title, or interest in the administrative site under subsection (f)(3).

#### (f) CONFIGURATION OF LAND.—

(1) IN GENERAL.—To facilitate a conveyance under this section, the Secretary may configure the administrative site to be conveyed to—

(A) maximize the marketability of the administrative site; and

(B) achieve management objectives.

(2) IMPROVEMENTS.—Improvements to the administrative site to be conveyed may be severed from the land and disposed of in separate conveyances.

(3) RESERVATION.—In any disposition of an administrative site under this section, the Secretary may reserve any right, title, and interest in and to the administrative site that the Secretary determines to be necessary, including—

(A) a reservation of water rights;

(B) a right-of-way; and

(C) a utility easement.

#### (g) CONSIDERATION.—

(1) AMOUNT.—In consideration for a conveyance authorized under subsection (a), the purchaser shall pay to the Secretary the amount that is equal to the fair market value of the administrative site conveyed, as provided in paragraph (3).

(2) APPRAISAL.—The Secretary shall determine fair market value by—

(A) conducting an appraisal that is performed in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal practice; or

(B) competitive sale.

#### (3) FORM.—

(A) SALE.—Consideration for a sale under this section shall be paid in cash on conveyance of the administrative site.

(B) EXCHANGE.—

(i) EQUAL IN VALUE.—Consideration for an exchange of land or an improvement to land under this section shall be in the form of a conveyance of land or improvement that is equal in value to the administrative site conveyed.

(ii) NOT EQUAL IN VALUE.—If the values of land or improvements to be exchanged under this Act and described in clause (i) are not equal, the values may be equalized by—

(I) the Secretary making a cash payment to the purchaser;

(II) the purchaser making a cash equalization payment to the Secretary; or

(III) reducing the value of the administrative site or the non-Federal land or improvements, as appropriate.

(h) REJECTION OF OFFERS.—The Secretary shall reject any offer made under this section if the Secretary determines that the offer is not—

(1) adequate to provide market value under subsection (g)(1); or

(2) in the public interest.

(i) BROKERAGE SERVICES.—The Secretary may use the proceeds of sales or exchanges under this section to pay reasonable commissions or fees for brokerage services if the Secretary determines that the services are in the public interest.

(j) DISPOSITION OF PROCEEDS.—

(1) IN GENERAL.—After deducting any costs of the Secretary relating to a conveyance, the Secretary shall deposit the proceeds from the conveyance in the fund established under Public Law 90-171 (commonly known as the “Sisk Act”) (16 U.S.C. 484a).

(2) USE.—Amounts deposited under paragraph (1) shall remain available to the Secretary until expended, without further appropriation, to pay any necessary and incidental costs of the Secretary for the acquisition, improvement, deferred maintenance, construction of new facilities; and disposition of administrative sites and capital improvements on National Forest System land.

(k) CONSULTATION WITH ADMINISTRATOR.—As appropriate, the Secretary is encouraged to work with the Administrator with respect to the conveyance of administrative sites.

**SEC. 504. WORKING CAPITAL FUND.**

(a) IN GENERAL.—Section 13 of the Department of Agriculture Organic Act of 1956 (16 U.S.C. 579b) is amended to read as follows:

**“SEC. 13. WORKING CAPITAL FUND.**

“(a) ESTABLISHMENT.—There is established a working capital fund (referred to in this section as the ‘Fund’), which shall be available without fiscal year limitation.

“(b) USE.—Amounts in the Fund shall be used to pay the costs of purchasing, constructing, performing capital repairs on, renovating, rehabilitating, disposing, or replacing buildings and to carry out deferred maintenance and improvements to land for programs of the Forest Service, subject to any limitations in appropriations for the Forest Service.

“(c) TRANSFER AND CAPITALIZATION.—The Secretary of Agriculture (referred to in this section as the ‘Secretary’) may—

“(1) transfer to the Fund, without reimbursement, and capitalize in the Fund at fair and reasonable values, any receivables, inventories, equipment, buildings, improvements, and other assets as the Secretary determines to be appropriate; and

“(2) assume the liabilities associated with the assets transferred under paragraph (1).

“(d) ADVANCE PAYMENTS.—The fund shall be credited with advance payments in connection with firm orders and reimbursements from appropriations and funds of the

Forest Service, other departmental and Federal agencies, and from other sources, as authorized by law, at rates approximately equal to the cost of furnishing the facilities and service.”.

(b) SAVINGS CLAUSE.—The amendment made by subsection (a) shall not affect the status of funds and assets in the working capital fund established by section 13 of the Department of Agriculture Organic Act of 1956 (16 U.S.C. 579b) as in effect on the date of enactment of this section.

**SA 1059.** Mr. DORGAN proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

**SEC. . FAMILY TRAVEL TO CUBA IN HUMANITARIAN CIRCUMSTANCES.**

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Treasury shall issue a general license for travel to, from, or within Cuba to any person subject to the jurisdiction of the United States (and any member of the person’s immediate family) for the purpose of visiting a member of the person’s immediate family for humanitarian reasons.

(b) DEFINITIONS.—In this section:

(1) MEMBER OF THE PERSON’S IMMEDIATE FAMILY.—The term “member of the person’s immediate family” means—

(A) the person’s spouse, child, grandchild, parent, grandparent, great-grandparent, uncle, aunt, brother, sister, nephew, niece, first cousin, mother-in-law, father-in-law, son-in-law, daughter-in-law, sister-in-law, or brother-in-law; or

(B) the spouse, widow, or widower of any relative described in subparagraph (A).

(2) HUMANITARIAN REASONS.—The term “humanitarian reasons” means—

(A) to visit or care for a member of the person’s immediate family who is seriously ill, injured, or dying;

(B) to make funeral or burial arrangements for a member of the person’s immediate family;

(C) to attend religious services related to a funeral or a burial of, a member of the person’s immediate family.

**SA 1060.** Mr. DORGAN (for Ms. LANDRIEU) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

Page 147, line 25 strike “\$72,500,000” and insert “\$67,000,000”.

Page 148, line 1 after 2007, insert “of which \$3,500,000 is for Historically Black Colleges and Universities.”

Page 172 line 4 strike “\$10,000,000” and insert “\$13,500,000”.

**SA 1061.** Mr. DORGAN (for Mr. OBAMA) proposed an amendment to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place insert:

SEC. . None of the funds made available in this Act may be used in contravention of 15 U.S.C. §2682(c)(3) or to delay the implementation of that section.

**SA 1062.** Mr. DORGAN (for Mr. OBAMA) proposed an amendment to the

bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place insert:

*Provided*, That of the funds made available under the heading “Environmental Programs and Management,” not less than \$100,000 shall be made available to issue the proposed rule required under 15 U.S.C. §2682(c)(3) by November 1, 2005, and promulgate the final rule required under 15 U.S.C. §2682(c)(3) by September 30, 2006.

**SA 1063.** Mr. CHAMBLISS submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 150, line 22, strike “\$86,005,000” and insert “\$85,655,000”.

On page 254, after line 25, add the following:

SEC. 4. The Secretary shall use \$350,000 to fund phase II improvements to the wastewater treatment plant in Moultrie, Georgia.

**SA 1064.** Mr. ALLARD submitted an amendment intended to be proposed by him to the bill H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 4. Beginning in fiscal year 2006 and thereafter, the Secretary of Interior or the Secretary of Agriculture shall not use any Federal funds for the purpose of imposing, or considering the imposition of, requirements to restrict or limit the diversion, storage, transportation, or use of water under vested water rights that are—

(1) recognized under Colorado law; and

(2) associated with a facility that is—

(A) in existence on the date of enactment of this Act; and

(B) used for the diversion, storage, transportation, or use of water that is located in whole or in part on Federal land under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture.

**NOTICES OF HEARINGS/MEETINGS**

**COMMITTEE ON INDIAN AFFAIRS**

Mr. McCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Tuesday, June 28, 2005, at 10 a.m., in room 106 of the Dirksen Senate Office Building to conduct an oversight hearing on the Regulation of Indian Gaming. Those wishing additional information may contact the Indian Affairs Committee.

**COMMITTEE ON INDIAN AFFAIRS**

Mr. McCAIN. Mr. PRESIDENT, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, June 29, 2005, at 9:30 a.m., in room 485 of the Russell Senate Office Building to conduct a business meeting on the following: